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THIS INSTRUMENT WAS PREPARED BY  
AND AFTER RECORDING RETURN TO:

ADAM T. KAHN  
LEVENFELD PEARLSTEIN, LLC  
2 NORTH LASALLE STREET, 13<sup>TH</sup> FLOOR  
CHICAGO, ILLINOIS 60602



\*1936017219\*

Doc# 1936017219 Fee \$88.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

EDWARD M. MOODY

COOK COUNTY RECORDER OF DEEDS

DATE: 12/26/2019 01:36 PM PG: 1 OF 6

(THIS SPACE FOR RECORDER'S OFFICE ONLY)

**TWENTY FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS,  
RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE  
RESIDENCES AT 401 NORTH WABASH AVENUE, A CONDOMINIUM  
ASSIGNMENT OF LIMITED COMMON ELEMENT STORAGE LOCKERS S4308 AND S3002**

This Amendment ("Amendment") to the Declaration of Condominium Ownership and Easements, Restrictions, Covenants and By-Laws for The Residences at 401 N. Wabash Avenue, a Condominium ("Association"):

## WITNESSETH.

**WHEREAS**, the Board of Directors ("Board") of the Association administers the condominium property located in the City of Chicago, County of Cook, State of Illinois, legally described on Exhibit A attached hereto and made a part hereof;

**WHEREAS**, the property was submitted to the provisions of the Illinois Condominium Property Act (the "Act") pursuant to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants, and By Laws for the Residences at 401 N. Wabash Avenue, a Condominium, recorded in the Cook County Recorder of Deed's Office as Document No. 0821716050, as subsequently amended (the "Declaration"). All capitalized terms shall have the meaning ascribed to them in the Declaration unless otherwise expressly defined herein;

**WHEREAS**, Ross Berman and Sara Berman are the record owners of Unit 58D (collectively, the "58D Owner") in the Association.

**WHEREAS**, Storage Locker S4308 ("Storage Locker S4308") is assigned to said Unit 58D as a Limited Common Element appurtenant to Unit 58D.

**WHEREAS**, Mark D. Hellman and Deborah L. Hellman are the record owners of Unit 43G (collectively, the "43G Owner") in the Association;

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**WHEREAS**, Storage Locker S3002 ("Storage Locker S3002") is assigned to said Unit 43G as a Limited Common Element appurtenant to Unit 43G;

**WHEREAS**, the Unit 58D Owner and the Unit 43G Owner are desirous of transferring Storage Locker S4308 from Unit 58D to Unit 43G and Storage Locker S3002 from Unit 43G to Unit 58D.

**WHEREAS**, the Declaration and Section 26 of the Act provide that a Limited Common Element 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 Limited Common Element.

**NOW THEREFORE**, the Unit 58D Owner and the Unit 43G Owner (collectively, the "Owners") hereby agree as follows:

(1) Storage Locker S4308 shall hereby be assigned to Unit 43G and Storage Locker S3002 shall hereby be assigned to Unit 58D;

(2) The Declaration shall be amended to reflect the assignment and transfer of Storage Locker S4308 to Unit 43G and Storage Locker S3002 shall hereby be assigned to Unit 58D;

(3) The Owners agree that the percentage ownership interests assigned to Units 58D and 43G, respectively, shall not be modified as a result of the foregoing transfers of Storage Locker S4308 and Storage Locker S3002; and

(4) Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the undersigned have executed this instrument this 2<sup>ND</sup> day of December, 2019


UNIT 58D OWNER:

  
\_\_\_\_\_  
Ross Berman

  
\_\_\_\_\_  
Sara Berman

UNIT 43G OWNER:

  
\_\_\_\_\_  
Mark D. Hellman

  
\_\_\_\_\_  
Deborah L. Hellman

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STATE OF ILLINOIS       )  
   ) SS.  
 COUNTY OF COOK        )

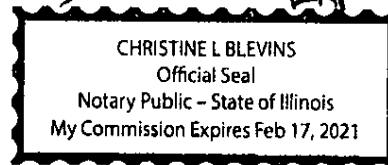
I, Christine Blevins, a Notary Public in and for said County and State, do hereby certify that Ross Berman, appeared before me this day in person and acknowledged that s(he) signed and delivered the foregoing above Amendment to Declaration as his/her free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 2<sup>nd</sup> day of December, 2019

Christine Blevins

Notary Public

STATE OF ILLINOIS       )  
   ) SS.  
 COUNTY OF COOK        )

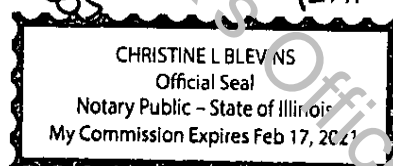


I, Christine Blevins, a Notary Public in and for said County and State, do hereby certify that Sara Berman, appeared before me this day in person and acknowledged that s(he) signed and delivered the foregoing above Amendment to Declaration as his/her free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 2<sup>nd</sup> day of December, 2019

