

"LIMITED COMMON ELEMENTS": Limited common elements means a portion of the common elements so designated in this Declaration or on the Plat, or amendments thereto, as being reserved for the use of a certain unit or units to the exclusion of other units. Any portion of the common elements which, by the

92131358

1. Article I of the Declaration, entitled "Definitions" is hereby amended by adding the following at the end of that article:

NOW, THEREFORE, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and adequacy of which is acknowledged by the Parties, it is agreed as follows:

WHEREAS, the parties desire to make certain amendments to the governing documents which would grant the owners of Units 401 and 402 the right to construct roof decks on a portion of the roof of the condominium building and which would designate such roof decks as limited common elements;

WHEREAS, KAUFMANN, KNOBBE, HOLOHAN, MALLESS, ATHENA DEVELOPMENT, INC., WILCOX, KENNEY and HARRINGTON are all of the fee simple owners of the property; and

WHEREAS, by that certain Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws, for the 1120 Armitage Condominium Association dated October 25, 1985 and recorded on October 29, 1985 as Document Number 85258476 (hereinafter the "Declaration"), the property legally described on Exhibit A attached hereto, and by this reference incorporated herein (hereinafter "property"), was submitted to the provisions of the Condominium Property Act of the State of Illinois, as amended from time to time; and

WITNESSETH: DEPT-01 RECORDING 145555 TRAN 2197 03/02/92 14:23:00 *92-134358 COOK COUNTY RECORDER

THIS AMENDMENT made and entered into as of the day of February, 1992, by and between the 1120 Armitage Condominium Association, ("Association"); Frederick R. Kaufmann ("Kaufmann"); Bernard C. Knobe ("Knobe"); William C. Holohan and Sharon K. Holohan ("Holohan"); Stanley Malless ("Malless"); Athens Development, Inc., an Indiana Corporation ("Athens"); Howard S. Wilcox ("Wilcox"); John E. Kenney, Jr., ("Kenney") and Ralph G. Harrington ("Harrington").

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR 1120 ARMITAGE CONDOMINIUM

92131358

WITH THIS DOCUMENT

UNOFFICIAL COPY

"5. Assignment of Limited Common Elements. The roof decks will be assigned to Units 401 and 402. The assignment of limited common elements shall be designated on the survey to the declaration or any amendment thereto. The roof decks to Units 401 and 402 are designated on the survey attached hereto as Exhibit "B".

4. Article IV of the Declaration entitled "General Provisions" as to units and common elements" is hereby amended by adding to the following as paragraphs 5, 6, and 7, to that Article:

"4. Use of Limited Common Elements. Each unit owner shall have the right to (a) the exclusive use and possession of the limited common elements serving exclusively the unit of such unit owner which shall be separated from such unit, and (b) the use and possession of the limited common elements serving the unit of such unit owner in common with one or more (but not all) other units which use and possession shall be to the exclusion of all other persons except the unit owner of any such other unit to which such limited common shall respectively appertain. The use of the limited common elements may be transferred between unit owners at their expense in accordance with the act."

"3. LIMITED COMMON ELEMENTS. The limited common elements are such parts of the common elements serving exclusively a single unit or adjoining units as an inseparable appurtenance thereto, as designated as such in this declaration, or amendments thereto, including in the plat or which by the nature of location thereof, or by the terms of this declaration, or amendments thereto, are clearly intended to be reserved for or reserved for or for the use of, or serving for the use of, or reserved for or for the use of, or in conjunction with other units) are hereinafter from time to time referred to as the limited common elements of such unit. The limited common elements shall include but shall not be limited to the following, if any: (a) roof deck structure exclusively for the use of Unit 401; (b) roof deck structure exclusively for the use of Unit 402.

2. Article III of the Declaration, entitled "Common Elements" is hereby amended by adding the following as paragraphs 3 and 4 to that article:

terms of this Declaration, or amendments thereto, or by its nature or location, is clearly intended to serve exclusively a certain unit or units (but less than all the units), or the owner or owners thereof, shall be deemed a limited common element."

893041358

TITLE: Sec

18th day of February, 1992.

Subscribed and sworn to before me this

BY: *Charles H. Walker*

ATTEST:

STATES OF INDIANA)
COUNTY OF MARION)
SS:)

MHW

TITLE: SOLE DIRECTOR

BY: *James H. Fisher*

1120 ARMITAGE
CONDOMINIUM ASSOCIATION

IN WITNESS WHEREOF, the parties have set their hands
this 18th day of February, 1992.

