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**PLAT**

9/0-2-97

**SEE PLAT BOOKS**

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This instrument was prepared by, and mail to:

John E. Lovstrand  
LAW OFFICES OF  
JOSEPH D. PALMISANO, P.C.  
79 West Monroe Street  
Suite 826  
Chicago, Illinois 60603

97730767  
**PLAT WITH THIS DOCUMENT**

MERCURY TITLE COMPANY, L.L.C.

2010376

DEPT-01 RECORDING \$99.00  
T45555 TRAN 7508 10/02/97 11:39:00  
4056 1/2 VF \*-97-730767  
COOK COUNTY RECORDER

**FIRST AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS  
EASEMENTS, RESTRICTIONS AND COVENANTS FOR  
THE ELECTRIC COMPANY LOFTS CONDOMINIUM**

THIS AMENDMENT to the Declaration made this 26<sup>th</sup> day of September, 1997 by LASALLE NATIONAL BANK, as Trustee Under Trust Agreement dated July 20, 1996 and known as Trust No. 120396, and not individually (hereinafter referred to as "Trustee" or "Declarant");

97730767

**WITNESSETH THAT:**

WHEREAS, Trustee filed a Declaration of Condominium Ownership and By-Laws Easements, Restrictions and Covenants for The Electric Company Lofts Condominium on the 24<sup>th</sup> day of April, 1997 in the Office of the Recorder of Deeds of Cook County, Illinois as Document Number 97286061 (the "Declaration"); and

WHEREAS, the Declaration sets forth that Trustee holds legal title to the following described real estate:

Lots 1, 2, 3 and 4, the South 93 feet of Lots 5 and 6 and the West 1/2 of the Vacated Alley East and adjoining Lots 1 to 4, both inclusive, and the East 1/2 of the Vacated Alley West and adjoining the South 93 feet of Lots 5 and 6 (excepting therefrom that part of Lots 1 to 4, both inclusive, which lies West of a Line 50 Feet East of the West Line of Section 31 as per Document 10714010) in Block 2 of Isham's Subdivision of the North 1/2 of the South 1/2 of the Southwest 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, lying West of Milwaukee Avenue in Cook County, Illinois.

10/2/97  
JM

(Handwritten initials)

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ADDRESS: 1751 NORTH WESTERN AVENUE, CHICAGO, ILLINOIS

P. I. N. 14-31-318-001 AND 14-31-318-010; and

WHEREAS, pursuant to the Declaration, Trustee submitted the following described property (the "Property") to the provisions of the Declaration, to wit:

Lots 1, 2, 3 and 4, the South 93 feet of Lots 5 and 6 and the West 1/2 of the Vacated Alley East and adjoining Lots 1 to 4, both inclusive, and the East 1/2 of the Vacated Alley West and adjoining the South 93 feet of Lots 5 and 6 (excepting therefrom that part of Lots 1 to 4, both inclusive, which lies West of a Line 50 Feet East of the West Line of Section 31 as per Document 10714010) in Block 2 of Isham's Subdivision of the North 1/2 of the South 1/2 of the Southwest 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, lying West of Milwaukee Avenue in Cook County, Illinois; and

WHEREAS, the Trustee is the legal title holder of the following described real estate:

Lots 5 and 6 (except the South 93 feet thereof) and a strip of land 3 feet wide from North to South lying North of and adjacent to Lots 5 and 6, in Block 2 in Isham's Subdivision of the North 1/2 of the South 1/2 of the Southwest 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, lying Southwest of Milwaukee Avenue, in Cook County, Illinois.

ADDRESS: 1759 NORTH WESTERN AVENUE, CHICAGO, ILLINOIS

P. I. N. 14-31-318-011 (PARTIAL); and

WHEREAS, it is the desire and intention of the Trustee to submit the following described real estate (the "Real Estate") to the provisions of the Condominium Property Act of the State of Illinois, 765 ILCS 605/1 (the "Act"), as amended from time to time, and to the provisions of the Declaration, to wit:

Lots 5 and 6 (except the South 93 feet thereof) and a strip of land 3 feet wide from North to South lying North of and adjacent to Lots 5 and 6, in Block 2 in Isham's Subdivision of the North 1/2 of the South 1/2 of the Southwest 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, lying Southwest of Milwaukee Avenue, in Cook County, Illinois; and

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14-31-318-011  
14-31-318-010  
14-31-318-001

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WHEREAS, it is the desire and intention of the Trustee to amend the legal description of the Property as set forth in the Declaration and in the Plat of Survey referred to in the Declaration as Exhibit "A" and recorded simultaneously therewith as Document Number 97286061 (the "Plat") in conformance with the requirements of the Declaration and the Act, to reflect the aforementioned submission of the Real Estate to the provisions of the Declaration, to wit:

Lots 1, 2, 3, 4, 5 and 6 and a strip of land 3 feet wide from North to South lying North of and adjacent to Lots 5 and 6, and the West 1/2 of the Vacated Alley East and adjoining Lots 1 to 4, both inclusive, and the East 1/2 of the Vacated Alley West and adjoining Lots 5 and 6 (excepting therefrom that part of Lots 1 to 4, both inclusive, which lies West of a Line 50 Feet East of the West Line of Section 31 as per Document 10714010) in Block 2 of Isham's Subdivision of the North 1/2 of the South 1/2 of the Southwest 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, lying West of Milwaukee Avenue in Cook County, Illinois; and

