

UNOFFICIAL COPY



2108847022

Doc# 2108847022 Fee \$93.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 03/29/2021 01:42 PM PG: 1 OF 11

**THIS INSTRUMENT
PREPARED BY AND AFTER
RECORDING RETURN TO:**

Matthew J. Goldberg, Esq.
Richman, Goldberg & Gorham, LLC
55 E. Monroe St.
Suite 3900
Chicago, Illinois 60603

**Fourth Amendment to The
Declaration of Condominium
Ownership For Wells Street
Tower Condominium
Association**

This space reserved for Recorder's use only.

Address of Property:
701 S. Wells
Chicago, IL 60607
P.I.N.(s): 17-16-402-050-1170; 17-16-402-050-1169

RECORDING FEE \$ 103.55
DATE 4-29-21 COPIES 6X
OK BY JP

WHEREAS, the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for Wells Street Tower Condominium Association ("Declaration") was recorded with the Cook County Recorder of Deeds on April 29, 2002, as Document No. 0020484524; and

WHEREAS, Article III, Sections 3 and 4 and the Declaration provide that the roof deck locations located on the 35th floor of the Building are Limited Common Elements to the Unit 3400 and Unit 3401 to which they are made appurtenant by the deeds of conveyance of such Units by the Developer and further that the use and possession of the roof deck locations ("Roof Deck" or "Roof Decks") may be transferred independent of a transfer of the Unit to which it is appurtenant, but only to a Unit Owner; and

WHEREAS, Article III, Section 4 of the Declaration provides that Limited Common Elements which may be transferred separate and apart from the Units to which they are appurtenant, such as the Roof Decks, may be transferred between Unit Owners by an amendment to the Declaration executed by all Unit Owners who are parties to the transfer and consented to by the mortgagees of the transferring Unit Owner; and

WHEREAS, David R. Crawford is the Unit Owner of record of Unit No. 3401 and is the owner of the Roof Deck appurtenant to Unit No. 3401; and

WHEREAS, Thomas J. McAuliffe and Mirna McAuliffe are the Unit Owners of record of Unit No. 3400; and

WHEREAS, David R. Crawford desires to transfer the use and possession of the Roof Deck separate and apart from Unit No. 3401 to Thomas J. McAuliffe and Mirna McAuliffe, as the Units Owners of record of Unit No. 3400; and

UNOFFICIAL COPY

WHEREAS, Article III, Section 4 of the Declaration, as amended from time to time, provides that the transfer of a Roof Deck appurtenant to a Unit shall be made by an amendment to said Declaration executed by all Unit Owners who are parties to the transfer and delivered to and consented to by the Wells Street Towner Condominium Association ("Association"); and

WHEREAS, Article III, Section 4 of the Declaration provides that upon the transfer of a Limited Commons Element from one Unit to another Unit, the percentage of ownership interest of the transferor's Unit shall be reduced by the percentage interest agreed upon by the transferor and transferees, and the percentage of ownership interest of the transferees' Unit shall be increased by such percentage; and

WHEREAS, the percentages of interest prior to this amendment were assigned as follows:

Unit 3401: 1.3334%

Unit 3400: 1.3335%

WHEREAS for and in consideration of the sum of Ten and 00/100's Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties hereto.

NOW, THEREFORE, pursuant to Article III, Section 4 of the Declaration, the following be and is hereby deemed and considered as an amendment to the Declaration:

1. That the exclusive use and possession of the Roof Deck appurtenant to Unit 3401, a Limited Common Element as delineated on the Plat of Survey attached to the Declaration is hereby transferred from David R. Crawford, Unit Owner of record of Unit 3401 to Thomas J. McAuliffe and Mirra McAuliffe, as the Unit Owners of record of Unit 3400 as delineated on the Amended Plat of Survey attached hereto as Exhibit B.
2. Except as amended herein, the Declaration and any prior amendments thereto remain in full force and effect in accordance with their terms.
3. The percentages of interest associated with each of the Units will be assigned as follows after this amendment:

Unit 3401: 1.0834%

Unit 3400: 1.5835%

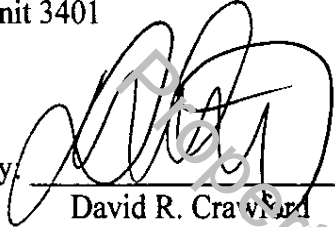
4. The legal descriptions of Units 3400 and 3401 are attached hereto as Exhibit A.
5. The plat of survey of the Limited Common Element Roof Deck area is amended as per Exhibit B.