"7. Limited Common Elements. Any charge or expense in connection with expenditures for the limited common elements shall be assessed only against that unit or units to which such limited common elements are assigned. Any charge or expense for the roof deck which is a limited common element of Unit 401 shall be paid by the owner of Unit 401. Any charge or expense for the roof deck which is a limited common element of Unit 402 shall be paid by the owner of Unit 402."

"6. Specific use of Limited Common Elements. The owners of Units 401 and 402, shall, as among unit owners, be solely entitled to the use of the roof deck which is a limited common element appurtenant to their respective units. Said owners shall be responsible for any repair, replacement, removal, and/or maintenance required to their respective roof decks. Said owners shall keep their respective roof decks in good repair. Said owners shall be liable for any damage sustained to the common elements or other units which arises out of the intentional or negligent conduct of said owner or those using the roof deck with said owner's consent, permission, authority, or under said owner's control. In the event a roof deck must be removed in order to complete repairs to the common elements, particularly the roof, the owner of the particular roof deck shall be responsible for said costs, if the removal of the roof deck is reasonably required.

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- 4 -

GARY S. BENSON
ATTORNEY AT LAW
2615 N. SHEFFIELD AVENUE
CHICAGO, ILLINOIS 60614
(312) 327-7120



Property of Cook County Clerk's Office

8558126

PERMANENT INDEX NUMBER: 14-32-222-045-1001
14-32-222-045-1002
14-32-222-045-1003
14-32-222-045-1004
14-32-222-045-1005
14-32-222-045-1006
14-32-222-045-1007
14-32-222-045-1008

Lot 22 in Block 8 in James Morgan's subdivision of the East 1/2 of the South West 1/4 of Block 10 in Sheffield's Addition to Chicago in the North East 1/4 of Section 32, Township 40 North, Range 14 East of the Third Principal Meridian, which survey is attached as Exhibit "A" to the Declaration of Condominium recorded as Document Number 85258476 in Cook County, Illinois, together with its undivided percentage interest in the common elements in Cook County, Illinois.

EXHIBIT "A"
LEGAL DESCRIPTION

UNOFFICIAL COPY

County of Residence: Hamilton
Commission Expires: March 28, 1994

NOTARY PUBLIC Charlotte M. Walker

Charlotte M. Walker

Property of Cook County Clerk's Office

I, Charlotte M. Walker, a Notary Public in and for said County and State, do hereby certify that Lisa M. Lanham, and Cecilia Kopanski, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.
GIVEN under my hand and notarial seal this 18th day of February, 1992.

92134358

ATTEST: *Cecilia Kopanski*

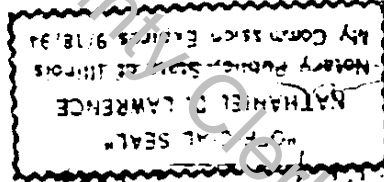
BY: *Lisa M. Lanham*
1120 ARMITAGE
CONDOMINIUM ASSOCIATION

INDIANA
STATE OF INDIANA
COUNTY OF COOK)
MARION)
XXXX)
SS)

UNOFFICIAL COPY

Property of Cook County

92134358



N. D. Lawrence
NOTARY PUBLIC

day of _____ 1991
GIVEN under my hand and notarial seal this _____
1991
personally known to me to be the same persons whose names are
subscribed to the foregoing instrument, appeared before me this
day in person and acknowledged that they signed and delivered the
said instrument as their free and voluntary act for the uses and
purposes therein set forth.
and for said County and State, do hereby certify that
I, Nathaniel D. Lawrence, a Notary Public in
the State of Illinois, do hereby certify that
Bernard C. Knobbe, and

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

UNIT #101

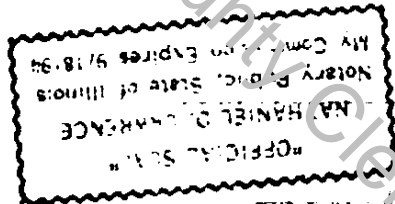
Bernard C. Knobbe
Bernard C. Knobbe

2-13-92

UNOFFICIAL COPY

92134358

Property of Cook County Clerk



NOTARY PUBLIC

NA. HANSEL

day of February, 1994

GIVEN under my hand and notarial seal this 24th

purpose herein set forth. said instrument as their free and voluntary act for the uses and day in person and acknowledged that they signed and delivered the subscribed to the foregoing instrument, appeared before me this personally known to me to be the same persons whose names are and for said County and State, do hereby certify that

