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**PLAT**

11-26-96

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NOV 1996

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**PLAT WITH THIS DOCUMENT**

## SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAPRI CONDOMINIUM ASSOCIATION

96901616

This instrument was prepared by and  
mail to:

Herbert A. Kessel, Esq.  
BEERMANN, SWERDLOVE, WOLOSHIN,  
BAREZKY, BECKER, GENIN & LONDON  
161 North Clark Street, #2600  
Chicago, Illinois 60601-3221  
(312) 621-9700

RETURN TO:  
TICOR TITLE INSURANCE  
203 N. LaSALLE, STE. 1400  
CHICAGO, IL 60601  
RE 96901616



7900  
11/24/96  
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## SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAPRI CONDOMINIUM ASSOCIATION

This Second Amendment to that certain Declaration of Condominium Ownership for Capri Condominium, Cook County, Illinois recorded with the Recorder of Deeds of Cook County, Illinois on August 21, 1996, as Document No. 96641023, ("Declaration"), is executed by Capri L.L.C., an Illinois limited liability company (the "Declarant").

### WITNESSETH

**WHEREAS**, the real estate described in the First Recital to the Declaration, which by this reference is made a part hereof, is located in the County of Cook and State of Illinois (the "Submitted Parcel") has been submitted to the Condominium Property Act of the State of Illinois, as amended (the "Act") pursuant to the Declaration; and

**WHEREAS**, pursuant to the Act, in Article 12 of the Declaration, the Declarant reserved the right from time to time to annex and add to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration; and

**WHEREAS**, the Declarant, pursuant to Article 12 of the Declaration, desires to annex and add to the "Property" (as defined in the Declaration), and to the plan of condominium ownership and submit to the Act the real estate legally described in Exhibit "A" attached hereto and by this reference made a part hereof (the "Additional Parcel"), the street address and Permanent Real Estate Number of the Additional Parcel being as set forth therein; and

**WHEREAS**, the Additional Parcel is a portion of the Future Development Parcel in the Declaration as described in Exhibit "C" thereto; and

**WHEREAS**, the Additional Parcel is now improved with three (3) apartment buildings, consisting of eighteen (18) residential units; and

**WHEREAS**, the Declarant desires to amend the Declaration as it relates to the Plat of Survey (Exhibit "A" thereto) and to the percentage of ownership interest in the common elements for condominium units (Exhibit "B" thereto); and

**NOW, THEREFORE**, the Declarant, as the holder of legal title to the Additional Parcel, for the purposes above set forth, hereby declares that the Declaration is amended as follows:

1. The Additional Parcel is hereby annexed to the Submitted Parcel and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Act.

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2. Exhibit "A" of the Declaration, "Plat of Survey", is hereby amended by adding thereto the Plat of Survey, attached hereto and by this reference made a part hereof.

3. Exhibit "B" of the Declaration, "Percentage of Ownership Interest in the Common Elements", is deleted and an amended Exhibit "B", attached hereto and by this reference made a part hereof, is submitted in lieu thereof.

4. All the unit owners and mortgage holders, by the Declarant, hereby consent to this Second Amendment to the Declaration pursuant to the power set forth in Article 12 of the Declaration.

5. Except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Second Amendment and the Declaration, this Second Amendment shall control.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed this 25<sup>th</sup> day of November, 1996.

**CAPRI L.L.C., an Illinois limited liability company**

By: \_\_\_\_\_  
Its: President

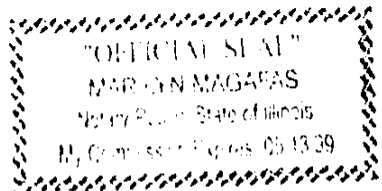
STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COOK     )

I, Marilyn Magafas, a Notary Public, in and for said County, in the State aforesaid, do hereby certify, that Wayne Noelle, President of Capri L.L.C., an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such President, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said company.

GIVEN under my hand and Notarial Seal, this 25<sup>th</sup> day of November, A.D., 1996.