UNOFFICIAL COPY

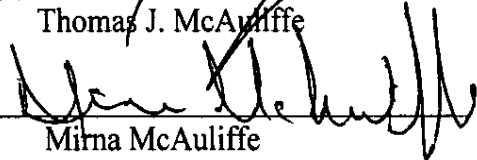
IN WITNESS WHEREOF, we, the undersigned Unit Owners and Board Members of WELLS STREET TOWER CONDOMINIUMS ASSOCIATION hereby consent to the above and foregoing Amendment to the Declaration of Condominium Ownership.

Conveying Unit Owner
Unit 3401

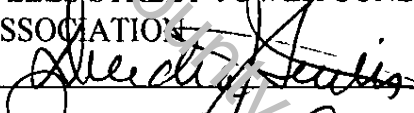
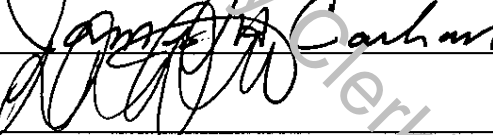
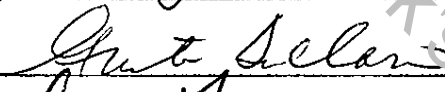
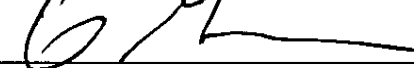
Receiving Unit Owners
Unit 3400

By: 
David R. Crawford

By: 
Thomas J. McAuliffe

By: 
Mirna McAuliffe

WELLS STREET TOWER CONDOMINIUMS
ASSOCIATION

BEING ALL OF THE MEMBERS OF THE BOARD
OF DIRECTORS

This Instrument Prepared By:
Matthew Goldberg
Richman, Goldberg & Gorham, LLC
55 E. Monroe, Suite 3900
Chicago, IL 60603
(312) 252-0400

UNOFFICIAL COPY

EXHIBIT A LEGAL DESCRIPTIONS

Unit 3401 in Wells Street Tower Condominium as delineated on survey of the following described parcels of real estate:

PARCEL 1:

UNIT(S) 3401, T39, T40 AND P43 IN THE WELLS STREET TOWER CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: PARTS OF BLOCK 101 AND 102 IN SCHOOL SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0020484524, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR INGRESS, EGRESS, USE, ENJOYMENT AND SUPPORT AS CREATED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RECIPROCAL EASEMENTS RECORDED AS DOCUMENT NUMBER 0020484523.

Commonly known as: 701 S. Wells Street, Unit 3401, Chicago, IL 60607

PIN No.: 17-16-402-050-1170

Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT A CONTINUED

Unit 3400 in Wells Street Tower Condominium as delineated on survey of the following described parcels of real estate:

PARCEL 1:

UNIT 3400, IN THE WELLS STREET TOWER CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: PARTS OF BLOCK 101 AND 102 IN SCHOOL SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0020484524, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

NON-EXCLUSIVE EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR INGRESS, EGRESS, USE, ENJOYMENT AND SUPPORT AS CREATED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RECIPROCAL EASEMENTS RECORDED AS DOCUMENT NUMBER 0020484523.

