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AMENDMENT TO DECLARATION AND BY-LAWS ESTABLISHING A PLAN FOR CONDOMINIUM OWNERSHIP OF PREMISES AT 161 CHICAGO AVENUE EAST, CHICAGO, ILLINOIS

MAY 1-1986

DOCUMEN

THIS AMENDMENT is entered into this 3/ day of March, 1986, by LA SALLE NATIONAL BANK, not personally but as Trustee under Trust Agreement dated August 15, 1979 and known as Trust No. 101565 (herein called "Declarant").

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#### WITNESSETH:

WHERTAS, Declarant is the legal title holder of the real sestate located in the City of Chicago, County of Cook and State of Illinois and legally described in Exhibit A attached hereto and made a part hereof ("Property");

WHEREAS, Declarant submitted the Property to the provisions of the Condominium Property Act of the State of Illinois and recorded the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for 161 Chicago Avenue East Condominium ("Condominium Declaration") on June 27, 1985 in the Cook Courty Recorder of Deeds Office as Document No. 85 080 173;

WHEREAS, Declarant reserved the right, in Article 2, Paragraph 3 of the Condominium Peclaration, to amend the survey or surveys showing the actual locations and dimensions of the boundaries of those Units in the Building that are completed after the date the Condominium Declaration was recorded;

WHEREAS, the Unit boundaries for the 62nd and 63rd floors of the Building were not in place on the date the Condominium Declaration was recorded;

WHEREAS, Declarant recorded projected surveys for the Unit boundaries for the 62nd and 63rd floors of the Building showing projected locations and dimensions of the boundaries of those Units ("Projected Surveys");

WHEREAS, as of the date hereof the Unit boundaries for the 62nd and 63rd floors of the Building are complete;

WHEREAS, Declarant has caused the Unit boundaries for the 62nd and 63rd floors of the Building to be surveyed showing the actual locations and dimensions of the boundaries of those Units ("Amended Surveys");

WHEREAS, Declarant desires to amend Exhibit B to the Condominium Declaration to substitute and replace the Amended Surveys for the Projected Surveys;

161 Chgo Onence, Chy Sel. 17-10-200-005 to 17-10-200-011

This Instrument was prepared by and after recording should be mailed to:

Nancy E. Schiavone, Esq. Katten, Muchin, Zavis, Pearl, Greenberger & Galler 525 West Monroe Street, Suite 1600 Chicago, Illinois 60606-3693

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WHEREAS, Declarant recorded a survey for the Unit boundaries for the 51st floor of the Building showing locations and dimensions of the boundaries of those Units ("Old 51st Floor Survey");

WHEREAS, since the date the Condominium Declaration was recorded, the Unit boundaries for the 51st floor have been changed;

WHEREAS, Declarant has caused the Unit boundaries for the 51st floor to be resurveyed showing the actual locations and dimensions of the boundaries of those Units ("New 51st Floor Survey") and

WHERLAS, Declarant desires to amend Exhibit B to the Condominium Declaration to substitute and replace the Old 51st Floor Survey for the New 51st Floor Survey.

NOW THEREFORE, in consideration of the recitals, premises, covenants, promises and conditions herein contained and other good and valuable consideration, the Declarant does hereby modify and amend the following.

- a) Page 30 of Exhapit B of the Condominium Declaration is hereby deleted in its entirety and the amended plat of survey for the 51st floor, attached hereto and labeled as Exhibit B, shall be substituted in its place;
- b) Page 41 of Exhibit P of the Condominium Declaration is hereby deleted in its entirety and the amended plat of survey for the 61st floor, attached hereto and labeled as Exhibit C, shall be substituted in its place;
- c) Page 42 of Exhibit B of the Condominium Declaration is hereby deleted in its entirety and the emended plat of survey for the 62nd floor, attached hereto and labeled as Exhibit D, shall be substituted in its place;
- d) Except as may be modified hereby, all terms, covenants and conditions of the Condominium Declaration are hereby ratified and confirmed and shall remain in full force and effect.