Marilyn Magafas  
Notary Public

My Commission Expires:



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## EXHIBIT A

### TO SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR CAPRI CONDOMINIUM ASSOCIATION

#### LEGAL DESCRIPTION ADDITIONAL PARCELS

##### **BUILDING #17:**

THAT PART OF THE NORTH HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF INTERSECTION OF THE SOUTH LINE OF HARRISON STREET AS DEDICATED BY DOCUMENT 21871923 AND THE WEST LINE OF DEE ROAD AS DEDICATED BY DOCUMENT 22367855;

THENCE SOUTH 89°26'18" WEST ALONG THE SOUTH LINE OF HARRISON STREET, A DISTANCE OF 463.80 FEET TO A POINT OF BEGINNING;

THENCE SOUTH 00°33'42" EAST, A DISTANCE OF 187.00 FEET;  
THENCE SOUTH 89°26'18" WEST, A DISTANCE OF 29.415 FEET;  
THENCE NORTH 45°33'42" WEST, A DISTANCE OF 5.66 FEET;  
THENCE SOUTH 89°26'18" WEST, A DISTANCE OF 58.135 FEET WEST;  
THENCE NORTH 00°33'42" WEST, A DISTANCE OF 183.00 FEET TO A POINT ON THE SOUTH LINE OF HARRISON STREET;  
THENCE NORTH 89°26'18" EAST, A DISTANCE OF 91.55 FEET TO THE POINT OF BEGINNING, CONTAINING 16,879 SQUARE FEET, OR, 0.3875 ACRES, ALL IN COOK COUNTY, ILLINOIS.

##### **BUILDING #16:**

THAT PART OF THE NORTH HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF INTERSECTION OF THE SOUTH LINE OF HARRISON STREET AS DEDICATED BY DOCUMENT 21871923 AND THE WEST LINE OF DEE ROAD AS DEDICATED BY DOCUMENT 22367855;

THENCE SOUTH 89°26'18" WEST ALONG THE SOUTH LINE OF HARRISON STREET, A DISTANCE OF 555.35 FEET TO A POINT OF BEGINNING;

THENCE SOUTH 00°33'42" EAST, A DISTANCE OF 183.00 FEET;  
THENCE SOUTH 89°26'18" WEST, A DISTANCE OF 58.135 FEET;  
THENCE SOUTH 44°26'18" WEST, A DISTANCE OF 5.66 FEET;  
THENCE SOUTH 89°26'18" WEST, A DISTANCE OF 29.415 FEET WEST;  
THENCE NORTH 00°33'42" WEST, A DISTANCE OF 187.00 FEET TO A POINT ON THE SOUTH LINE OF HARRISON STREET;  
THENCE NORTH 89°26'18" EAST, A DISTANCE OF 91.55 FEET TO THE POINT OF BEGINNING, CONTAINING 16,879 SQUARE FEET, OR, 0.3875 ACRES, ALL IN COOK COUNTY, ILLINOIS.

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## BUILDING #15:

THAT PART OF THE NORTH HALF OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT OF INTERSECTION OF THE SOUTH LINE OF HARRISON STREET AS DEDICATED BY DOCUMENT 21871923 AND THE WEST LINE OF DEE ROAD AS DEDICATED BY DOCUMENT 22367855:

THENCE SOUTH 89°26'18" WEST ALONG THE SOUTH LINE OF HARRISON STREET, A DISTANCE OF 646.90 FEET TO A POINT OF BEGINNING;

THENCE SOUTH 00°33'42" EAST, A DISTANCE OF 187.00 FEET;  
THENCE SOUTH 89°26'18" WEST, A DISTANCE OF 29.415 FEET;  
THENCE NORTH 45°33'42" WEST, A DISTANCE OF 5.66 FEET;  
THENCE SOUTH 89°26'18" WEST, A DISTANCE OF 58.135 FEET WEST;  
THENCE NORTH 00°33'42" WEST, A DISTANCE OF 183.00 FEET TO A POINT ON THE SOUTH LINE OF HARRISON STREET;  
THENCE NORTH 89°26'18" EAST, A DISTANCE OF 91.55 FEET TO THE POINT OF BEGINNING, CONTAINING 16,879 SQUARE FEET, OR, 0.3875 ACRES, ALL IN COOK COUNTY, ILLINOIS.

