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EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 12/09/2019 11:21 AM PG: 1 OF 9

**AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE WHITNEY CONDOMINIUM ASSOCIATION**

(ASSIGNMENT OF LIMITED COMMON ELEMENT PARKING SPACE 129 FROM UNIT 306 TO UNIT 1202)

(Does Not Affect Percentages)

This Amendment to the Declaration of Condominium Ownership for The Whitney Condominium Association:

**WITNESSETH:**

**WHEREAS**, the real estate described on Exhibit A hereto and commonly known as 1301 North Dearborn, Unit 306, Chicago, Cook County, Illinois was submitted to the Condominium Property Act of the State of Illinois pursuant to a "Declaration of Condominium Ownership for The Whitney Condominium" recorded in the office of the Recorder of Deeds of Cook County, Illinois as Document Number 96982956 (the "Declaration");

**WHEREAS**, Stephen Carr Davis and Jill Davis (the "Unit 306 Owners") are the record owners of Unit 306 in the Whitney Condominium Association (the "Association");

**WHEREAS**, Parking Space 129 (the "Parking Space") has heretofore been assigned to Unit 306;

**WHEREAS**, Parking Space 129 is a Limited Common Element appurtenant to Unit 306;

**WHEREAS**, John F. O'Toole and Lisa J. Phillips O'Toole (the "Unit 1202 Owners") are the record owners of Unit 1202 in the Association;

**WHEREAS**, the Unit 306 Owners and the Unit 1202 Owners are desirous of having Parking Space 129 transferred and assigned from Unit 306 to Unit 1202;

**WHEREAS**, Section 8(b) and 9(b) of the Declaration and Section 26 of the Act provide that Parking Rights and other limited common elements may be transferred between unit owners by an amendment to the Declaration executed by all unit owners who are parties to the transfer and containing a certificate showing that a copy of the amendment has been delivered to the board of managers, subject only to the prior written consent of the holder of any first mortgage on the Unit transferring the Parking Right;

THIS INSTRUMENT WAS PREPARED BY AND AFTER RECORDING RETURN TO:

ELIZABETH A. THOMPSON  
SAUL EWING ARNSTEIN & LEHR LLP  
161 N. CLARK STREET, SUITE 4200  
CHICAGO, IL 60601

COMMON ADDRESS  
1301 N. Dearborn, Chicago, IL  
Units 306 and 1202

PINs: 17-04-218-048-1006 (Unit 306)  
17-04-218-048-1066 (Unit 1202)

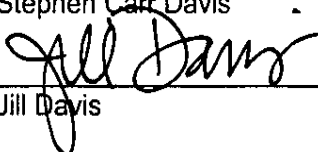
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**NOW, THEREFORE**, the Unit 307 Owners, as the owners of Unit 307, hereby (1) assign and transfer Parking Space 129 to Unit 1202, (2) amend the Declaration to reflect the assignment and transfer of Parking Space 129 to Unit 1202, (3) agree that the Undivided Interests assigned to Units 307 and 1202, respectively, shall not be modified as a result of the foregoing transfer of Parking Space 129 to Unit 1202, and (4) agree that this Amendment and the assignment of Parking Space 129 shall not transfer or in any way affect any other parking rights now or hereafter assigned to Units 307 or 1202.

IN WITNESS WHEREOF the undersigned have executed this instrument this 4<sup>th</sup> day of November, 2019.

By:   
\_\_\_\_\_  
Stephen Carr Davis

By:   
\_\_\_\_\_  
Jill Davis  
("Unit 307 Owners")

**ACCEPTED AND AGREED:**

\_\_\_\_\_  
John F. O'Toole

\_\_\_\_\_  
Lisa J. Phillips O'Toole

("Unit 1202 Owners")

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**NOW, THEREFORE**, the Unit 306 Owners, as the owners of Unit 306, hereby (1) assign and transfer Parking Space 129 to Unit 1202, (2) amend the Declaration to reflect the assignment and transfer of Parking Space 129 to Unit 1202, (3) agree that the Undivided Interests assigned to Units 306 and 1202, respectively, shall not be modified as a result of the foregoing transfer of Parking Space 129 to Unit 1202, and (4) agree that this Amendment and the assignment of Parking Space 129 shall not transfer or in any way affect any other parking rights now or hereafter assigned to Units 306 or 1202.

