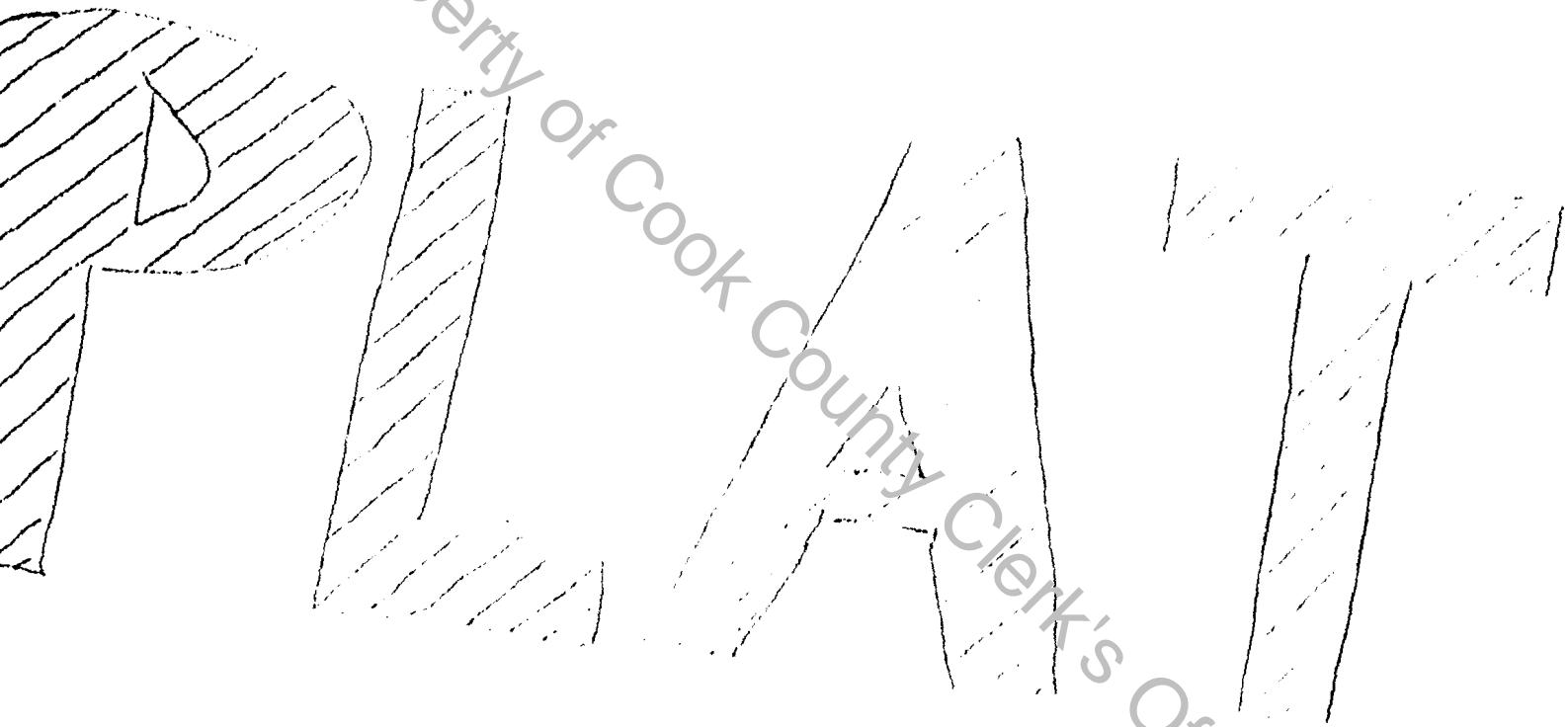


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AMENDMENT #1 TO THE

DECLARATION OF CONDOMINIUM OWNERSHIP

AND BY-LAWS

EASEMENTS, RESTRICTIONS AND COVENANTS

FOR

THE BEACON OF SHERIDAN PARK CONDOMINIUM

73.00

73-52-023 AS

THIS DECLARATION AMENDMENT NO. 1 ("Amendment") to the Declaration of Condominium Ownership and Bylaws, Easements, Restrictions, and Covenants for The Beacon of Sheridan Park Condominium recorded July 3, 1991 in the office of the Cook County Recorder as document no. 91328738 ("Declaration"), made and entered into by The Beacon of Sheridan Park Joint Venture, an Illinois general partnership, the Developer of The Beacon of Sheridan Park Condominium (the "Developer"), the current beneficial owner of Units 1A and 1C and the acting Manager (Board of Directors) for the Condominium Association; and NBD Trust Company of Illinois, not individually, but as Trustee under a Trust Agreement dated April 25, 1990 and known as Trust No. 2827-EG, hereinafter referred to as the "Trustee", the legal title holder to the Units of the Condominium effected by this amendment, and consented to by the lienholder on those effected Units; NBD Elk Grove Bank as lienholder under a mortgage dated July 13, 1990 recorded July 13, 1990 as document No. 90338043, which all such parties shall hereafter be referred to collectively as the "Interest Holders":

