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FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR LAKEVIEW LOFTS CONDOMINIUM ASSOCIATION

92676803

THIS FIRST AMENDMENT is made and entered into as of the 11th day of September, 1992 by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a corporation of Illinois as Trustee under Trust Agreement dated December 17, 1991, and known as Trust No. 114936-08, and not individually, for convenience hereinafter referred to as the "Trustee":

W I T N E S S E T H

WHEREAS, on August 28, 1992, as document number 92638754, a Declaration of Condominium Ownership, Easements, Restrictions, Covenants and By-Laws was filed with the Registrar of titles of Cook County Illinois for Lakeview Lofts ("Declaration"), submitting the real estate described in Exhibit A hereto; and

WHEREAS, the Declaration explicitly reserves to the Trustee and Developer, the right to amend the Declaration; and

WHEREAS, the Trustee now desires to so amend Article IX of the Declaration by deleting Article IX in its entirety and substituting the Article IX attached hereto and,

NOW, THEREFORE, the Trustee does hereby amend the Declaration as follows:

1. Article IX of the Declaration is hereby amended by deleting Article IX in its entirety and substituting therefore Amended Article IX, which is attached hereto;

2. Except as expressly set forth herein, this Declaration shall remain in full force and effect in accordance with its terms.

3. Trustee's Exculpation. This Declaration is executed by Trustee, not individually or personally, but solely as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee (and said Trustee in its personal and individual capacity, hereby warrants that it as Trustee possesses full power and authority to execute this instrument) and it is expressly understood and agreed by Developer hereunder that nothing herein contained shall be construed as creating any liability on Trustee in its individual capacity personally to perform any covenant, either expressed or implied, herein contained, all such liability, if any, being expressly waived.

COOK COUNTY, ILLINOIS
FILED FOR RECORD

PREPARED BY MAIL TO:

1992 SEP 11 PM 2:20

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Bruce C. Abrams
LR Development Company
Chicago, Illinois 60657

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A

P.I.N.# 14-20-423-017, 018, 019, 020

9-11-92
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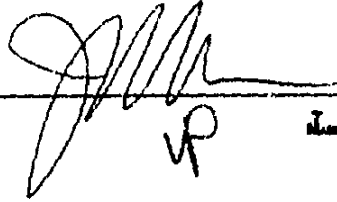
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IN WITNESS WHEREOF, the said AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a Corporation of Illinois, as trustee as aforesaid, and not individually, has caused its corporate seal to be affixed hereunto and caused its name to be signed in these presents by its Vice President and attested by its ASSISTANT SECRETARY this 11th day of SEPTEMBER 1991.

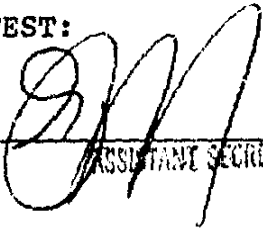
AMERICAN NATIONAL BANK AND TRUST
COMPANY OF CHICAGO, A
Corporation of Illinois, as trustee
as aforesaid, and not individually

By: _____



J. MICHAEL WIDLAK

ATTEST:



REGISTRY S. Kasprzyk
ASSISTANT SECRETARY

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ARTICLE IX LEASING

All lease or rental agreements regarding a Unit must be in writing and shall be subject to all the terms, conditions and requirements of the Declaration, By-Laws and rules and regulations of the Association. No Unit may be leased or rented for a period less than one (1) year. The Owner shall provide a copy of the lease or rental agreement to the Board within ten (10) days after its execution and as a prior condition before any lessee occupies a Unit. The Association is hereby expressly deemed to be third party beneficiary of any such lease; and any violation of the Declaration, By-Laws or rules and regulations shall be deemed a default under such lease entitling the Association to exercise any and all remedies under the lease or available at law or equity, regardless of the Owner's action or inaction in response to such default.

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that J. MICHAEL WHELAN and Gregory S. Kasprzyk, President of American National Bank and Trust Company of Chicago and Secretary of said Bank, respectively who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Secretary, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Bank, as Trustee aforesaid, for the uses and purposes therein set forth; and the said ASSISTANT SECRETARY then and there acknowledged that as custodian of the corporate seal of said bank, (s)he did affix the corporate seal of said Bank to said instrument as his (her) own free and voluntary act and as the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 17th day of September, 1992.

Pamela Ann Czikos
Notary Public

My commission expires 5-1-96.



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CONSENT OF MORTGAGEE

COLONIAL BANK holder of a mortgage on the property, dated January 14, 1992, and recorded January 16, 1992, as Document No. 92032820, hereby consents to the execution and recording of the within First Amendment to Declaration of Condominium Ownership and Easements, Restrictions, Covenants and By-Laws for The Lakeview Lofts Condominium Association and agrees that said mortgage is subject to the provisions of said Amended and Restated Declaration.

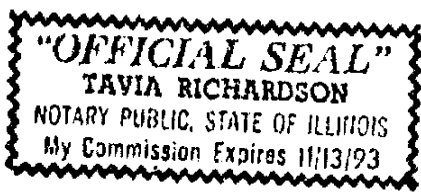
IN WITNESS WHEREOF, the undersigned has caused this instrument to be signed by its duly authorized officers on its behalf, at Chicago, Illinois, on this 11th day of September, 1992.

Colonial Bank

By: [Signature]
Its: AVP
Attest: [Signature]
Its: V.P.

