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Cook County Clerk
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CPT22-85782

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS

This Second Amendment to DCCR of Covenants, Conditions, Restrictions and Easements ("Amendment"), is made and entered into this 9th day of November, 2022, by 14 North Bishop LLC, an Illinois limited liability company (the "Declarant").

WITNESSETH:

WHEREAS, by a Declaration of Covenants, Conditions, Restrictions and Easements dated September 30, 2020 and recorded in the Recorder's Office of Cook County, Illinois, on October 6, 2020 as Document No. 2028016053, as amended by a First Amendment dated as of September 16, 2022 and recorded in the Recorder's Office of Cook County, Illinois, on September 16, 2022 as Document No. 2225957026 (as amended, the "DCCR"), Declarant created certain restrictions and easements between the Retail Parcel and Residential Parcel at the building located at 6 N. Bishop Street/ 1448 W. Madison Street, Chicago, IL (the "Property"), which is legally described on Exhibit A; and

WHEREAS, the Declarant is the legal title holder of the Retail Parcel and Declarant has determined it is necessary to make certain amendments to the DCCR, as a Special Amendment pursuant to its authority under Article 20 of the DCCR.

NOW, THEREFORE, the Declarant, for the purposes set forth in this Amendment, hereby declares that the DCCR be, and the same is hereby, amended as follows:

1. A new Section 4.1(k) is hereby added after Section 4.1 (j) as follows:

(k) A non-exclusive Easement for pedestrian ingress and egress to and from, over, on and through the parking garage to access the rear door of the Retail Property, provided that such Easement shall only be for owners and employees of the owner of the Retail Property or its tenants and may not be used by customers or the general public.

2. The Owner of the Retail Parcel shall have the right, at its sole cost and expense, to add a sub-meter, or separate meter to the Retail Parcel for one or both of gas and water service,

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provided it shall not cause any unreasonable disconnection of such utilities to the Residential Property. Any such utility work shall be coordinated with the Owner of the Residential Property.

3. **Terms**. Capitalized terms used in this Amendment shall have the same meanings as ascribed to them in the DCCR, except to the extent they are amended or otherwise defined in this Amendment.

4. **Continuation**. All terms, conditions and provisions of the DCCR, as expressly amended and supplemented by this Amendment, are hereby ratified, confirmed and shall continue to apply with full force and effect. In the event of any inconsistency between this Amendment and the DCCR, this Amendment shall control in all instances.

5. **Counterparts**. This Amendment may be executed in any number of counterparts and by each of the Parties on separate counterparts, which counterparts taken together.

SIGNATURE PAGES FOLLOW

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EXHIBIT A

THE EAST 37 FEET OF LOT 13 AND ALL OF LOTS 14, 15 AND THE EAST 130 FEET OF LOT 16 (EXCEPT THE SOUTH 6 FEET OF SAID LOT 16), ALL IN BLOCK 4 IN UNION PARK ADDITION TO CHICAGO, BEING A SUBDIVISION OF LOTS 5 AND 6 IN CIRCUIT COURT PARTITION, IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN,

ALSO,

THAT PART OF THE VACATED EAST/WEST 10 FOOT PUBLIC ALLEY LYING NORTH OF THE NORTH LINE OF LOTS 13, 14 AND 15, LYING SOUTH OF THE SOUTH LINE OF LOT 16, LYING EAST OF THE EAST LINE OF THE VACATED EAST/WEST 10 FOOT PUBLIC ALLEY VACATED BY ORDINANCE APPROVED BY THE CITY COUNCIL JUNE 12, 1991 AND RECORDED JULY 16, 1991 AS DOCUMENT NUMBER 91351751, SAID EAST LINE BEING DESCRIBED AS THE "NORTHWARDLY EXTENSION OF THE EAST LINE OF THE WEST 13 FEET OF LOT 13" AND LYING WEST OF A LINE DRAWN FROM THE NORTHEAST CORNER OF LOT 15 TO THE SOUTHEAST CORNER OF LOT 16, ALL IN BLOCK 4 IN UNION PARK ADDITION TO CHICAGO, BEING A SUBDIVISION OF LOTS 5 AND 6 IN CIRCUIT COURT PARTITION OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN,

ALSO,

THAT PART OF THE VACATED EAST/WEST 6 FOOT PUBLIC ALLEY AS PREVIOUSLY DEDICATED BY PLAT OF DEDICATION RECORDED JULY 31, 1964 AS DOCUMENT NUMBER 19201644, SAID EAST/WEST 6 FOOT PUBLIC ALLEY DESCRIBED ON SAID PLAT OF DEDICATION AS THE SOUTH 6 FEET OF LOT 16 IN UNION PARK ADDITION TO CHICAGO, BEING A SUBDIVISION OF LOTS 5 AND 6 IN CIRCUIT COURT PARTITION OF THE SOUTHWEST QUARTER OF SECTION 8, AFORESAID, LYING EAST OF THE EAST LINE OF THE 16 FOOT ALLEY VACATED BY ORDINANCE APPROVED BY THE CITY COUNCIL JUNE 13, 1991 AND RECORDED JULY 16, 1991 AS DOCUMENT NUMBER 91351751, SAID EAST LINE BEING DESCRIBED IN THE LAST RECORDED ORDINANCE AS THE "NORTHWARDLY EXTENSION OF THE EAST LINE OF THE WEST 13 FEET OF LOT 13" LYING WEST OF THE EAST LINE LOT 16, ALL IN BLOCK 4 IN UNION PARK ADDITION TO CHICAGO BEING A SUBDIVISION OF LOTS 5 AND 6 IN CIRCUIT COURT PARTITION AFORESAID,

ALSO,

THE EAST 130 FEET OF THE SOUTH 16 FEET OF LOT 17, ALL IN BLOCK 4 IN UNION PARK ADDITION TO CHICAGO, BEING A SUBDIVISION OF LOTS 5 AND 6 IN CIRCUIT COURT PARTITION, IN THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN,

PINS*: 17-08-333-021-0000; 17-08-333-022-0000; 17-08-333-031-0000 (Underlying)

*Affects both the Retail Parcel and Residential Parcel.

ADDRESS: 6 North Bishop Street / 1448 West Madison Street, Chicago, Illinois 60607