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**PLAT**

10-16-97

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**PLAT WITH THIS DOCUMENT**

DEPT-01 RECORDING \$39.00  
74555 TRAN 3088 10/16/97 15:27:00  
45571 & VF \*-97-769714  
COOK COUNTY RECORDER

FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR BIANCA PLACE CONDOMINIUM

THIS FIRST AMENDMENT ("Amendment") TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR BIANCA PLACE CONDOMINIUM, dated October 14, 1997, is made by DEVON BANK, not personally but solely as Trustee pursuant to Trust Agreement dated January 23, 1996 and known as Trust Number 6246 ("Trustee"), and by the BOARD OF DIRECTORS OF BIANCA PLACE CONDOMINIUM ASSOCIATION, an Illinois not-for-profit corporation ("Board").

RECITALS:

A. The Trustee holds legal title to Unit 6456-1 ("Existing Unit") in Bianca Place Condominium, the legal description of such Existing Unit being as follows:

Unit No. 6456-1 in Bianca Place Condominium as delineated on a survey of the following described real estate:

LOT 1 IN BLOCK 5 IN DEVON AVENUE ADDITION TO ROGERS PARK, BEING A SUBDIVISION OF THE SOUTH EAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE WEST 15 ACRES THEREOF), IN COOK COUNTY, ILLINOIS

which survey is attached as Exhibit D to the Declaration of Condominium Ownership for Bianca Place Condominium recorded as Document 96914324, together with its undivided percentage interest in the Common Elements.

Street Address: 6456 North Mozart Street, Chicago, IL 60645  
P.I.N. : 10-36-326-044-1010

F		A
P		P
T		V
I		(M.D.M.)

B. The Existing Unit was created pursuant to the provisions of that certain Declaration of Condominium Ownership for Bianca Place Condominium dated November 27, 1996 and Recorded with the 39.00

RECORDING FEE \$ 39.00  
DATE 10/16/97 COPIES 6  
OK GM

Street Address: 6454-56 North Mozart Street  
and 2841-43 West Arthur Avenue  
Chicago, IL 60645

P.I.N.: 10-36-326-044-1001 through -1012

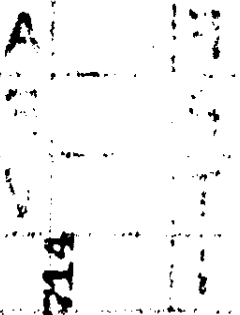
10-36-326-014 Vnd.

THIS INSTRUMENT PREPARED BY  
AND AFTER RECORDING RETURN TO  
Peter B. Loughman, Esq.  
155 N. Michigan Ave. Suite 600  
Chicago, Illinois 60601

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Recorder of Deeds for Cook County, Illinois ("Recorder") on December 9, 1996 as Document 96914324 ("Declaration") made by the Trustee as "Declarant".

C. Article X, Section 10.01 of the Declaration grants to the Trustee, as the Unit Owner of the Existing Unit, the right to subdivide the Existing Unit by recording with the Recorder of Deeds for Cook County, Illinois ("Recorder") an amendment to the Declaration and the Plat attached thereto in accordance with the provisions of the Illinois Condominium Property Act (the "Act").

D. In accordance with Section 31 of the Act, the Trustee has requested the approval of the Board to subdivide the Existing Unit into three units and to reallocate the percentage of Undivided Interest of the Existing Unit to the three new units, all of which has been approved by the Board. This Amendment is executed by the Trustee and the Board for the purpose of subdividing the Existing Unit into three units and reallocating the percentage of Undivided Interest of the Existing Unit among them.

E. Article V, Section 5.05(b) of the Declaration grants to the Declarant the right to reassign any one or more Parking Spaces previously assigned to Units owned by the Declarant to other Units owned by Declarant and to reallocate their respective percentage of the Undivided Interest by recording with the Recorder a Special Amendment to the Declaration in accordance with the provisions of Article XIII, Section 13.08(iv) of the Declaration.

F. The Declarant, as the owner of certain Units, has determined to reassign the Parking Spaces previously assigned to such Units and their corresponding percentage of Undivided Interest to other Units owned by the Declarant.

G. In accordance with Section 26 of the Act and Sections 5.05(b) and 13.08(iv) of the Declaration, this Amendment constitutes the Special Amendment referred to in Section 13.08(iv) of the Declaration and is executed by the Declarant for the purpose of reassigning certain Parking Spaces and their corresponding percentage of the Undivided Interest, all of which are owned by the Declarant, to certain other Units owned by the Declarant.