Christine Blevins

Notary Public



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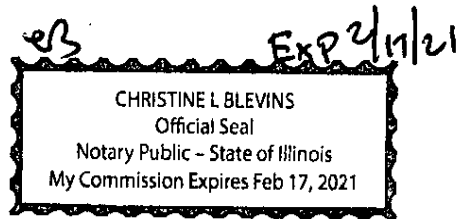
STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF COOK )

I, Christine Blevins, a Notary Public in and for said County and State, do hereby certify that Mark D. Hellman, appeared before me this day in person and acknowledged that s(he) signed and delivered the foregoing above Amendment to Declaration as his/her free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 2<sup>nd</sup> day of December, 2019

Christi Blevins

Notary Public



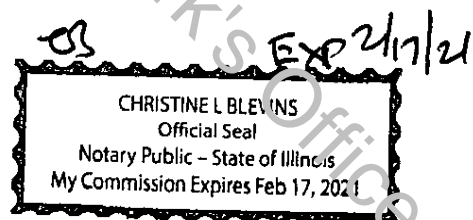
STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF COOK )

I, Christine Blevins, a Notary Public in and for said County and State, do hereby certify that Deborah L. Hellman, appeared before me this day in person and acknowledged that s(he) signed and delivered the foregoing above Amendment to Declaration as his/her free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 2<sup>nd</sup> day of December, 2019

Christi Blevins

Notary Public



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## EXHIBIT A

### LEGAL DESCRIPTION

#### PARCEL 1:

UNITS 58D AND 43G AND PARKING SPACE P234 IN THE 401 NORTH WABASH AVENUE RESIDENTIAL CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOT 1 IN TRUMP TOWER SUBDIVISION OF A TRACT OF LAND IN SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0821716050, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR INGRESS, EGRESS, SUPPORT, USE AND ENJOYMENT AS CREATED BY AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE 401 NORTH WABASH BUILDING RECORDED AS DOCUMENT NUMBER 0803015062, AS AMENDED BY SPECIAL AMENDMENT RECORDED AUGUST 4, 2008 AS DOCUMENT NUMBER 0821716049.

#### PARCEL 3:

A NON-EXCLUSIVE EASEMENT IN FAVOR OF PARCELS 1 AND 2, AS GRANTED IN THAT CERTAIN ORDINANCE BY THE CITY OF CHICAGO APPROVED SEPTEMBER 1, 2004 AND RECORDED JANUARY 3, 2005 AS DOCUMENT NUMBER 0500319018 AS PUBLISHED IN JOURNAL PAGES 30411 TO 30458, BOTH INCLUSIVE, FOR THE IMPROVEMENT, USE AND MAINTENANCE OF PUBLIC WAY, TO IMPROVE, MAINTAIN, REPAIR, REPLACE, USE AND OCCUPY FOR PEDESTRIAN PURPOSES, AND NOT VEHICULAR PURPOSES, CERTAIN TRACTS OF LAND AS MORE PARTICULARLY DESCRIBED THEREIN.

#### PARCEL 4:

THE EXCLUSIVE RIGHT TO THE USE OF S4308, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 0821716050.

THE EXCLUSIVE RIGHT TO THE USE OF S3002, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 0821716050.

Commonly known as: 401 North Wabash Avenue, Chicago, Illinois 60611

PIN No.: 17-10-135-038-1907 (Unit 58D)

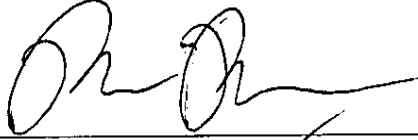
17-10-135-038-1140 (Unit 43G)

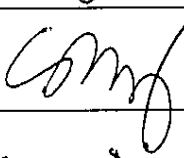
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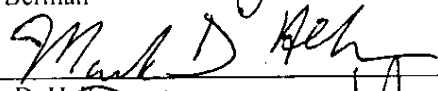
## CERTIFICATE

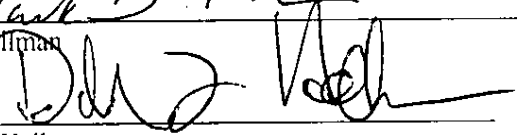
Ross Berman, Sara Berman, Mark D. Hellman, and Deborah L. Hellman certify that they delivered a copy of the above and foregoing Amendment to the Board of Directors of The Residences at 401 N. Wabash Avenue, a Condominium at North Wabash Avenue, Chicago, Illinois.

Dated: December 2<sup>nd</sup>, 2019

  
\_\_\_\_\_  
Ross Berman

  
\_\_\_\_\_  
Sara Berman

  
\_\_\_\_\_  
Mark D. Hellman

  
\_\_\_\_\_  
Deborah L. Hellman

Property of Cook County Clerk's Office