Subscribed and sworn to this 11th day of September, 1992

Tavia Richardson
Notary Public



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STREET ADDRESS:

CITY:

COUNTY: COOK

TAX NUMBER:

LEGAL DESCRIPTION:

UNIT #S 201 THRU 212, INCLUSIVE, 301 THRU 306, 308 AND 310 IN THE LAKEVIEW LOFTS CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARCEL A:

THE WEST 25.81 FEET OF THE SOUTH 100.09 FEET LYING ABOVE A HORIZONTAL PLANE OF 16.82 FEET ABOVE CITY DATUM. ALSO, THE NORTH 10.0 FEET OF THE SOUTH 57.5 FEET OF THE WEST 25.81 FEET OF THE SOUTH 100.09 FEET LYING ABOVE A HORIZONTAL PLANE OF 21.09 FEET ABOVE CITY DATUM; ALSO, THE SOUTH 100.09 FEET (EXCEPT THE WEST 25.81 FEET THEREOF) LYING ABOVE A HORIZONTAL PLANE OF 35.01 FEET ABOVE CITY DATUM, ALSO THE WEST 9.0 FEET OF THE EAST 43.50 FEET OF THE NORTH 17.67 FEET OF THE SOUTH 100.09 FEET LYING ABOVE A HORIZONTAL PLANE OF 21.09 FEET ABOVE CITY DATUM, ALSO THE NORTH 25.0 FEET OF THE SOUTH 125.14 FEET OF THE EAST 46.52 FEET LYING ABOVE A HORIZONTAL PLANE OF 30.49 FEET ABOVE CITY DATUM ALSO THE WEST 10.0 FEET OF THE NORTH 25.0 FEET OF THE EAST 46.52 FEET OF THE SOUTH 125.14 FEET LYING ABOVE A HORIZONTAL PLANE OF 21.09 FEET ABOVE CITY DATUM ALSO ALL THAT PART LYING NORTH OF THE SOUTH 125.14 FEET AND LYING NORTH OF THE SOUTH 100.09 FEET (EXCEPT THE EAST 46.52 FEET THEREOF) OF THE FOLLOWING DESCRIBED PROPERTY TAKEN AS A TRACT OF LAND TO WIT:

LOTS 19 AND 20 IN BLOCK 6 IN BAXTER'S SUBDIVISION OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS ALSO LOTS 1, 2, 3, 4 AND 5 IN THE SUBDIVISION OF LOTS 21, 22, 23 AND 24 IN BLOCK 6 OF BAXTER'S SUBDIVISION OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL B:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS MADE BY AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 17, 1991 AND KNOWN AS TRUST NUMBER 114935-09, DATED JANUARY 14, 1992 AND RECORDED JANUARY 16, 1992 AS DOCUMENT 92032820, AS AMENDED BY DOCUMENT 92331027 FOR THE FOLLOWING PURPOSES: IN AND TO ALL STRUCTURAL MEMBERS, COLUMNS AND BEAMS, FOOTINGS, CAISSONS AND FOUNDATIONS, COMMON WALLS, CEILINGS AND FLOORS, AND ANY OTHER SUPPORTING COMPONENTS LOCATED IN OR CONSTITUTING A PART OF THE BURDENED PROPERTY; USE OF ALL FACILITIES LOCATED IN THE BURDENED PROPERTY; MAINTAINING ENCROACHMENTS; FOR INGRESS AND EGRESS TO PERMIT CONSTRUCTION, MAINTENANCE, REPAIR, REPLACEMENT, RESTORATION OR RECONSTRUCTION OF THIS PROPERTY; AND FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS IN AN EMERGENCY SITUATION, AS DEFINED THEREIN TO AND FROM, OVER, ON, ACROSS AND THROUGH THE FOLLOWING DESCRIBED LAND:

THE WEST 25.81 FEET OF THE SOUTH 100.09 FEET LYING BELOW A HORIZONTAL PLANE OF 36.82 FEET ABOVE CITY DATUM (EXCEPT THE NORTH 10.0 FEET OF THE SOUTH 57.50 FEET LYING ABOVE A HORIZONTAL PLANE OF 21.09 FEET ABOVE CITY DATUM) ALSO THE SOUTH 100.09 FEET (EXCEPT THE WEST 25.81 FEET THEREOF) LYING BELOW A HORIZONTAL PLANE OF 35.01 FEET ABOVE CITY DATUM (EXCEPT THEREFROM THE WEST 9.0 FEET OF THE EAST 43.50 FEET OF THE NORTH 17.67 FEET OF THE SOUTH 100.09 FEET LYING ABOVE A HORIZONTAL PLANE OF 21.09 FEET ABOVE CITY DATUM) ALSO THE NORTH 25.0 FEET OF THE SOUTH 125.14 FEET OF THE EAST 46.52 FEET (EXCEPTING THEREFROM THE WEST 10.0 FEET THEREOF) LYING BELOW A HORIZONTAL PLANE OF 30.49 FEET ABOVE CITY DATUM AND ABOVE A HORIZONTAL PLANE OF 21.09 FEET ABOVE CITY DATUM OF THE FOLLOWING DESCRIBED PROPERTY TAKEN AS A TRACT OF LAND TO WIT:

LOTS 19 AND 20 IN BLOCK 6 IN BAXTER'S SUBDIVISION OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY ILLINOIS ALSO LOTS 1, 2, 3, 4 AND 5 IN THE SUBDIVISION OF LOTS 21, 22, 23

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AND 24 IN BLOCK 6 OF BAXTER'S SUBDIVISION OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 92638754 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS

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