NOW, THEREFORE, in consideration of the premises the Declaration is hereby amended as follows:

1. Subdivision of Existing Unit.

(a) Unit 6456-1 is subdivided into three new Units which henceforth shall be designated as Units 6456-G, 6456-1 and 2841-1 (individually, a "New Unit" and collectively, the "New Units").

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(b) The Undivided Interest of 19.3034% allocated in the Declaration to the Existing Unit (Unit 6456-1) not including Parking Space G-1 is divided and reallocated to the New Units as follows:

<u>Unit No.</u>	<u>% of Undivided Interest</u>
6456-G	5.0834%
6456-1	7.1100%
2841-1	7.1100%

(c) The Plat attached as Exhibit D to the Declaration is amended by deleting Pages 2 and 3 thereof and substituting therefor revised Pages 2 and 3 attached hereto showing the boundaries of the New Units.

2. Reassignment of Parking Spaces and Corresponding Undivided Interests. Parking Space Nos. P-3, P-4, P-5, G-1 and G-2 and their corresponding percentage of the Undivided Interest, previously assigned to Unit Nos. 6454-1, 6454-2, 6454-3, 6456-1 and 6456-2, respectively, are reassigned to Unit Nos. 2841-2, 6456-2, 2843-3, 2841-3 and 6454-3, respectively, as follows:

<u>Parking Space No.</u>	<u>% of Undivided Interest thereof</u>	<u>Previously assigned to Unit No.</u>	<u>Reassigned to Unit No.</u>
P-3	0.3357%	6454-1	2841-2
P-4	0.3357%	6454-2	6456-2
P-5	0.3357%	6454-3	2843-3
G-1	0.6295%	6456-1	2841-3
G-2	0.6295%	6456-2	6454-3

3. Schedule of Units, Undivided Interests and Parking Spaces. The schedule of Units, Undivided Interests and Parking Spaces attached as Exhibit B to the Declaration is amended by deleting the same in its entirety and substituting therefor revised Exhibit B attached hereto showing all of the Units, including the New Units, the reassignment of Parking Spaces (as described in Section 2 above) and the Undivided Interests thereof.

#### 4. Miscellaneous; Effect of Amendment.

(a) The Recitals set forth as paragraphs A through G above are incorporated herein and made a part of this Amendment.

(b) Except as otherwise defined in this Amendment, capitalized terms used in this Amendment shall have the meaning ascribed thereto in the Declaration.

(c) The Declaration, as amended by this Amendment, is and shall remain in full force and effect in accordance with its terms.

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5. Signature by Trustee/Declarant. This Amendment is executed by DEVON BANK, not personally, but solely as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee (and it possesses full power and authority to execute this instrument). It is expressly understood and agreed by every person or entity hereafter claiming any interest under the Declaration, as amended hereby, that any and all obligations, duties, covenants and agreements of every nature by Devon Bank, as Trustee as aforesaid, to be kept, performed and discharged by Devon Bank, as Trustee as aforesaid, are not intended to be kept, performed and discharged by Devon Bank or any beneficiary of Devon Bank, personally; and further, that no duty shall rest upon Devon Bank, either personally or as such Trustee, or any beneficiary of said Trust No. 6246 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 the Declaration, as amended hereby, except where said Trustee is acting pursuant to direction as provided by the terms of said Trust No. 6246 and after the Trustee has been supplied with funds required for the purpose. In the event of conflict between the terms of this paragraph and of the remainder of this Amendment on any question of apparent liability or obligation resting upon said Trustee, the exculpatory provision contained in this Section shall be controlling.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed and delivered as of the day and year first above written.

DEVON BANK, as Trustee as aforesaid  
and not personally

By: Andrew D. Salzyn  
Its Asst. Vice President



Attest:

Helen Younan  
Trust Administrator  
HELEN YOUNAN  
Trust Operations Officer

THE BOARD OF DIRECTORS OF THE BIANCA  
PLACE CONDOMINIUM ASSOCIATION

By: Charles Skewley  
President

Attest:

Thomas Healy  
Secretary

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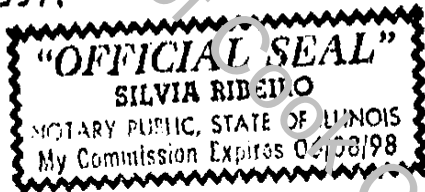
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## ACKNOWLEDGEMENTS

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that ANDREW H. DOBZAN ~~Asst. V.P. & Trust Officer~~ Asst. Vice President/Trust Officer, and HELEN YOUNAN ~~Trust Operations Officer~~ Asst. Vice President/Trust Officer of DEVON BANK, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Asst. Vice President/Trust Officer and HELEN YOUNAN ~~Trust Operations Officer~~ Asst. Vice President/Trust Officer, 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 and deed of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 15th day of October, 1997.