WHEREAS, it is the desire and intention of the Trustee to amend Paragraph 1 of Article II of the Declaration by deleting therefrom units "P-23" and "P-35" and adding thereto units "P-34A", "P-34B", "P-37", "P-38A" and "P-38B"; and

WHEREAS, it is the desire and intention of the Trustee to amend the Plat in conformance with the requirements of the Declaration and the Act by recording the amended plat of survey referred to as Exhibit "1" (the "Amended Plat") and made a part of this First Amendment to Declaration of Condominium Ownership and By-Laws Easements, Restrictions and Covenants for The Electric Company Lofts Condominium (the "First Amendment"); and

WHEREAS, Trustee has determined that consistent with the Amended Plat, Paragraph 1 of Article II of the Declaration must now read as follows:

1. Description. All units located on the Property are delineated on the Amended Plat of Survey, referred hereto as Exhibit "1" and made a part of the Declaration and are legally described as follows:

UNITS 101, 102, 104, 105, 106, 107, 108, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 301, 302, 303, 304, 305, 306, 307, 308, 401, 402, 403, 404, 405, 406, 407 and 408, P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13, P-14, P-15, P-16, P-17, P-18, P-19, P-20, P-21, P-22, P-24, P-25, P-26, P-27, P-28, P-29, P-30, P-31, P-32A, P-32B, P-33A, P-33B, P-34A, P-34B, P-36, P-37, P-38A and P-38B

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as delineated on the Amended Plat of Survey of the following described parcel of real estate:

Lots 1, 2, 3, 4, 5 and 6 and a strip of land 3 feet wide from North to South lying North of and adjacent to Lots 5 and 6, and the West 1/2 of the Vacated Alley East and adjoining Lots 1 to 4, both inclusive, and the East 1/2 of the Vacated Alley West and adjoining Lots 5 and 6 (excepting therefrom that part of Lots 1 to 4, both inclusive, which lies West of a Line 50 Feet East of the West Line of Section 31 as per Document 10714010) in Block 2 of Isham's Subdivision of the North 1/2 of the South 1/2 of the Southwest 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, lying West of Milwaukee Avenue in Cook County, Illinois

which Amended Plat of Survey is attached as Exhibit "1" to the First Amendment to Declaration of Condominium recorded in the office of the Recorder of Deeds of Cook County, Illinois, as Document No. \_\_\_\_\_.

It is understood that each unit consists of the space enclosed or bounded by the horizontal and vertical planes set forth and identified as a unit in the delineation thereof in Exhibit "1". The legal description of each unit shall consist of the identifying number or symbol of such unit followed by the legal description of the Property, as shown on Exhibit "1". Except as provided by the Act, no unit owner shall, by deed, plat or otherwise, subdivide or in any other manner cause the unit to be separated into any tracts or parcels different from the whole unit as shown on Exhibit "1"; and

WHEREAS, it is the desire and intention of the Trustee to amend the Declaration by deleting from the Declaration, in each and every instance, the reference to "Exhibit 'A' " and inserting in lieu thereof, in each and every instance, the reference to "Exhibit '1' to the First Amendment" , which is referred to as Exhibit "1" and incorporated herein by reference; and

WHEREAS, it is the desire and intention of the Trustee to amend the percentage ownership in the common elements in the Property as set forth in Exhibit "B" attached to the Declaration by deleting from the Declaration, in each and every instance, the reference to "Exhibit 'B' " and inserting in lieu thereof, in each and every instance, the reference to "Exhibit '2' to the First Amendment" , which is attached hereto as Exhibit "2" and incorporated herein by reference.

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NOW, THEREFORE, this document amends the Declaration as follows:

1. The Recitals hereinabove set forth are incorporated herein by reference.

2. Amends Article II, Paragraph 1 by deleting said paragraph in its entirety and inserting in lieu thereof the following language:

1. Description. All units located on the Property are delineated on the Amended Plat of Survey, referred hereto as Exhibit "1" and made a part of the Declaration and are legally described as follows:

UNITS 101, 102, 104, 105, 106, 107, 108, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 301, 302, 303, 304, 305, 306, 307, 308, 401, 402, 403, 404, 405, 406, 407 and 408, P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13, P-14, P-15, P-16, P-17, P-18, P-19, P-20, P-21, P-22, P-24, P-25, P-26, P-27, P-28, P-29, P-30, P-31, P-32A, P-32B, P-33A, P-33B, P-34A, P-34B, P-36, P-37, P-38A and P-38B

as delineated on the Amended Plat of Survey of the following described parcel of real estate:

Lots 1, 2, 3, 4, 5 and 6 and a strip of land 3 feet wide from North to South lying North of and adjacent to Lots 5 and 6, and the West 1/2 of the Vacated Alley East and adjoining Lots 1 to 4, both inclusive, and the East 1/2 of the Vacated Alley West and adjoining Lots 5 and 6 (excepting therefrom that part of Lots 1 to 4, both inclusive, which lies West of a Line 50 Feet East of the West Line of Section 31 as per Document 10714010) in Block 2 of Isham's Subdivision of the North 1/2 of the South 1/2 of the Southwest 1/4 of Section 31, Township 40 North, Range 14, East of the Third Principal Meridian, lying West of Milwaukee Avenue in Cook County, Illinois

which Amended Plat of Survey is attached as Exhibit "1" to the First Amendment to Declaration of Condominium recorded in the office of the Recorder of Deeds of Cook County, Illinois, as Document No. \_\_\_\_\_.