This Amendment is executed by Declarant as Truster aforesaid and not individually, in the exercise of the power and authority conferred upon and vested in it as such Trustee (and Declarant hereby warrants that it possesses full power and authority to execute this instrument). It is expressly understood and agreed by every person hereafter claiming any interest under this Amendment that Declarant, as Trustee as aforesaid and not personally, has joined in the execution of this Amendment for the sole purpose of subjecting the title holding interest and the trust estate described herein to the terms of this Amendment; that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Declarant or any of the beneficiaries under such Trust Agreement on account of this Amendment of on account of any representation, obligation, duty, covenant or agreement of Declarant in this instrument contained either express or implied, all such personal liability, if any, being expressly waived and released; and further, that no duty shall rest upon Declarant, either personally or as such Trustee, to sequester trust assets, rentals, avails or proceeds of any kind, or otherwise to see to the fulfillment or discharge of

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any obligation, express or implied, arising under the terms of this Amendment, except where Declarant is acting pursuant to direction as provided by the terms of such Trust Agreement, and after the Declarant has first been supplied with funds required for this purpose.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed as of the day and year first above written.

ATTEST:

Assistant Secretary

LA SALLE NATIONAL BANK, not personally, but as Trustee aforésaid

By:

Vice President

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STATE OF ILLINOIS ) ) SS.
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I, <u>Martha A. Brooking</u> , a Notary Public in and for said
County in the State aforesaid, DO HEREBY CERTIFY THAT
SEPH W. LANG and JANES 1. CLASS personally known to
me to be the Vice President and Assistant Secretary respectively
of La SALLE NATIONAL BANK, a national banking association, in
whose name, as Trustee, the above and foregoing instrument is
executed, appeared before me this day in person and acknowledged
that they signed and delivered the said instrument as their free
and voluntary act and as the free and voluntary act of LA SALLE
NATIONAL BANK, as Trustee as aforesaid, for the uses and purposes
therein set forth, and the said Assistant Secretary then
acknowledged that he, as costodian of the corporate seal of
LA SALLE NATIONAL BANK did aff.x the said corporate seal to said
instrument as his free and voluntary act and as the free and
voluntary act of said LA SALLE WATIONAL BANK as Trustee as
aforesaid for the uses and purposes therein set forth.
GIVEN under my hand and notarial seri this 29th day of
, 1986.
Marth an Brooking
Notary Public
My Commission expires:
0/30/87

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#### CONSENT OF MORTGAGEE

The Chase Manhattan Bank N.A., holder of Mortgage dated January 31, 1984, and recorded as Document Number 26-954-662, hereby consents to the execution and recording of the within Amendment to Declaration and By-Laws Establishing a Plan for Condominium Ownership of Premises at 161 Chicago Avenue East, Chicago, Illinois.

IN WITNESS WHEREOF, The Chase Manhattan Bank, N.A. has caused this instrument to be signed by its duly authorized officers on its behalf, all done in New York, New York, on this 3/2 day of \_\_\_, 1986. Droth ATTEST: STATE OF NEW YORK COUNTY OF NEW YORK Public in and a Notary hereby certify that said , County and State, and hennel A. Mothture respectively, of The Chase Manhattan Bank, Trasher Vice President and Assistant Treasurer N.A., appeared as such appeared before me this day they signed, sealed and in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary voluntary act of said corporation, for the uses and purposes therein set forth. GIVEN under my hand and Notarial \_ , 1986

My Commission Expires:

FRANCINE M. LA ROSA
Notary Public, State of New York
No. 4846143
Qualified in Kings County
Commission Expires March 30, 1957

Notary Public

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#### EXHIBIT A

#### LEGAL DESCRIPTION

LOTS 1-A, 1-B, 1-C, 1-D, 1-E, 1-F, 1-G, 1-H, 1-1, 1-J, 1-K, 2-A, 2-B, 3-C, 2-D, 3-A, 3-B, 3-C, 4-A, 4-B & 4-C ALL IN OLYMPIA CENTRE SUBDIVISION, BEING A RESUBDIVISION OF VARIOUS LOTS AND PARTS OF PRIN

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O VACATED ALLEYS IN BLOCK 54 IN KINZIE'S ADDITION TO CHICAGO, BEING A SUBDIVISION OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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