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

25.00

THIS "FOURTH AMENDMENT" is entered into as of this 13th day of April, 1987, 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").

W I T N E S S E T H:

WHEREAS, Declarant is the legal title holder of the real estate 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 (the "Property"); and

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 on June 27, 1985 in the Cook County Recorder of Deeds Office ("Recorder's Office") as Document No. 85 080 173, as clarified by First Clarification of Condominium Declaration recorded on November 19, 1985 in the Recorder's Office as Document No. 85 287 302, and as further clarified by Declaration recorded on July 1, 1986 in the Recorder's Office as Document 86 270 853 ("Condominium Declaration"); and

WHEREAS, Declarant recorded a First Amendment to the Condominium Declaration on May 1, 1986 as Document No. 86 171 559 and recorded a Second Amendment to Condominium Declaration on October 31, 1986 as Document No. 86 512 469 in the Recorder's Office (hereinafter the Condominium Declaration as amended by these two amendments shall be referred to as the "Condominium Declaration"); and

WHEREAS, Declarant recorded, as Exhibit B to the Condominium Declaration, a survey for the Units (as defined in the Condominium Declaration) located on the 43rd, 49th, 51st, 57th and 63rd floors of the Property showing the locations and dimensions of the boundaries of those Units ("Old 43rd, 49th, 51st, 57th and 63rd Floor Surveys"); and

WHEREAS, since the date the Condominium Declaration was recorded, the Units' boundaries for the 43rd, 49th, 51st, 57th and 63rd floors of the Property have been changed; and

WHEREAS, Declarant has caused the Units' boundaries for the 43rd, 49th, 51st, 57th and 63rd floors of the Property to be resurveyed showing the present locations and dimensions of the

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

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

161 Chicago Avenue
Chicago, Illinois

PIN: 17-10-200-005 to
17-10-200-011

69-51-414 DB

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boundaries of those Units ("New 43rd, 49th, 51st, 57th and 63rd Floor Surveys") which New 43rd, 49th, 51st, 57th and 63rd Floor Surveys have been attached hereto as Exhibit B and made a part hereof; and

WHEREAS, Declarant desires to amend Exhibit B to the Condominium Declaration by substituting the New 43rd, 49th, 51st, 57th and 63rd Floor Surveys in place of the Old 43rd, 49th, 51st, 57th and 63rd Floor Surveys; and

WHEREAS, Declarant recorded, as Exhibit C to the Condominium Declaration, a schedule showing the percentages of the Common Elements that each Owner, (as defined in the Condominium Declaration) has as an undivided interest in the Common Elements of the Property as a tenant in common with all other Owners of the Property (the percentage of the Common Elements owned by each Owner is referred to as "Percentage Interest in Common Elements" as shown in Exhibit C to the Condominium Declaration); and

WHEREAS, Declarant desires to amend Exhibit C to the Condominium Declaration to accurately reflect the Percentage Interest in Common Elements associated with Unit 57C and Unit 57D taking into account the changes to the locations and dimensions of the boundaries of these Units located on the 57th floor; and

WHEREAS, Declarant has caused the Percentage Interest in Common Elements for Unit 57C and Unit 57D to be accurately reflected in Exhibit C attached hereto and made a part hereof; and

WHEREAS, although the boundaries of the Units on the 43rd, 49th, 51st and 63rd floors have changed, the Percentage Interest in Common Elements of the Units located on said floors have remained the same.

NOW THEREFORE, in consideration of the recitals, premises, covenants and conditions herein contained and other good and valuable consideration, the Declarant does hereby modify and amend Exhibit B and Exhibit C to the Condominium Declaration as follows:

a) All recitals contained herein shall be and are hereby incorporated into this Fourth Amendment.

b) The Old 43rd, 49th, 51st, 57th and 63rd Floor Surveys found on pages 22, 28, 30, 36 and 42, respectively, of Exhibit B of the Condominium Declaration are hereby deleted in their entirety and the New 43rd, 49th, 51st, 57th and 63rd Floor Surveys attached hereto as Exhibit B shall be substituted in their place.

c) The Percentage Interest in Common Elements shown in Exhibit C to the Condominium Declaration for Unit 57C and Unit 57D shall be deleted and replaced with the Percentage Interest in Common Elements that corresponds to said Units as shown in Exhibit C attached hereto.

d) Except as may be modified herein, all terms, covenants and conditions of the Condominium Declaration and all Exhibits thereto are hereby ratified and confirmed and shall remain in full force and effect.

This Fourth Amendment is executed by Declarant as Trustee aforesaid and not individually, in the exercise of the power and authority conferred upon and vested in it as such Trustee (and

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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 Fourth Amendment that Declarant, as Trustee as aforesaid and not personally, has joined in the execution of this Fourth Amendment for the sole purpose of subjecting the title holding interest and the trust estate described herein to the terms of this Fourth 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 Fourth Amendment or 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 the fulfillment or discharge of any obligation, express or implied, arising under the terms of this Fourth 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 Fourth 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 aforesaid

By: 

Vice President

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CONSENT OF MORTGAGEE

The Chase Manhattan Bank N.A., holder of those certain Mortgages dated January 31, 1984, and recorded as Document Number 26 954 662, as modified by Document Number 86 223 210, and the other dated May 30, 1986, and recorded as Document Number 86 223 208, as modified by Document Number 86 223 210, hereby consents to the execution and recording of the within Fourth 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 23 day of April, 1987.

By: Kamlen Keko
Its: Second Vice President

ATTEST:

Edward B. B. de J.
Its: Asst. Treasurer

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COOK COUNTY, ILLINOIS
FILED FOR RECORD
1987 JUN -9 AM 11:07

SHIRLEY A. DEPALMA
Notary Public, State of New York
No. 485939
Qualified in Westchester County
Commission Expires May 19, 1987

My commission expires:

Shirley A. DePalma
Notary Public

I, Shirley A. DePalma, a Notary Public in and for said County and State, do hereby certify that Kathleen F. Ebbett and Edward B. Balazs, Secretary and Vice President of The Chase Manhattan Bank, N.A., Assistant Treasurer, respectively, of The Chase Manhattan Bank, N.A., appeared as such and Vice President and Ass't Treasurer appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 23rd day of April, 1987.

STATE OF NEW YORK)
COUNTY OF NEW YORK)
SS.)

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EXHIBIT A

Legal Description

Lots 4-A, 4-B and 4-C all in Olympia Centre Subdivision, being a resubdivision of various lots and parts of 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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EXHIBIT B

NEW 43rd, 49th, 51st, 57th and 63rd FLOOR SURVEYS

See attached surveys.

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EXHIBIT C

PERCENTAGE INTEREST IN COMMON ELEMENTS

<u>Unit Number</u>	<u>Percentage Interest in Common Elements</u>
57C	0.2655%
57D	0.2276%

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EXHIBIT C

PERCENTAGE INTEREST IN COMMON ELEMENTS

<u>Unit Number</u>	<u>Percentage Interest in Common Elements</u>
57C	0.2655%
57D	0.2276%

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