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Karen A. Yarbrough
Cook County Clerk
Date: 12/22/2022 09:25 AM Pg: 1 of 9

**SPECIAL AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF
EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS
FOR THE CIRRUS CONDOMINIUM ASSOCIATION**

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

**Kimberly J. Sharon, Esq.
225 North Columbus Drive, Suite 100
Chicago, Illinois 60601**

This Amendment Affects: Unit 802

**PERMANENT REAL ESTATE
INDEX NUMBERS:**

**17-10-400-046-0000 and
17-10-400-047-0000**

ADDRESS OF PROPERTY:

**211 North Harbor Drive
Chicago, Illinois 60601**

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SPECIAL AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE CIRRUS CONDOMINIUM ASSOCIATION

OCT THIS SPECIAL AMENDMENT ("Amendment") is made and entered as of the 29 day of 2022 by and between 211 North Harbor Drive Owner LLC, a Delaware limited liability company (hereinafter referred to as the "Developer") and Michael H. Bartels and Joan C. Bartels (collectively "Unit Owner").

WITNESSETH:

WHEREAS, Declarant (as defined in the Declaration) submitted a certain parcel of real estate situated in the City of Chicago, Cook County, Illinois, and attached as Exhibit A to the Declaration, to the provisions of that certain Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for The Cirrus Condominium Association dated March 3, 2022 and recorded March 15, 2022 as Document Number 2207457005, as corrected by that certain Scrivener's Affidavit dated March 23, 2022 and recorded as Document Number 2208219061, as amended by that certain First Amendment dated April 12, 2022 and recorded as of April 14, 2022 as Document Number 2210422041 and as amended by that certain Second Amendment dated and recorded on May 20, 2022 as Document Number 2214022030, as further amended by that certain Special Amendment dated June 21, 2022 and recorded on June 27, 2022 as Document Number 2217825068 (collectively, the "Declaration"). All capitalized terms used but not otherwise defined herein shall have the meanings given such terms in the Declaration; and

WHEREAS, Developer is the Owner of the unsold Units in the Property and, pursuant to Section 4.10(b) of the Declaration, Developer is entitled to assign the exclusive rights to Storage Spaces to Unit Owners by an instrument or another recordable instrument; and

WHEREAS, Unit Owner is the Owner of unit No 802 ("Unit 802") in the Property and pursuant to that certain Warranty Deed dated April 26, 2002, Unit 802 is entitled to the exclusive right to the use of Storage Space LL2-47; and

WHEREAS, Developer, pursuant to its rights under Section 4.10(b) of the Declaration, desires to assign to Unit 802 the exclusive right to Storage Space LL3-74, and Unit Owner desires to transfer to Developer, as the Owner of the unsold Units, the exclusive right to use Storage Space LL2-47; and

WHEREAS, Sections 3.4 and 4.10(b) of the Declaration (collectively, the "LCE Transfer Sections") permits the transfer Limited Common Elements between Unit Owners in accordance with the terms of the LCE Transfer Section and the Act; and

WHEREAS, the Act permits, among other things, a transfer of the use of Limited Common Elements be made by an amendment to the Declaration executed by the Unit Owners who are parties to the transfer; and

WHEREAS, Developer and Unit Owner desire to amend the Declaration, in accordance with the terms of the LCE Transfer Section, to effect a transfer of Storage Spaces, as more particularly described herein.

NOW, THEREFORE, for good and valuable consideration (the receipt and sufficiency of which are hereby confirmed and acknowledged), the undersigned parties hereby agree as follows:

:

1. Recitals. The foregoing recitals are hereby incorporated into and made a part of this

Amendment. **UNOFFICIAL COPY**

2. Assignment of Storage Space LL3-74 From Developer to Unit Owner.

(a) Developer hereby assigns to Unit 802, and Unit Owner hereby accepts the assignment by Developer to Unit 802, the exclusive right to the use Storage Space LL3-74.

(b) Notwithstanding anything to the contrary contained in the Declaration, upon the recordation of this Amendment, Storage Space LL3-74 shall be a Limited Common Element appurtenant to Unit 802.

3. Transfer of Storage Space LL3-74 From Unit Owner to Developer. Unit Owner hereby transfers to Developer, as Owner of the unsold Units, and Developer, Owner of the unsold Units, hereby accepts the transfer by Unit Owner to Developer of, the exclusive right to the use Storage Space LL3-74.

4. No Changes to Percentage Interest in the Common Elements. Developer and Unit Owner hereby agree that there shall be no changes to the respective undivided percentage interests in the Common Elements.

5. Recordation. The transfers and assignments described in this Amendment shall become effective upon the recordation of this Amendment in the Recorder's Office.

6. Miscellaneous. This Amendment shall be binding upon, and shall inure to the benefit of, Developer, Unit Owner and their respective heirs, personal representatives, successors and assigns. The headings and captions contained in this Amendment are inserted for convenient reference only and shall not be deemed to construe or limit the sections and articles to which such headings and captions apply. Forms of words in the singular, plural, masculine, feminine or neuter shall be construed to include the other forms as context may require.