WITNESSETH THAT:

WHEREAS, the Developer is authorized by the Declaration to reassign parking space common elements in THE BEACON OF SHERIDAN PARK CONDOMINIUM, located on the parcel described as:

LOTS 193 AND 194 IN SHERIDAN DRIVE SUBDIVISION, BEING A SUBDIVISION OF THE NORTH 3/4 OF THE EAST 1/2 OF THE NORTH WEST 1/4 OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF THE WEST 1/2 OF THE SAID NORTH WEST 1/4, WHICH LIES NORTH OF THE SOUTH 800 FEET THEREOF AND EAST OF GREEN BAY ROAD, ALL IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 4601-4609 N. BEACON, CHICAGO, ILLINOIS

P.I.N. 14-17-109-011-0000; AND

Prepared by and mail to: Richard L. Rasley, 2311 W. 22nd St., Suite 207 Oak Brook, IL 60521

PLAT WITH THIS DOCUMENT

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THE WEST 80 FEET OF LOT 236, AND THE WEST 80 FEET OF THE SOUTH 1/2 OF LOT 235 IN SHERIDAN DRIVE SUBDIVISION, BEING A SUBDIVISION OF THE NORTH 3/4 OF THE EAST 1/2 OF THE NORTH WEST 1/4 OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF THE WEST 1/2 OF THE SAID NORTH WEST 1/4, WHICH LIES NORTH OF THE SOUTH 800 FEET THEREOF AND EAST OF GREEN BAY ROAD, ALL IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 4620-4624 N. BEACON, CHICAGO, ILLINOIS  
P.I.N. 14-17-108-015-0000, AND P.I.N. 14-17-108-019-0000; AND

AN EASEMENT FOR ACCESS FOR THE BENEFIT OF THE WEST 80 FEET OF LOT 236 AND THE WEST 80 FEET OF THE SOUTH 1/2 OF LOT 235 DESCRIBED AS: THE SOUTH 15 FEET AND THE WEST 14 FEET OF THAT PART OF LOT 236 LYING EAST OF THE WEST 80 FEET THEREOF, AND THE WEST 14 FEET OF THE SOUTH 1/2 OF LOT 235 LYING EAST OF THE WEST 80 FEET THEREOF IN SHERIDAN DRIVE SUBDIVISION, BEING A SUBDIVISION OF THE NORTH 3/4 OF THE EAST 1/2 OF THE NORTH WEST 1/4 OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF THE WEST 1/2 OF THE SAID NORTH WEST 1/4, WHICH LIES NORTH OF THE SOUTH 800 FEET THEREOF AND EAST OF GREEN BAY ROAD, ALL IN COOK COUNTY, ILLINOIS

situated in the City of Chicago, County of Cook and State of Illinois:

and WHEREAS, the Interest Holders, in conformance with the Act and the Condominium Documents desire and agree to subdivide Units in The Beacon of Sheridan Park Condominium previously designated as 1A and 1C, and to reallocate the percentage ownership of the common areas for such units set forth in Exhibit B to the Declaration.

NOW THEREFORE, the Developer and the Interest Holders collectively hereby declare as follows:

## ARTICLE I

### AMENDMENTS

1.1 Unit Subdivision. Units 1A and 1C noted in Exhibit A of the Declaration shall be subdivided as follows: the building space described on page 5 of 6 of Exhibit A of the Declaration as the lower level of duplex Units 1A and 1C shall hereafter be described as Units GA and GC respectively, and the building space described on page 2 of 6 of Exhibit A of the Declaration as the upper level of Units 1A and 1C shall hereafter be described as Units 1A and 1C respectively. These changes are noted on pages 2 of 6, and 5 of 6, of the amended pages of Exhibit A attached hereto.