PIN: \_\_\_\_\_

## Common Addresses

### Building 17

9393 Harrison Street, Des Plaines, Illinois  
9395 Harrison Street, Des Plaines, Illinois  
9397 Harrison Street, Des Plaines, Illinois  
9399 Harrison Street, Des Plaines, Illinois  
9401 Harrison Street, Des Plaines, Illinois  
9403 Harrison Street, Des Plaines, Illinois

### Building 16

9405 Harrison Street, Des Plaines, Illinois  
9407 Harrison Street, Des Plaines, Illinois  
9409 Harrison Street, Des Plaines, Illinois  
9411 Harrison Street, Des Plaines, Illinois  
9413 Harrison Street, Des Plaines, Illinois  
9415 Harrison Street, Des Plaines, Illinois

### Building 15

9417 Harrison Street, Des Plaines, Illinois  
9419 Harrison Street, Des Plaines, Illinois  
9421 Harrison Street, Des Plaines, Illinois  
9423 Harrison Street, Des Plaines, Illinois  
9425 Harrison Street, Des Plaines, Illinois  
9427 Harrison Street, Des Plaines, Illinois

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EXHIBIT B

## TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENT RESTRICTIONS, COVENANTS AND BY-LAWS FOR CAPRI L.L.C. CONDOMINIUM ASSOCIATION

30-Sep-96

### PERCENTAGE OF OWNERSHIP INTEREST IN THE COMMON ELEMENTS

BUILDING	UNIT	(1) MAXIMUM % OWNERSHIP	(2) MINIMUM % OWNERSHIP
20	1-714-9357	2.775300%	1.244471%
20	2-714-9359	2.775300%	1.244471%
20	3-714-9361	2.775300%	1.244471%
20	4-714-9363	2.775300%	1.244471%
20	5-714-9365	2.775300%	1.244471%
20	6-713-9367	2.790167%	0.920500%
18	1-714-9381	2.775300%	1.244471%
18	2-714-9383	2.775300%	1.244471%
18	3-714-9385	2.775300%	1.244471%
18	4-714-9387	2.775300%	1.244471%
18	5-714-9389	2.775300%	1.244471%
18	6-713-9391	2.790167%	0.920500%
19	1-713-9359	2.790167%	0.920500%
19	2-714-9371	2.775300%	1.244471%
19	3-714-9373	2.775300%	1.244471%
19	4-714-9375	2.775300%	1.244471%
19	5-714-9377	2.775300%	1.244471%
19	6-714-9379	2.775300%	1.244471%
15	1-713-9417	2.790167%	0.920500%
15	2-714-9419	2.775300%	1.244471%
15	3-714-9421	2.775300%	1.244471%
15	4-714-9423	2.775300%	1.244471%
15	5-714-9425	2.775300%	1.244471%
15	6-714-9427	2.775300%	1.244471%
16	1-714-9405	2.775300%	1.244471%
16	2-714-9407	2.775300%	1.244471%
16	3-714-9409	2.775300%	1.244471%
16	4-714-9411	2.775300%	1.244471%
16	5-714-9413	2.775300%	1.244471%
16	6-713-9415	2.790167%	0.920500%

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17	1-713-8383	2.790167%	0.920500%
17	2-714-8395	2.775300%	1.244471%
17	3-714-8397	2.775300%	1.244471%
17	4-714-8399	2.775300%	1.244471%
17	5-714-8401	2.775300%	1.244471%
17	6-714-8403	2.775300%	1.244471%

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100.000000%

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- (1) This column shows the percentage of ownership interest for each unit up completion of development of the stages listed above. In no event shall any Unit Owner's percentage of ownership interest exceed the percentage
- (2) This column is an estimate and shows the percentage of ownership interest each unit would have if 80 Units were built of types presently contemplate. Nothing herein shall be construed to limit the right of the Developer to reduce any Unit Owner's percentage of ownership interest in the Common Element below the "Minimum Percentage" shown, so long as such reduction is in accordance herewith and with the Act.

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