7. Inconsistency and Ratification. If and to the extent this Amendment conflicts or is inconsistent with any of the terms and provisions of the Declaration, the terms of this Amendment shall govern and control. Any capitalized terms used herein, but not otherwise defined, shall have the meanings ascribed to them in the Declaration. In all other respects, the Declaration, as amended by this Amendment, is hereby ratified and affirmed.

[Remainder of Page Intentionally Blank; Signature Page Follows]

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IN WITNESS WHEREOF, Developer and Unit Owner have executed this Amendment as of the date and year first written above.

DEVELOPER:

By: 211 North Harbor Drive Owner LLC
A Delaware limited liability company

By: [Signature]
An Authorized Signatory

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Beth Purcell, a Notary Public in and for the County and State aforesaid, do hereby certify that [Signature] as an Authorized Signatory of 211 North Harbor Drive Owner LLC, a Delaware limited liability company, personally known to me to be the same persons whose name is subscribed to the foregoing instrument as such appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his/her own free and voluntary act and as the free and voluntary act of 211 North Harbor Drive Owner, for the uses and purposes set forth therein.

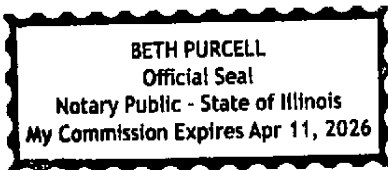
GIVEN under my hand and notarial seal this 5th day of October, 2022.

[Signature]
Notary Public

My Commission Expires:

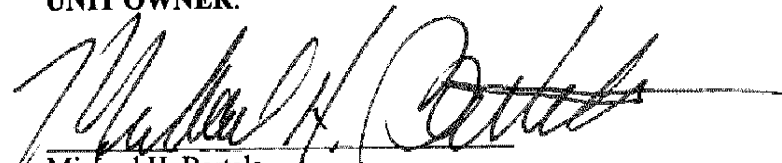
4-11-2026


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UNIT OWNER:



Michael H. Bartels


Joan C. Bartels

STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

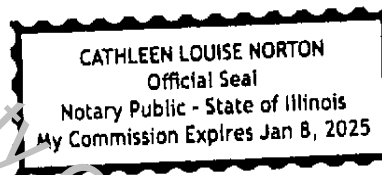
I, CATHLEEN NORTON, a Notary Public in and for the County and Sate aforesaid, do hereby certify that MICHAEL BARTELS and JOAN BARTELS, personally known to me to be the same persons whose name(s) is/are subscribed to the foregoing instrument as such appeared before me this day in person and acknowledged that s/he/they signed and delivered the said instrument as his/her own free and voluntary act for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 24th day of OCTOBER, 2022.


Cathleen Louise Norton
 Notary Public

My Commission Expires:

JAN 08, 2025

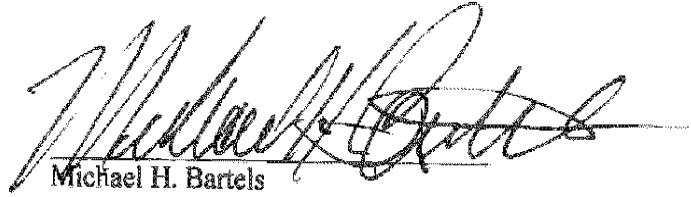


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Michael H. and Joan C. Bartels certify that they delivered a copy of the above and foregoing Amendment to the Board of Directors of Cirrus Condominium Association in Chicago, Illinois.

Dated: 10-24-, 2022

X:


Michael H. Bartels


Joan C. Bartels

Property of Cook County Clerk's Office

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CONSENT OF DECLARANT'S MORTGAGEE

CIBC Bank USA, an Illinois state chartered bank holder of a Mortgage, Security Agreement, Assignment of Leases and Rents and Fixture Filing ("Mortgage") dated February 21, 2020, and recorded February 24, 2020 as Document No. 2005501178 hereby consents to the execution and recording of the within [Third] Amendment to Declaration of Condominium Ownership and agrees that said Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, CIBC Bank USA, an Illinois state chartered bank has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf; all done at LADs Lasalle Chicago, IL 14 day of December, 2022.

CIBC Bank USA,
an Illinois state chartered bank
By: Caroline Lake
Name: Caroline Lake
Its: Officer

STATE OF Illinois)
) SS
COUNTY OF DePage)

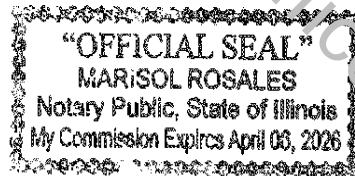
I, Marisol Rosales, a Notary Public in and for said County and State, do hereby certify that Caroline Lake, the Officer of CIBC Bank USA, as such Officer, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as her own free and voluntary act, and as the free and voluntary act of said company, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14th day of December, 2022.