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1.2 Percentage Ownership Interest Change. In conjunction with the Unit subdivision described in paragraph 1.1 above, the Percentage of Ownership Interest in Common Elements of Units 1A and 1C set forth in Exhibit B of the Declaration shall be reallocated between Units 1A, 1C and the new Units GA and GC as noted in Exhibit B Amendment #1 attached hereto.

1.3 Parking Space Assignment Change. In conjunction with the change noted in paragraph 1.1 above, Parking Space Limited Common Elements shall be reassigned as noted in Exhibit B Amendment #1 attached hereto.

1.4 Typographical Correction. The first sentence of Article XVII paragraph 2 shall be amended to read as follows: "(n)otices provided for in this Declaration and in the Act shall be in writing and shall be addressed to the Board or Association, or to any Unit Owner, as the may be at 4601 N. Beacon, Chicago, Illinois (indicating thereon the number of the Unit if addressed to the Unit Owner), or at such other address as herein provided."

No other terms, articles, or provisions of the Declaration shall be amended hereby.

## ARTICLE II

### TRUSTEE EXCULPATION

This Amendment, if executed by NBD TRUST COMPANY OF ILLINOIS, as aforesaid, in the exercise of power and authority conferred upon and vested in it as such Trustee (and said Trustee hereby warrants that it possesses full power and authority to execute this instrument). It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Amendment that said 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 a part of the trust estate under said Trust No. 2827-EG to the terms of this Amendment; that any and all obligations, duties, covenants, and agreements of every nature herein set forth by said Trustee as aforesaid, to be kept or performed, are intended to be kept, performed and discharged by the beneficiary under said Trust or its successors, and not by said Trustee personally, and, further, that no duty shall rest upon NBD TRUST COMPANY OF ILLINOIS either personally or as such Trustee, to sequester trust assets, rentals, avails or proceeds of any kind, or other-wise to see to the fulfillment or discharge of any obligation, express or implied, arising under the terms of this Amendment, except where said Trustee is acting pursuant to direction as provided by the terms of said Trust and after the Trustee has first been supplied with funds required for the purpose.

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IN WITNESS WHEREOF, the said NBD TRUST COMPANY OF ILLINOIS, as Trustee as aforesaid and not individually, has caused this instrument to be signed and sealed by its duly authorized officers on its behalf; and the Trustee, attorney-in-fact as aforesaid, has set its hand and seal, all done in Elk Grove, Illinois, this 29 day of January, 1992.

NBD TRUST COMPANY OF ILLINOIS, as Trustee under a Trust Agreement dated April 25, 1990, known as Trust 2827-EG, and not individually

By: Patricia A. Dunleavy

Patricia A. Dunleavy Trust Officer  
Print Name and Office

ATTEST: By: Sheila K. Schwart ASSISTANT SECRETARY

Sheila K. Schwart  
Print Name and Office

STATE OF ILLINOIS)

COUNTY OF COOK )

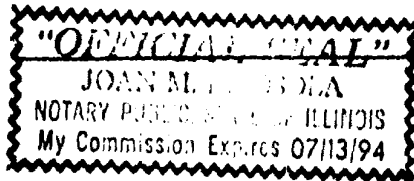
This instrument is executed by NBD TRUST COMPANY OF ILLINOIS, not individually, but solely as Trustee, as aforesaid. All the covenants and obligations to be performed hereunder by NBD TRUST COMPANY OF ILLINOIS are to be performed by it solely as Trustee, as aforesaid, and no personal or individual liability shall be asserted or enforceable against NBD TRUST COMPANY OF ILLINOIS, its officers, directors, or any of the covenants, statements, representations, indemnifications or warranties expressed or implied herein contained in this instrument.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Patricia A. Dunleavy, Trust Officer of NBD TRUST COMPANY OF ILLINOIS and Sheila K. Schwart, ASSISTANT SECRETARY of said Trust Company, who subscribed to the foregoing instrument as such Trust Officer and ASSISTANT SECRETARY, respectively, 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 said Trustee, as aforesaid, for the uses and purposes therein set forth; and the said Patricia A. Dunleavy then and there acknowledged that (s)he as custodian of the corporate seal of said Trustee, did affix the corporate seal of said Trustee to said instrument as his (her) own free and voluntary act and as the free and voluntary act of said Trustee, as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 29 day of January, 1992.

