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This Instrument Prepared By:  
(and after recording, please mail to)  
William S. McDowell, Jr.  
Baker & McKenzie  
133 East Randolph Drive  
Chicago, Illinois 60601

John [Signature]  
[Signature]

Above Space For Recorder's Use Only

### AGREEMENT TRANSFERRING PARKING SPACES

THIS AGREEMENT is by and between Brian Brownstein and Carol Brownstein ("Unit Owner") and Dearborn-Goethe Development L.L.C., an Illinois limited liability company ("Declarant").

#### WHEREAS

A. Unit Owner owns Unit No. 1203 in The Whitney Condominiums legally described in Exhibit A hereto ("Unit 1203") and Declarant, as of the date hereof owns the Units legally described in Exhibit B hereto (collectively, the "Declarant Units").

B. Pursuant to the deed from Declarant to Unit Owner conveying said Unit 1203, and in accordance with the Declaration of Condominium Ownership for said condominium (the "Declaration"), the right to the exclusive use and enjoyment of the limited common element parking space in the parking garage comprising a part of the condominium building (identified as Parking Space Number 108 ("Space 108")) for the benefit of Unit 1203 was assigned by Declarant to, and acquired by, Unit Owner.

C. As specified in paragraph 8 a) of the Declaration, Declarant is vested with the right to the exclusive use and enjoyment of all Parking Spaces (as defined in the Declaration) not transferred by Declarant to other Unit Owners (as defined in the Declaration) which, as of the date hereof, includes, *inter alia*, Parking Space Number 25 ("Space 25").

D. Unit Owner and Declarant desire to transfer among themselves use of the aforesaid Space 108 and Space 25, which is authorized pursuant to paragraph 8 c) of the Declaration.

NOW, THEREFORE, in consideration of the premises and the mutual agreements herein specified, Unit Owner and Declarant agree as follows:

1. Unit Owner hereby transfers and assigns to Declarant as owner of the Declarant Units the exclusive right, as established pursuant to paragraph 8 a) of the Declaration, to use Space 108.

2. Declarant hereby transfers and assigns to Unit Owner as owner of Unit 1203 the exclusive right, as established pursuant to paragraph 8 a) of the Declaration, to use Space 25.

3. Unit Owner and Declarant agree that the transfers described in paragraphs 1 and 2 above result in no change in the parties' proportional shares in the Common Elements (as defined in the Declaration).

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4. The provisions of this Agreement shall run with the land and inure to the benefit of and be binding upon the successors to the interests of Unit Owner in Unit 1203 and Declarant in the Declarant Units, respectively.

5. Unit Owner and Declarant certify that a copy of this Agreement has been delivered to the Board of The Whitney Condominium Association.

6. Unit Owner and Declarant each represents and warrants to the other that except for the mortgages held by the respective mortgagees whose consents are attached hereto, the Parking Space being transferred by Unit Owner and Declarant, respectively, is free and clear of any mortgages or other liens encumbering the said Parking Space.

AGREED to this 11th day of May, 1998

Richard Brownstein  
DEARBOR GOLDFIE DEVELOPMENT, L.L.C.  
BRYAN

Carol Brownstein  
CAROL BROWNSTEIN

DEARBOR GOLDFIE DEVELOPMENT, L.L.C.,  
an Illinois limited liability company

By: Richard L. Zisook  
Richard L. Zisook, Vice President

## RECEIPT

The undersigned hereby acknowledge receipt of a copy of the foregoing agreement on May \_\_, 1998.

Board of Directors of The Whitney  
Condominium Association

By: Richard L. Zisook  
Its Vice President

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884-0519

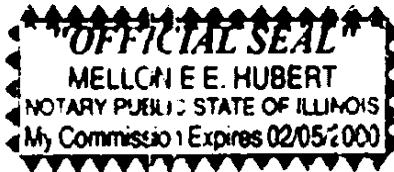
STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )

884-0519

The foregoing instrument was acknowledged before me on May 11, 1998 by Brian Brownstein and Carol Brownstein.

*Melanie Hubert*  
\_\_\_\_\_  
Notary Public

My commission expires:

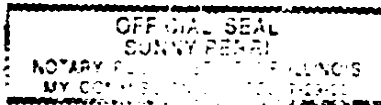


STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )

The foregoing instrument was acknowledged before me on May 11, 1998 by Richard L. Zisook, as Vice President of Dearborn-Goethe Development L.L.C., an Illinois limited liability company.