Marisol Rosales
Notary Public

My Commission Expires:

April 6, 2026



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EXHIBIT A
TO SPECIAL AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF
EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS
FOR THE CIRRUS CONDOMINIUM ASSOCIATION

LEGAL DESCRIPTION OF THE PROPERTY

PARCEL 1:

UNIT 802 AND PARKING UNIT LL3-401C, AND NEWLY ASSIGNED STORAGE LOCKER LL3-74, A LIMITED COMMON ELEMENT, IN THE CIRRUS CONDOMINIUM AS DELINEATED AND DEFINED IN THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE CIRRUS CONDOMINIUM ASSOCIATION RECORDED MARCH 15, 2022 AS DOCUMENT NUMBER 2207457005, AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, BEING IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. STORAGE LOCKER LL2-47 ASSIGNED FROM UNIT 802 TO DEVELOPER.

PARCEL 2:

NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1, INCLUDING EASEMENTS FOR ACCESS TO IMPROVEMENTS BEING CONSTRUCTED OVER TEMPORARY CONSTRUCTION EASEMENT AREAS, FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS ON, OVER, THROUGH AND ACROSS THE STREETS, AND TO UTILIZE THE UTILITIES AND UTILITY EASEMENTS, AS WELL AS EASEMENTS FOR MAINTENANCE AND TO ACCESS AND USE OF THE PARKS, ALL AS MORE PARTICULARLY DEFINED, DESCRIBED AND CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST MADE BY AND BETWEEN LAKESHORE EAST LLC, LAKESHORE EAST PARCEL LLC, AND ASN LAKESHORE EAST LLC DATED AS OF JUNE 26, 2002 AND RECORDED JULY 2, 2002 AS DOCUMENT 0020732020, AS AMENDED BY FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF MARCH 3, 2003 AND RECORDED MARCH 7, 2003 AS DOCUMENT NUMBER 0030322531 AND AS FURTHER AMENDED BY SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF NOVEMBER 12, 2004 AND RECORDED NOVEMBER 19, 2004 AS DOCUMENT NUMBER 0422427091 AND RE-RECORDED ON JANUARY 19, 2005 AS DOCUMENT NUMBER 0501919098 AND THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC, DATED FEBRUARY 24, 2005 AND RECORDED FEBRUARY 25, 2005 AS DOCUMENT NUMBER 0505632009 AND FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF FEBRUARY 24, 2005 AND RECORDED FEBRUARY 25, 2005 AS DOCUMENT NUMBER 0505632012 AND BY THE FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF OCTOBER 27, 2006 AND RECORDED NOVEMBER 9, 2006 AS DOCUMENT 0631333004 AND SUBSEQUENTLY RE-RECORDED ON FEBRUARY 9, 2007 AS DOCUMENT 0704044062 AND AS SUPPLEMENTED BY NOTICE OF SATISFACTION OF CONDITIONS RELATED TO THE FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST LLC, DATED AS OF FEBRUARY 9, 2007 AND RECORDED MAY 22, 2007 AS DOCUMENT 0714222037 AND THE SIXTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE

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EAST LLC DATED AS OF DECEMBER 20, 2007 AND RECORDED DECEMBER 21, 2007 AS DOCUMENT 0735531065 AND RE-RECORDED ON APRIL 8, 2008 AS DOCUMENT 0809910104 AND THE SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF NOVEMBER 13, 2008 AND RECORDED NOVEMBER 14, 2008 AS DOCUMENT 0831910034 AND THE EIGHTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF NOVEMBER 13, 2008 AND RECORDED NOVEMBER 14, 2008 AS DOCUMENT 0831910035 AND THE AMENDMENT TO EIGHTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF FEBRUARY 10, 2011 AND RECORDED FEBRUARY 15, 2011 AS DOCUMENT 1104616038 AND THE NINTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF JANUARY 10, 2011 AND RECORDED MARCH 17, 2011 AS DOCUMENT 1107644102 AND THE TENTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF APRIL 18, 2013 AND RECORDED APRIL 23, 2013 AS DOCUMENT 1311318049 AND THE ELEVENTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF JANUARY 16, 2014 AND RECORDED JANUARY 16, 2014 AS DOCUMENT NUMBER 1401644060 AND THE AMENDED AND RESTATED TWELFTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF APRIL 30, 2018 AND RECORDED JULY 16, 2018 AS DOCUMENT NUMBER 1819744029 AND THIRTEENTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF MARCH 29, 2019 AND RECORDED APRIL 1, 2019 AS DOCUMENT NUMBER 1909134079 AND FOURTEENTH AMENDMENT TO DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF SEPTEMBER 16, 2019 AND RECORDED SEPTEMBER 18, 2019 AS DOCUMENT NUMBER 1926117130.

PARCEL 3:

NON-EXCLUSIVE RECIPROCAL EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS SET FORTH AND DEFINED IN DECLARATION OF EASEMENTS, RESERVATIONS, COVENANTS AND RESTRICTIONS DATED MARCH 14, 2022 AND RECORDED MARCH 15, 2022 AS DOCUMENT NUMBER 2207457004, AS AMENDED FROM TIME TO TIME

PARCEL 4:

NON-EXCLUSIVE RECIPROCAL EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS SET FORTH AND DEFINED IN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS DATED MARCH, 14 2022 AND RECORDED MARCH 15, 2022 AS DOCUMENT NUMBER 2207457003, AS AMENDED FROM TIME TO TIME.