Joan M. Boda  
Notary Public

My commission expires:



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## CONSENT OF MORTGAGEE

NBD Elk Grove Bank holder of a mortgage on the Property dated July 13, 1990 and recorded July 13, 1990, as Document No. 90338043 hereby consents to the execution and recording of the Amendment #1 to the Declaration of Condominium Ownership for The Beacon of Sheridan Park Condominium recorded July 3, 1991, as document no. 91328738, and agrees that said mortgage is subject to the provisions of said Declaration and the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, the said NBD Elk Grove Bank, has caused this instrument to be signed by its duly authorized officers on its behalf, all done at Elk Grove, Illinois on this 29 day of JANUARY, 1992.

By: *Marilyn M. Williams*  
Marilyn M. Williams  
Print Name and Office

ATTEST:

By: *Dennis Owen Gallagher*  
Dennis Owen Gallagher  
Print Name and Office

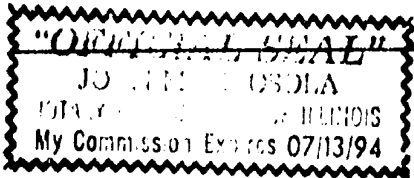
STATE OF ILLINOIS     )  
                                  )     SS  
COUNTY OF COOK        )

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Marilyn M. Williams and Dennis Owen Gallagher, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as officers of NBD Elk Grove Bank, 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 bank, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 29 day of JANUARY, 1992.

*John W. DiCocco*  
Notary Public

My commission expires:



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DEVELOPER

THE BEACON OF SHERIDAN PARK JOINT VENTURE

ATTEST:

By: [Signature]  
Richard L. Rasley, Secy.

By: EQUITY PARTNERS LTD.

By: [Signature]  
Richard A. May, Pres.

By: [Signature]  
James L. Prange, Individually

By: [Signature]  
Alex Britva, Individually

By: [Signature]  
Richard A. May, Individually

STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF COOK   )

I, Jean L. Bates a Notary Public in and for said County, in the State aforesaid, do hereby certify that Richard A. May, President of Equity Partners Ltd. and Richard L. Rasley, Secretary of said company, who subscribed to the instrument as President and Secretary respectively, and James L. Prange, Alex Britva, and Richard A. May who subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 28th day of January, 1992.

Jean L. Bates  
Notary Public

My commission expires:  
11-14-94

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## AMENDMENT #1 TO EXHIBIT B

### PERCENTAGE OF OWNERSHIP INTEREST IN COMMON ELEMENTS

<u>UNIT</u>	<u>PARKING SPACE #</u>	<u>PERCENTAGE OF OWNERSHIP INTEREST IN COMMON ELEMENTS</u>
GA	8	2.9535%
1A	18	5.1973
2A	19	5.5427
3A	20	5.7078
1B	10	6.9292
2B	11	4.2883
3B	12	4.4533
GC	7	3.4355
1C	13	5.4084
2C	9	5.3777
3C	4	5.5427
1D	2	6.6651
2D	6	4.2222
3D	14	4.3873
1E	3	6.9292
2E	15	4.2222
3E	4	4.3873
1F	5	5.0805
2F	17	4.5524
3F	16	4.7174
TOTAL		100.00 %

The Percentage of Ownership Interest in the Common Elements for each Unit includes 0.25% attributable to each Parking Space Limited Common Element allocated to each Unit.

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## B. H. SUHR & COMPANY, INC.

HERBERT R. SMITH  
RAYMOND R. HANSEN

REGISTERED LAND SURVEYORS  
ESTABLISHED 1911

1415 SHERMAN AVENUE  
EVANSTON, ILLINOIS 60201

TELEPHONES (708) 864-8315  
(312) 273-5315  
FAX-(708) 864-9341

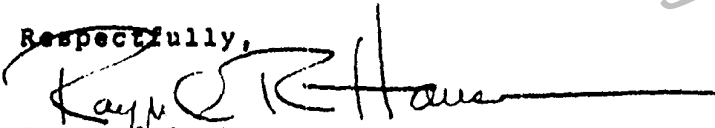
January 14, 1992

Cook County Recorder  
of Deeds  
118 N. Clark Street  
Chicago, Illinois 60602

To whom it may concern:

This letter is to certify that Mr. Richard Rasley is my designated representative to record the plat of survey, pages 2 of 5 and 5 of 5, known as order number 90-796, dated October 9, 1990, and amended January 14, 1992. A true copy of which is retained at this office to assure that no changes have been made to said plat. This letter bears my seal and is embossed.

Respectfully,



Raymond R. Hansen  
Illinois Professional Land  
Surveyor #2542

RRH/ddm

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