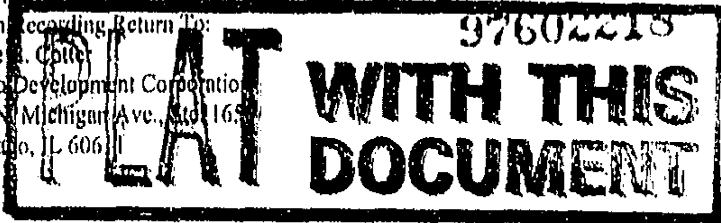


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This instrument Prepared By:
Upon Recording Return To:
Anne S. Childs
Bejean Development Corporation
980 N. Michigan Ave., Ste. 165
Chicago, IL 60611



DEPT-01 RECORDING \$83.00
150004 TRAN 4792 08/18/97 15:32:00
9981 B.J * -97-602218
COOK COUNTY RECORDER

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM PURSUANT TO THE CONDOMINIUM PROPERTY ACT OF THE TUXEDO PARK CONDOMINIUM

This First Amendment to Declaration of Condominium of The Tuxedo Park Condominium ("First Amendment") is made and entered into as of August 14, 1997 by The Huron Orleans Limited Partnership, an Illinois limited partnership ("Owner").

WHEREAS, Owner made and entered into the Declaration of Condominium of The Tuxedo Park Condominium, dated June 23, 1997, which Declaration was recorded with the Recorder of Deeds for Cook County, Illinois, on June 27, 1997 as Document No. 97465251 (the "Declaration");

WHEREAS, Owner is the owner in fee simple of the Additional Parcel (as defined in the Declaration); and

WHEREAS, the Owner wishes to annex and add a portion of the Additional Parcel to the Parcel (as defined in the Declaration) and the Property (as defined in the Declaration) pursuant to the terms of Paragraph 27 of the Declaration.

WHEREAS, the Owner wishes to modify page 1 of Exhibit B to the Declaration.

NOW, Therefore, the Declaration as amended by the Declaration of Correction is hereby further amended as follow:

1. The Declaration is hereby amended to submit a portion of the Additional Parcel, as legally described in Schedule A attached hereto, to the provisions of the Illinois Condominium Property Act and to the terms and provision of the Declaration.

REC'D
AUG 19 1997
FM M

PNR: 17-09-207-001

83.00

8-18-97
OK FM

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2. Paragraph 2 of the Declaration is hereby amended to revise the legal description therein to read as follows: Units 17-A, 18-B, 19-C, 20-D, P-7, P-8, P-9, in the Tuxedo Park Condominium as delineated on the Plat of Survey of the following described parcel of real estate:

That part of Lots 1 to 16, both inclusive, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows; beginning at a point on the North line of said Lots 96.48 feet West of the Northeast corner of Lot 1; Thence South 89 53' 29" West along said North line 42.0 feet; Thence South 00 06' 31" East at right angles thereto 74.95 feet; Thence North 89 53' 29" East at right angles thereto 42.0 feet; Thence North 00 06' 31" West 74.95 feet to the point of beginning, in Cook County, Illinois.

Also

That part of Lots 1 to 16, both inclusive and vacated alley lying South of Lots 1 to 8 and North of Lots 9 to 16 in Block 14 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1; Thence South 00 19' 31" East along the East line thereof 84.04 feet; Thence South 89 40' 29" West 106.09 feet to the point of beginning; Thence South 00 00' 00" East 17.50 feet; Thence South 90 00' 00" West 24.0 feet; Thence North 00 00' 00" East 17.50 feet; Thence North 90 00' 00" East 24.0 feet to the point of beginning, in Cook County, Illinois.

3. Exhibit A attached to the Declaration is hereby deleted and Exhibit A attached hereto is hereby substituted therefor.

4. Exhibit B attached to the Declaration is hereby deleted and Exhibit B attached hereto is hereby substituted therefor.

5. Exhibit D attached to the Declaration is hereby deleted and Exhibit D attached hereto is hereby substituted therefor.

6. Exhibit E attached to the Declaration is hereby amended by substituting amended page 1 attached hereto for the original page 1.

7. Except as expressly amended hereby, the Declaration and Declaration of Correction shall remain in full force and effect in accordance with their terms. This First Amendment shall be effective from and after the recording thereof with the Recorder of Deeds of Cook County, Illinois.

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IN WITNESS WHEREOF, the Owner has caused this instrument to be duly executed on the day and year first above written.

ATTEST

Its: Secretary

the president

THE HURON ORLEANS LIMITED PARTNERSHIP
an Illinois limited partnership

By: BEJCO PROPERTIES, INC.,
an Illinois corporation, its general manager

By: *[Signature]*
B.J. Spathies, President

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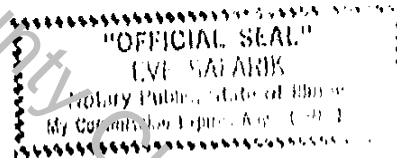
ACKNOWLEDGMENTS

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, Eve Saperstein, a Notary Public in and for said County and State, do hereby certify that B.J. Spathies, President of BEJCO Properties, Inc., an Illinois corporation, a general partner of The Huron Orleans Limited Partnership, an Illinois limited partnership, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President, 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 14th day of August, 1997.

Eve Saperstein
Notary Public



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CONSENT OF MORTGAGEE

Independent Lending Corporation, d/b/a Construction Lending Corporation of America, holder of a note secured by a mortgage on the Property dated September 4, 1996, and recorded with Recorder of Deeds of Cook County, Illinois, on September 6, 1996 as Document No. 96681880, hereby consents to the execution of and recording of the above and foregoing First Amendment to Declaration of Condominium Property Act of The Tuxedo Park Condominium.

