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PLAT

10-24-97

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This instrument Prepared By:
Upon Recording Return To:
Anne B. Cotter
Bejco Development Corporation
980 N. Michigan Ave., Ste. 1650
Chicago, IL 60611

PLAT WITH THIS DOCUMENT

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Page 1 of 10

3640/0175 16 (01) 1997-10-24 15:39:55
Cook County Recorder 35.00

**THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM
PURSUANT TO THE CONDOMINIUM PROPERTY ACT OF
THE TUXEDO PARK CONDOMINIUM**

This Third Amendment to Declaration of Condominium of The Tuxedo Park Condominium ("Third Amendment") is made and entered into as of October 22, 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"); and the First Amendment to Declaration of Condominium of The Tuxedo Park Condominium ("First Amendment") dated August 14, 1997, which First Amendment was recorded with the Recorder of Deeds of Cook County, Illinois on August 18, 1997 as Document No. 97602218; and the Second Amendment to Declaration of Condominium of The Tuxedo Park Condominium ("Second Amendment") dated September 25, 1997, which Second Amendment was recorded with the Recorder of Deeds of Cook County, Illinois on September 26, 1997 as Document No. 97716375;

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; and

WHEREAS, the Owner wishes to modify pages 1 and add page 4 to Exhibit E to the Declaration;

WHEREAS, the Owner wishes to clarify that page 3 to Exhibit E was attached to the Second Amendment and thereby modified Exhibit E;

F	A	PIN#:	17-09-207-001
P			17-09-121-001
T	✓		
I	(M) JM		

RECORDING FEE \$ 83.00
DATE 10/24/97 COPIES 6
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NOW, Therefore, the Declaration as amended by the First Amendment and Second Amendment is hereby further amended as follows:

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.

2. Paragraph 2 of the Declaration is hereby amended to revise the legal description therein to read as follows: Units 7-C, 8-D, 9-A, 10-B, 11-A, 12-B, 13-H, 14-J, 15-A, 16-B, 17-A, 18-B, 19-C, 20-D, P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, in the Tuxedo Park Condominium as defined 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, together with that part of Lots 1 to 4, both inclusive, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: beginning a point on the North line of said Lots 96.48 feet West of the Northeast corner of Lot 1 in Block 15 aforesaid, Thence South $89^{\circ} 53' 29''$ West along said North line 154.33 feet; Thence South $00^{\circ} 06' 31''$ East at right angles thereto 74.95 feet; Thence North $89^{\circ} 53' 29''$ East at right angles thereto 154.33 feet; Thence North $00^{\circ} 06' 31''$ 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 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: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ} 19' 31''$ East along the East line thereof 84.04 feet; Thence South $89^{\circ} 40' 29''$ West 106.09 feet to the point of beginning; Thence South $00^{\circ} 00' 00''$ East 17.50 feet; Thence South $90^{\circ} 00' 00''$ West 72.0 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $90^{\circ} 00' 00''$ East 72.0 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 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: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ} 19' 31''$

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East along the East line thereof 116.17 feet; Thence South 89° 40' 29" West 170.29 feet to the point of beginning; Thence South 00° 00' 00" East 17.50 feet; Thence South 90° 00' 00" West 8.0 feet; Thence North 00° 00' 00" East 17.50 feet; Thence North 90° 00' 00" East 8.0 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 and by adding pages 3 and 4 attached hereto.

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

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

THE HURON OKLEANS LIMITED
PARTNERSHIP
an Illinois limited partnership

ATTEST:

Jan Amato
Its: Assistant Secretary

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

By: *B.J. Spathies*
B.J. Spathies, President

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SCHEDULE A

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 160.48 feet West of the Northeast corner of Lot 1; Thence South $89^{\circ} 53' 29''$ West along said North line 70.33 feet; Thence South $00^{\circ} 06' 31''$ East at right angles thereto 74.95 feet; Thence North $89^{\circ} 53' 29''$ East at right angles thereto 70.33 feet; Thence North $00^{\circ} 06' 31''$ 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 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: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ} 19' 31''$ East along the East line thereof 81.04 feet; Thence South $89^{\circ} 40' 29''$ West 106.09 feet; Thence North $90^{\circ} 00' 00''$ West 24.00 feet to the point of beginning; Thence South $00^{\circ} 00' 00''$ East 17.50 feet; Thence South $90^{\circ} 00' 00''$ West 48.00 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $90^{\circ} 00' 00''$ East 48.0 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 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: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ} 19' 31''$ East along the East line thereof 116.17 feet Thence South $89^{\circ} 40' 29''$ West 170.29 feet to the point of beginning; Thence South $00^{\circ} 00' 00''$ East 17.50 feet; Thence South $90^{\circ} 00' 00''$ West 8.0 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence $90^{\circ} 00' 00''$ East 8.0 feet to the point of beginning in Cook County, Illinois