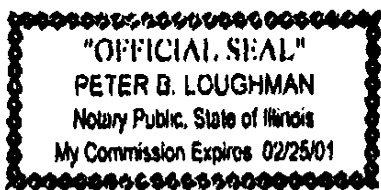


Silvia Ribeiro  
Notary Public

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Charles D. Keenley, President, and David A. Keenley, Secretary, of BIANCA PLACE CONDOMINIUM ASSOCIATION, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and 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 and deed of said Association, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 14th day of October, 1997.



Peter B. Loughman  
Notary Public

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## CERTIFICATE

THE BOARD OF DIRECTORS OF BIANCA PLACE CONDOMINIUM ASSOCIATION, an Illinois not-for-profit corporation ("Board"), does hereby acknowledge and certify that a true and correct copy of the First Amendment to Declaration of Condominium Ownership for Bianca Place Condominium dated October 14, 1997 has been delivered to the Board. This Certificate is made and given in accordance with and in satisfaction of the provisions of Section 26 of the Act.

IN WITNESS WHEREOF, the Board has caused this Certificate to be executed and delivered as of the 14th day of October, 1997.

THE BOARD OF DIRECTORS OF THE BIANCA PLACE CONDOMINIUM ASSOCIATION

By: Charles Keenley  
President

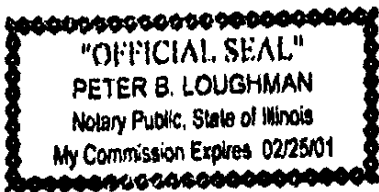
Attest:

David A. Keenley  
Secretary

STATE OF ILLINOIS     )  
                                  )    SS.  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Charles D. Keenley, President, and David A. Keenley, Secretary, of BIANCA PLACE CONDOMINIUM ASSOCIATION, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and 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 and deed of said Association, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 14<sup>th</sup> day of October, 1997.



Peter B. Loughman  
Notary Public

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## MORTGAGE CONSENT

DEVON BANK ("Lender"), with its principal offices at 6445 North Western Avenue, Chicago, Illinois 60645, as the mortgagee under that certain Mortgage dated January 31, 1996 recorded with the Recorder of Deeds for Cook County, Illinois on February 6, 1996 as Document 96099327, as extended, does hereby consent to the execution, delivery and recordation of the First Amendment to Declaration of Condominium Ownership for Bianca Place Condominium.

IN WITNESS WHEREOF Lender has caused this instrument to be signed by its duly authorized officers this 15<sup>th</sup> day of October, 1997.

DEVON BANK

(SEAL)

By: Lauren R Hoffman  
 Its \_\_\_\_\_ Vice President  
AGENT FOR DEVON BANK

Witness:

~~Trust Administrator~~

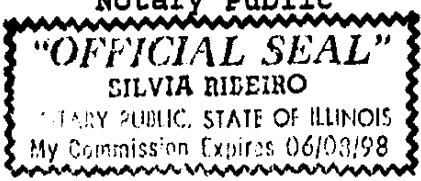
STATE OF ILLINOIS     )  
                                       )    SS.  
 COUNTY OF COOK        )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that LAURENE R. HOFFMAN AGENT FOR DEVON BANK, \_\_\_\_\_ Vice President/Trust Officer, and \_\_\_\_\_, the \_\_\_\_\_ of DEVON BANK, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such \_\_\_\_\_ Vice President/Trust Officer and \_\_\_\_\_, 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 and deed of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 15<sup>th</sup> day of October, 1997.

Silvia Ribeiro

Notary Public



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## EXHIBIT B

BIANCA PLACE CONDOMINIUM  
CHICAGO, ILLINOIS 60645

### UNDIVIDED PERCENTAGE OWNERSHIP INTERESTS

<u>UNIT NUMBER</u>	<u>PARKING SPACE</u>	<u>PERCENTAGE OWNERSHIP</u>
2841-1	None	7.1100%
2841-2	P-3	7.5955%
2841-3	G-1	7.8893%
2843-1	P-1	7.8472%
2843-2	P-2	7.8472%
2843-3	P-3	7.8472%
6454-G	None	5.0357%
6454-1	None	7.0499%
6454-2	None	7.0499%
6454-3	G-2	7.6794%
6454-G	None	5.0834%
6456-1	None	7.1100%
6456-2	P-4	7.5955%
6456-3	None	7.2598%
	<b>TOTAL</b>	<b>100.0000%</b>

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