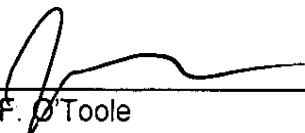
IN WITNESS WHEREOF the undersigned have executed this instrument this 25 day of \_\_\_\_\_, 2019.

By: \_\_\_\_\_  
Stephen Carr Davis

By: \_\_\_\_\_  
Jill Davis

("Unit 306 Owners")

**ACCEPTED AND AGREED:**

  
\_\_\_\_\_  
John F. O'Toole

  
\_\_\_\_\_  
Lisa J. Phillips O'Toole

("Unit 1202 Owners")

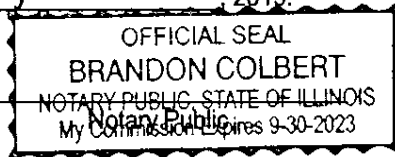
Property of Cook County Clerk's Office

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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, [Signature], a Notary Public in and for said County and State, do hereby certify that Stephen Carr Davis, appeared before me this day in person and acknowledged that he signed and delivered the above and foregoing Amendment to Declaration as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 4<sup>th</sup> day of November, 2019.



STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, [Signature], a Notary Public in and for said County and State, do hereby certify that Jill Davis, appeared before me this day in person and acknowledged that she signed and delivered the above and foregoing Amendment to Declaration as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 4<sup>th</sup> day of November, 2019.



STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that John F. O'Toole, appeared before me this day in person and acknowledged that he signed and delivered the above and foregoing Amendment to Declaration as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, \_\_\_\_\_, a Notary Public in and for said County and State, do hereby certify that Lisa J. Phillips O'Toole, appeared before me this day in person and acknowledged that she signed and delivered the above and foregoing Amendment to Declaration as her free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Notary Public



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## EXHIBIT A LEGAL DESCRIPTION

UNIT 306 AND 1202 IN THE WHITNEY CONDOMINIUM AS DELINEATED ON A SURVEY OF A PARCEL OF LAND COMPRISED OF LOTS 5 AND 6 AND THE SOUTH 6.96 FEET OF LOT 7 IN SIMON'S SUBDIVISION OF LOT 6 IN BRONSON'S ADDITION TO CHICAGO; LOTS 1, 2 AND 3 IN THE SUBDIVISION OF LOT 5 TOGETHER WITH SUB LOT 1 OF LOT 4 IN BRONSON'S ADDITION TO CHICAGO; AND LOTS 1 TO 5, BOTH INCLUSIVE, IN ALICE P HOLBROOK'S SUBDIVISION OF LOT 4 IN THE SUBDIVISION OF LOT 5 IN BRONSON'S ADDITION TO CHICAGO; ALL IN THE NORTH EAST ¼ OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE WHITNEY CONDOMINIUM RECORDED IN COOK COUNTY, ILLINOIS ON DECEMBER 31, 1996 AS DOCUMENT NO. 96-982956, AS AMENDED BY FIRST AMENDMENT RECORDED OCTOBER 1, 1997 AS DOCUMENT NO. 97-730677 AND SECOND AMENDMENT RECORDED MARCH 19, 1998 S DOCUMENT NO. 98-216407, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

PIN NUMBERS: 17-04-218-048-1006 AND 17-04-218-048-1066

COMMON ADDRESS: 1301 NORTH DEARBORN PARKWAY, CHICAGO, ILLINOIS 60610



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State of Maryland  
County of Frederick

On this 5 day of NOVEMBER, 2019 before me, the undersigned officer, personally appeared Dustin Green who made acknowledgment on behalf of the corporation, and that he/she/they, as such Vice President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself/themselves as Vice President.

In witness whereof I hereunto set my hand and official seal.

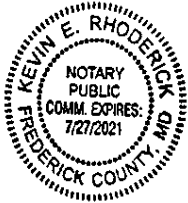
Kevin E. Rhoderick

Notary name: Kevin E. Rhoderick

Notary Public

My commission expires: July 27, 2021

[Notary Seal]



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## CERTIFICATE

Stephen Carr Davis hereby certifies that he delivered a copy of the above and foregoing Amendment to the Board of Directors of the Whitney Condominium Association at 1301 N. Dearborn, Chicago, Illinois.

Dated: December 2, 2019

  
\_\_\_\_\_  
Stephen Carr Davis

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