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EXHIBIT A Legal Description

Units 7-C, 8-D, 9-A, 10-B, 11-A, 12-B, 13-H, 14-J, 15-A, 16-B, 17-A, 18-B, 19-C, 20-D, P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10 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, together with that part of Lots 1 to 4, both inclusive, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: beginning a point on the North line of said Lots 96.48 feet West of the Northeast corner of Lot 1 in Block 15 aforesaid; Thence South $89^{\circ} 53' 29''$ West along said North line 154.33 feet; Thence South $00^{\circ} 06' 31''$ East at right angles thereto 74.95 feet; Thence North $89^{\circ} 53' 29''$ East at right angles thereto 154.33 feet; Thence North $00^{\circ} 06' 31''$ 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 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: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ} 19' 31''$ East along the East line thereof 84.04 feet; Thence South $89^{\circ} 40' 29''$ West 106.09 feet to the point of beginning; Thence South $00^{\circ} 00' 00''$ East 17.50 feet; Thence South $90^{\circ} 00' 00''$ West 72.0 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $90^{\circ} 00' 00''$ East 72.0 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 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: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ} 19' 31''$ East along the East line thereof 116.17 feet; Thence South $89^{\circ} 40' 29''$ West 170.25 feet to the point of beginning; Thence South $00^{\circ} 06' 00''$ East 17.50 feet; Thence South $90^{\circ} 00' 00''$ West 8.0 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $90^{\circ} 00' 00''$ East 8.0 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>OWNERSHIP%</u>
7-C	6.25
8-D	7.68
9-A	6.07
10-B	7.68
11-A	6.07
12-B	7.68
13-H	6.61
14-J	9.11
15-A	5.89
16-B	7.68
17-A	5.89
18-B	7.77
19-C	5.54
20-D	8.48
P-1	.18
P-2	.18
P-3	.18
P-4	.18
P-5	.18
P-6	.18
P-7	.18
P-8	.09
P-9	.09
P-10	.18
	<u>.18</u>
	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, 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, 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.

(except from said 3 parcels, taken as a tract, the following:

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, together with that part of Lots 1 to 4, both inclusive, in Block 8 in Higgins, Law & Company's Addition to Chicago, a subdivision in the Northeast Quarter of the Northwest Quarter of Section 8, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: beginning a point on the North line of said Lots 96.48 feet West of the Northeast corner of Lot 1 in Block 15 aforesaid; Thence South 89° 53' 29" West along said North line 154.33 feet; Thence South 00° 06' 31" East at right angles thereto 74.95 feet; Thence North 89° 53' 29" East at right angles thereto 154.33 feet; Thence North 00° 06' 31" West 74.95 feet to the point of beginning, in Cook County, Illinois.

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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 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: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ} 19' 31''$ East along the East line thereof 84.04 feet; Thence South $89^{\circ} 40' 29''$ West 106.09 feet to the point of beginning; Thence South $00^{\circ} 00' 00''$ East 17.50 feet; Thence South $90^{\circ} 00' 00''$ West 72.0 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $90^{\circ} 00' 00''$ East 72.0 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 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: Commencing at the Northeast corner of Lot 1; Thence South $00^{\circ} 19' 31''$ East along the East line thereof 116.17 feet; Thence South $89^{\circ} 40' 29''$ West 170.29 feet to the point of beginning; Thence South $00^{\circ} 00' 00''$ East 17.50 feet; Thence South $90^{\circ} 00' 00''$ West 8.0 feet; Thence North $00^{\circ} 00' 00''$ East 17.50 feet; Thence North $90^{\circ} 00' 00''$ East 8.0 feet to the point of beginning, in Cook County, Illinois.

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EXHIBIT E

Survey

See Pages 1, 3 and 4 of The Tuxedo Park Condominium Survey attached hereto.

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