*Sunny Perri*  
\_\_\_\_\_  
Notary Public

My commission expires:



Property of Cook County Clerk's Office

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## EXHIBIT A

### Legal Description of Unit 1203

Unit 1203 in The Whitney Condominium as delineated on a survey of a parcel of land comprised of Lots 5 and 6 and the South 6.96 feet of Lot 7 in Simon's subdivision of Lot 6 in Bronson's addition to Chicago; Lots 1, 2 and 3 in the subdivision of Lot 5 together with Sub Lot 1 of Lot 4 in Bronson's addition to Chicago; and Lots 1 to 5, both inclusive, in Alice P. Hoibrook's subdivision of Lot 4 in the subdivision of Lot 5 in Bronson's addition to Chicago; all in the North East 1/4 of Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey (the "Plat") is attached as Exhibit "D" to the Declaration of Condominium Ownership for The Whitney Condominium recorded in Cook County, Illinois on December 31, 1996 as Document No. 96-982956, as amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 and Second Amendment recorded March 19, 1998 as Document No. 93-21640 (as so amended, the "Declaration"), together with its undivided percentage interest in the Common Elements; and

Permanent Real Estate Index Number: 17-04-218-048-1067

Common Address: 1301 North Dearborn Parkway, Unit 1203, Chicago, Illinois 60610

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## EXHIBIT B

### Legal Description of Declarant Units

Units 301, 309, 310, 311, 401, 407, 601, 602, 703, 801, 907, 1001, 1007, 1101, 1201, 1206, 1207, 1301, 1302, 1306, 1367, 1401, 1406, 1407, in 'The Whitney Condominium as delineated on a survey of a parcel of land comprised of Lots 5 and 6 and the South 6.96 feet of Lot 7 in Simon's subdivision of Lot 6 in Bronson's addition to Chicago; Lots 1, 2 and 3 in the subdivision of Lot 5 together with Sub Lot 1 of Lot 4 in Bronson's addition to Chicago; and Lots 4 to 5, both inclusive, in Alice P. Holbrook's subdivision of Lot 4 in the subdivision of Lot 5 in Bronson's addition to Chicago; all in the North East 1/4 of Section 4, Township 29 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey (the "Plat") is attached as Exhibit "12" to the Declaration of Condominium Ownership for The Whitney Condominium recorded in Cook County, Illinois on December 31, 1996 as Document No. 96-982956, as amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 and Second Amendment recorded March 19, 1998 as Document No. 98-216407 (as so amended, the "Declaration"), together with their respective undivided percentage interests in the Common Elements;

Permanent Real Estate Index Numbers: 17-04-218-048-1001; 17-04-218-048-1008; 17-04-218-048-1009; 17-04-218-048-1010; 17-04-218-048-1011; 17-04-218-048-1017; 17-04-218-048-1025; 17-04-218-048-1026; 17-04-218-048-1034; 17-04-218-048-1039; 17-04-218-048-1052; 17-04-218-048-1058; 17-04-218-048-1059; 17-04-218-048-1065; 17-04-218-048-1069; 17-04-218-048-1071; 17-04-218-048-1072; 17-04-218-048-1075; 17-04-218-048-1076; 17-04-218-048-1077; 17-04-218-048-1081; and 17-04-218-048-1082.

Common Address: 1301 North Dearborn Parkway, Chicago, Illinois 60610

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05/20/98

## CONSENT OF MORTGAGEE OF DECLARANT

THE UNDERSIGNED, LaSalle National Bank, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and as holder of the mortgage recorded August 5, 1991, as Document No. 965697090 on the property legally described in Exhibit B to the Agreement Transferring Parking Spaces, does hereby consent to the execution and recording of said Agreement and agrees that said mortgage is subject to the provisions thereof.

IN WITNESS WHEREOF, the said LaSalle National Bank has caused this consent to be signed by its duly authorized officer on its behalf, as of the date thereof.

LASALLE NATIONAL BANK

By: [Signature]  
Name: [Name]  
Title: [Title]

STATE OF ILLINOIS )  
                              ) SS  
COUNTY OF COOK )

The foregoing instrument was acknowledged before me this 20 day of May 1998, by Tina M. Morris, AVP of LaSalle National Bank, as Asst. Vice Pres., a national banking association.

[Signature]  
Notary Public  
My commission expires: 12/10/2000

OFFICIAL SEAL  
RAE RIVERO  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXPIRES 12/10/2000

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Return To **Box 28**