It is understood that each unit consists of the space enclosed or bounded by the horizontal and vertical planes set forth and identified as a unit in the delineation thereof in Exhibit "1". The legal description of each unit shall consist of the identifying number or symbol of such unit followed by the legal description of the Property, as shown on Exhibit "1". Except as provided by the Act, no unit owner shall, by deed, plat or otherwise, subdivide or in any other manner cause the unit to be separated into any tracts or parcels different from the whole unit as shown on Exhibit "1".

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3. That the Declaration is hereby amended by deleting from the Declaration, in each and every instance, the reference to "Exhibit 'A' " and inserting in lieu thereof, in each and every instance, the reference to "Exhibit '1' to the First Amendment", which is referred to as Exhibit "1" and incorporated herein by reference.

4. That the percentage ownership in the common elements in the Property as set forth in Exhibit "B" attached to the Declaration is hereby amended by deleting from the Declaration, in each and every instance, the reference to "Exhibit 'B' " and inserting in lieu thereof, in each and every instance, the reference to "Exhibit '2' to the First Amendment", which is attached hereto as Exhibit "2" and incorporated herein by reference.

5. That this First Amendment is made pursuant to the applicable provisions of the Declaration and the Condominium Property Act (765 ILCS 605/1 *et seq.*)

6. That this First Amendment is executed by LASALLE NATIONAL BANK Corporation 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 Declaration that said Trustee, as aforesaid, and not personally, has joined in the execution of this First Amendment to the Declaration for the sole purpose of subjecting the titleholding interest and the trust estate under said Trust No. 120336 to the terms of this First Amendment to the Declaration; 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 beneficiaries under said trust or their successor and not by said Trustee personally, and further that no duty shall rest upon LASALLE NATIONAL BANK, a Corporation of Illinois, either personally or as such Trustee, to sequester trust assets, rentals, avails, or proceeds of any kind, or otherwise to see to the fulfillment or discharge of any obligation, express or implied, arising under the terms of this First Amendment to the Declaration, 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. In event of conflict between the terms of this paragraph and of the remainder of the First Amendment to the Declaration or the Declaration, any question of apparent liability or obligation resting upon said Trustee, the exculpatory provisions hereof shall be controlling.

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IN WITNESS WHEREOF, the said LASALLE NATIONAL BANK, 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 Assistant Vice President and attested by its Assistant Secretary this 26<sup>th</sup> day of September, 1997.

BY: [Signature]  
Assistant Vice President

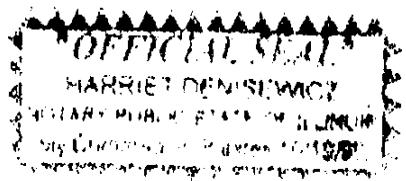
ATTEST:  
[Signature]  
Assistant Secretary

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that the above named Assistant Vice President and Assistant Secretary of the LASALLE NATIONAL BANK, Declarant and Trustee, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant 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 Corporation for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that said Assistant Secretary, as custodian of the corporate seal of said Corporation, caused the corporate seal of said Corporation to be affixed to said instrument as said Assistant Secretary's own 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 26<sup>th</sup> day of September, 1997.

[Signature]  
NOTARY PUBLIC



My Commission Expires:

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## EXHIBIT "2" - CONTINUED

### % OWNERSHIP IN COMMON ELEMENTS

Unit Number:

P-1	0.3200%
P-2	0.3200%
P-3	0.3200%
P-4	0.3200%
P-5	0.3200%
P-6	0.3200%
P-7	0.3200%
P-8	0.3200%
P-9	0.3200%
P-10	0.3200%
P-11	0.3200%
P-12	0.3200%
P-13	0.3200%
P-14	0.3200%
P-15	0.3200%
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P-18	0.3200%
P-19	0.3200%
P-20	0.3200%
P-21	0.3200%
P-22	0.3200%
P-24	0.3200%
P-25	0.3200%
P-26	0.3200%
P-27	0.3200%
P-28	0.3200%
P-29	0.3200%
P-30	0.3200%
P-31	0.2525%
P-32A	0.2525%
P-32B	0.2525%
P-33A	0.2525%
P-33B	0.2525%
P-34A	0.2525%
P-34B	0.3200%
P-35	0.3200%
P-36	0.3200%
P-37	0.2525%
P-38A	0.2525%
P-38B	0.2525%
<b>TOTAL</b>	<hr/> 100.0000%

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