IN WITNESS WHEREOF, the said Bank has caused this instrument to be signed by its duly authorized officers on its behalf on this 15th day of August, 1997.

Independent Lending Corporation, d/b/a
Construction Lending Corporation of America

By: [Signature]
Its: Vice President

ATTEST:

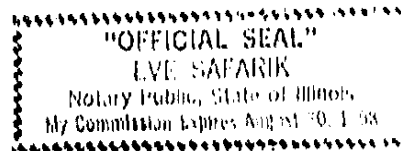
[Signature]
Its: Asst. Vice President

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Eve Safarik, a Notary Public in and for said County and State, do hereby certify that Steve Rosen and Scott Morris respectively, of Independent Lending Corporation, d/b/a Construction Lending Corporation of America personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Vice President 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 15th day of August, 1997.

[Signature]
Notary Public



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SCHEDULE A

That part of Lots 1 to 16, both inclusive and vacated alley lying South of Lots 1 to 8 and North of Lots 9 to 16 in Block 14 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1; Thence South 00 19' 31" East along the East line thereof 84.04 feet; Thence South 89 40' 29" West 106.09 feet to the point of beginning; Thence South 00 00' 00" East 17.50 feet; Thence South 90 00' 00" West 24.0 feet; Thence North 00 00' 00" East 17.50 feet; Thence North 90 00' 00" East 24.0 feet to the point of beginning, in Cook County, Illinois.

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EXHIBIT A Legal Description

Units 17-A, 18-B, 19-C, 20-D, P-7, P-8, P-9, in the Tuxedo Park Condominium as delineated on the Plat of Survey of the following described parcel of real estate:

That part of Lots 1 to 16, both inclusive, in Block 15 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows; beginning at a point on the North line of said Lots 96.48 feet West of the Northeast corner of Lot 1; Thence South 89° 53' 29" West along said North line 42.0 feet; Thence South 00° 06' 31" East at right angles thereto 74.95 feet; Thence North 89° 53' 29" East at right angles thereto 42.0 feet; Thence North 00° 06' 31" West 74.95 feet to the point of beginning, in Cook County, Illinois.

Also

That part of Lots 1 to 16, both inclusive and vacated alley lying South of Lots 1 to 8 and North of Lots 9 to 16 in Block 14 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1; Thence South 00° 19' 31" East along the East line thereof 84.04 feet; Thence South 89° 40' 29" West 106.09 feet to the point of beginning; Thence South 00° 00' 00" East 17.50 feet; Thence South 90° 00' 00" West 24.0 feet; Thence North 00° 00' 00" East 17.50 feet; Thence North 90° 00' 00" East 24.0 feet to the point of beginning, in Cook County, Illinois.

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EXHIBIT B

PERCENTAGE OWNERSHIP INTEREST IN COMMON ELEMENTS

| <u>UNIT#</u> | <u>OWNER- SHIP%</u> |
|--------------|-------------------------|
| 17-A | 21.29% |
| 18-B | 27.75% |
| 19-C | 19.36% |
| 20-D | 30.32% |
| P-7 | 00.32% |
| P-8 | 00.32% |
| P-9 | 00.64% |

100.00%

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EXHIBIT D

Additional Property

Parcel 1: Lots 1 to 16, both inclusive, in Block 15 in Butler, Wright and Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, (except therefrom that part described as follows: beginning at a point on the North line of said Lots 96.48 feet West of the Northeast corner of Lot 1; Thence South 89 53'29" West along said North line 42.0 feet; Thence South 00 06'31" East at right angles thereto 74.95 feet; Thence North 89 53'29" East at right angles thereto 42.0 feet; Thence North 00 06'31" West 74.95 feet to the point of beginning, and except that part of Lots 1 to 16 both inclusive and vacated alley lying South of Lots 1 to 8 and North of Lots 9 to 16 in Block 14 in Butler Wright & Webster's Addition to Chicago in the Northeast Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1; Thence South 00 19'31" East along the East line thereof 84.04 feet; Thence South 89 40'29" West 106.09 feet to the point of beginning; Thence South 00 00'00" East 17.50 feet; Thence South 90 00'00" West 24.0 feet; Thence North 00 00'00" East 17.50 feet; Thence North 90 00'00" East 24.0 feet to the point of beginning, in Cook County, Illinois.

Parcel 2: Lots 1 to 4, both inclusive, 7 and 8, and Lot 6 (except the West 6.75 feet of said Lot 6) in Block 8 in Higgins, Law and Company's Addition to Chicago Subdivision, in the Northeast Quarter of the Northwest Quarter of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Parcel 3: All that part of the East-West 18 foot vacated alley lying South of the South line of Lots 1 to 4, both inclusive, in Block 8 in Higgins, Law and Company's Addition to Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, lying South of the South line of Lots 1 to 8, both inclusive, in Block 15 in Butler, Wright and Webster's Addition to Chicago in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, lying North of the North line of Lots 5 to 8, both inclusive, in Block 8 in Higgins Law and Company's Addition to Chicago aforementioned; lying North of the North line of Lots 9 to 16, both inclusive, in Block 8 in Butler, Wright and Webster's Addition aforementioned; lying West of a line drawn from the Southeast corner of Lot 1 to the Northeast corner of Lot 16 in Block 15 in Higgins, Law and Company's Addition to Chicago aforementioned; and lying east of a line drawn from the Southwest corner of Lot 4 to the Northwest corner of Lot 5 in Block 8 in Higgins, Law and Company's Addition to Chicago aforementioned (except from said 18 foot vacated alley, the West 60.0 feet thereof) in Cook County, Illinois.

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EXHIBIT E

SURVEY

See Page 1 of The Tuxedo Park Condominium Survey attached hereto.

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