Commonly known as: 701 S. Wells Street, Unit 3400, Chicago, IL 60607

PIN No.: 17-16-402-050-1169

Clerk's Office of Cook County

UNOFFICIAL COPY

EXHIBIT B
PLAT OF SURVEY

ATTACHED

Property of Cook County Clerk's Office

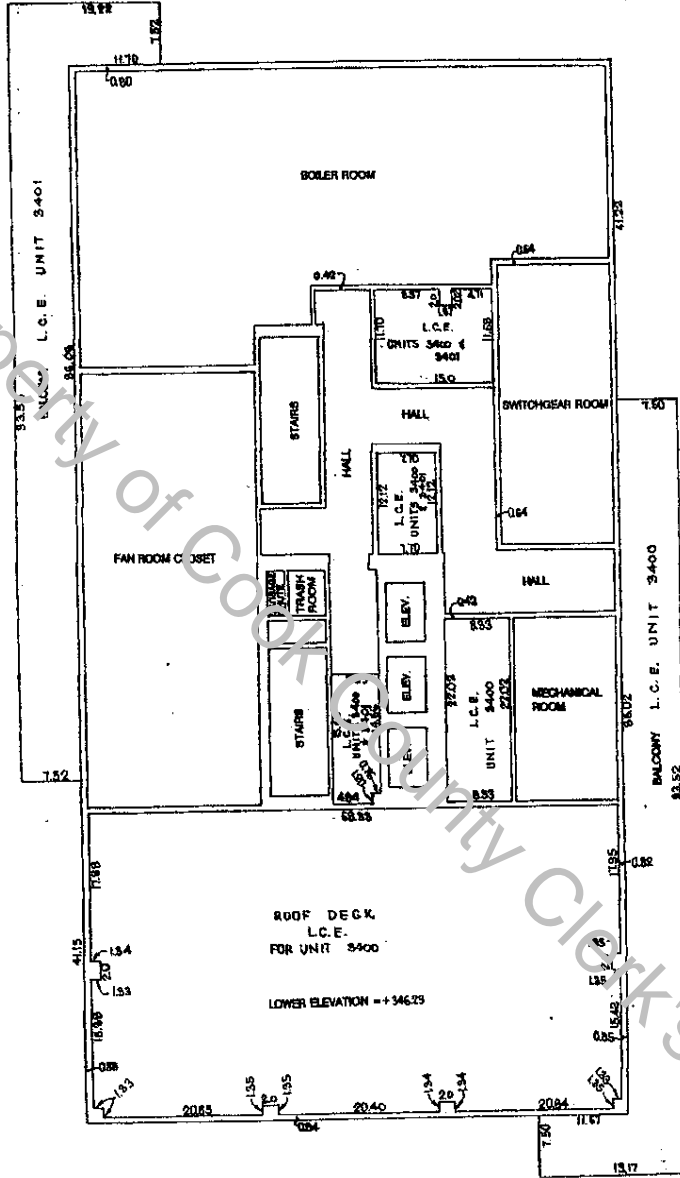
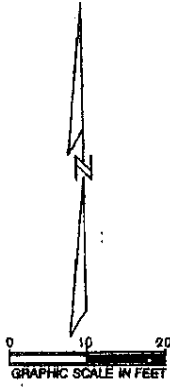
COOK COUNTY
RECORDER OF DEEDS

COOK COUNTY
RECORDER OF DEEDS

UNOFFICIAL COPY

Phone (773) 775-7755 - 5530 N. Elston Ave. Chicago, IL 60630 Fax (773) 775-2853

Plat of Survey



35th FLOOR

ORDER NO. 0217
 EXHIBIT B
 PAGE 36 OF 37

HORIZONTAL PLANES SHOWN HEREON ARE MEASURED FROM THE TOP OF FINISHED FLOOR TO THE UPPER ELEVATION AS SHOWN.
 VERTICAL PLANES SHOWN HEREON ARE MEASURED TO THE INTERIOR FACE OF WALL ON EXTERIOR WALLS, TO THE INTERIOR FACE OF WALL ON INTERIOR WALLS.
 ELEVATIONS SHOWN HEREON ARE IN RELATION TO:
 BENCHMARK NO. 4332
 W. POLK STREET & S. WELLS STREET
 ABOUT 82.5 FEET EAST OF THE EAST LINE OF S. WELLS STREET AND ABOUT ON SOUTH LINE OF W. POLK STREET. MARK CUT ON THE NORTHEAST CORNER OF STONE DOORILL ON THE EAST SIDE OF ENTRANCE ON NORTH SIDE OF MULTIPLE STORY BRICK BUILDING

ELEVATION = +13.541

UPPER ELEVATION = + 357.71 ON THIS PAGE ONLY
 LOWER ELEVATION = + 345.75 ON THIS PAGE ONLY



STATE OF ILLINOIS) SS
 COUNTY OF COOK)

I, DAVID A. KOSTICH, A PROFESSIONAL ILLINOIS LAND SURVEYOR DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED LAND, PROPERTY AND SPACE AND THAT IT CORRECTLY SHOWS THE RELATION OF THE BUILDING TO THE PROPERTY LINES OF THE LAND INDICATED HEREON, THAT THE WALLS OF SAID BUILDING ARE PLUMB AND THAT THERE ARE NO ENCROACHMENTS OF SAID ADJOINING BUILDINGS OR STRUCTURES ONTO SAID BUILDINGS OR STRUCTURES ONTO SAID LAND NOR OVERLAP OF BUILDINGS OR STRUCTURES FROM SAID LAND, EXCEPT AS SHOWN. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
 DATED THIS 15TH DAY OF APRIL, A.D. 2002.

David A. Kostich
 PROFESSIONAL ILLINOIS LAND SURVEYOR #036