Unit #102
Frederick R. Kaufmann
Frederick R. Kaufmann

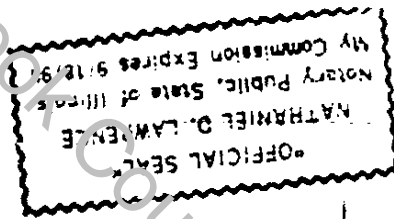
STATE OF ILLINOIS)
) SS
(COUNTY OF COOK)

UNOFFICIAL COPY

- 6 -

Property of Cook County Office

858246726



N. D. Lawrence
NOTARY PUBLIC

GIVEN under my hand and notarial seal this 25th day of February, 1997.
said instrument as true, free and voluntary act for the uses and purposes therein set forth.
day in person and acknowledged that they signed and delivered the subscribed to the foregoing instrument, appeared before me this personally known to me to be the same persons whose names are William C. Holohan, and Sharon K. Holohan, and for said county and State, do hereby certify that Nathaniel D. Lawrence, a Notary Public in

Sharon K. Holohan
Sharon K. Holohan

William C. Holohan
William C. Holohan

STATE OF ILLINOIS)
COUNTY OF COOK) SS

UNOFFICIAL COPY

92134358

Property of Cook County Clerk's Office

2/14/96

My Commission expires:

HOWARD S. WILCOX

Marcia R. Lemasters

February

1992

GIVEN under my hand and notarial seal this 6th

day of February, 1992. I, the undersigned, a Notary Public in and for Cook County and State of Illinois, do hereby certify that the foregoing instrument was signed and delivered by the person or persons named therein for the purposes therein set forth. I am not a party to this instrument and I do not know the contents thereof. I am not a party to this instrument and I do not know the contents thereof. I am not a party to this instrument and I do not know the contents thereof.

personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act for the purposes and purposes therein set forth.

Hendricks

Marcia R. Lemasters

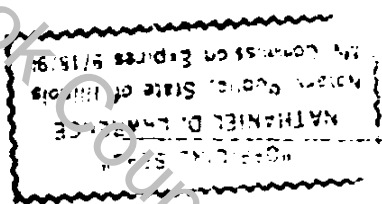
UNIT #101
X
HOWARD S. WILCOX

STATE OF ILLINOIS)
COUNTY OF COOK) SS

UNOFFICIAL COPY

Property of Cook County Clerk's Office

92134356



N. D. Lawrence
NOTARY PUBLIC

I, Nathaniel D. Lawrence, a Notary Public in
and for said County and State, do hereby certify that
John E. Kenney, Jr., and
personally known to me to be the same persons whose names are
subscribed to the foregoing instrument, appeared before me this
day in person and acknowledged that they signed and delivered the
said instrument as their free and voluntary act for the uses and
purposes therein set forth.
GIVEN under my hand and notarial seal this 19th
day of February, 1991.

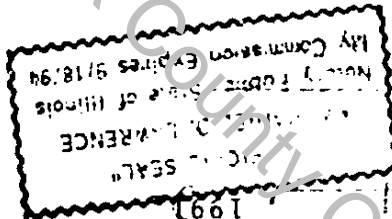
John E. Kenney, Jr.
Unit #302

STATE OF ILLINOIS)
) SS)
) COUNTY OF COOK)

UNOFFICIAL COPY

85346126

Property of Cook County



NOTARY PUBLIC
N. Lawrence

GIVEN under my hand and notarial seal this 24th day of February, 1991

I, Nathaniel D. Lawrence, a Notary Public in and for said county and State, do hereby certify that Ralph G. Harrington, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

Ralph G. Harrington
Ralph G. Harrington
UNIT 1401

STATE OF ILLINOIS)
) SS)
COUNTY OF COOK)

UNOFFICIAL COPY

- 13 -

Property of Cook County Clerk's Office

My commission Expires: March 26, 1994

County of Residence: Hamilton

NOTARY PUBLIC Charlotte M. Walker

Charlotte M. Walker

GIVEN under my hand and notarial seal this 4th day of February, 1992.

I, Charlotte M. Walker, a Notary Public in and for said County and State, do hereby certify that Charles E. Lanham, and Cecilia M. Kopanski, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

ATTEST: *William J. ...*

BY: *Charles E. Lanham*

ATHENA DEVELOPMENT, INC.,
an Indiana Corporation

Unit #402

INDIANA
STATE OF (MISSOURI)
COUNTY OF (MISSOURI)
MARION) SS
(MISSOURI)

85316126