

This Instrument Prepared By:

William S. McDowell, Jr.  
Baker & McKenzie  
130 East Randolph Drive  
Chicago, Illinois 60601

After recording, please mail to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Above Space For Recorder's Use Only

ASSIGNMENT OF PARKING SPACE

THIS ASSIGNMENT OF PARKING SPACE is made by Dearborn-Goethe Development L.L.C., an Illinois limited liability company ("Declarant"), for the use and benefit of Patricia D. Kaplan ("Unit Owner").

WHEREAS:

A. Unit Owner owns Unit No. 707 in The Whitney Condominium legally described in Exhibit A hereto ("Owner's Unit") and Declarant, as of the date hereof owns the Unit legally described in Exhibit B hereto (the "Declarant Unit");

B. As specified in paragraph 8(a) of the Declaration of Condominium Ownership for said condominium (the "Declaration"), Declarant (i) 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 3 (the "Assigned Space"), and (ii) has the right to transfer and assign the Assigned Space to any other Unit Owner;

C. Declarant has agreed to transfer to Unit Owner use of the Assigned Space;

NOW, THEREFORE, in consideration of the premises and the payment made by Unit Owner to Declarant concurrently herewith, Declarant hereby transfers and assigns to Unit Owner as owner of Owner's Unit the exclusive right, as established pursuant to paragraph 8(a) of the Declaration, to use the Assigned Space, subject to the following provisions:

1. The transfer described above results in no change in the parties' proportional shares in the Common Elements (as defined in the Declaration).

2. The provisions of this Assignment of Parking Space shall run with the land and inure to the benefit of and be binding upon the successors to the interests of Unit Owner in Owner's Unit and Declarant in the Declarant Unit (and any other unit in The Whitney Condominium currently owned by Declarant), respectively.

3. Declarant certifies that a copy of this Agreement has been delivered to the Board of The Whitney Condominium Association.

4. Declarant represents and warrants to Unit Owner that except for the mortgage held by the mortgagee whose consent is attached hereto, the Assigned Space being transferred to Unit Owner by Declarant is free and clear of any mortgages or other liens encumbering the said Assigned Space.

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AGREED to this 8th day of September 1998.

DEARBORN-GOETHE DEVELOPMENT L.L.C.,  
an Illinois limited liability company

By: [Signature]  
Richard L. Zisook, its Vice President

## RECEIPT

The undersigned hereby acknowledges receipt of a copy of the foregoing agreement on 9/22, 1998.

Board of Directors of The Whitney  
Condominium Association

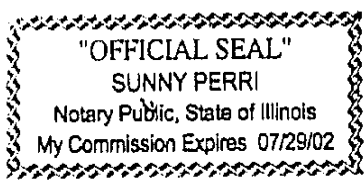
By: [Signature]  
Its ~~Vice~~ President

STATE OF ILLINOIS            )  
  ) SS:  
COUNTY OF COOK            )

The foregoing instrument was acknowledged before me on 9/18, 1998 by Richard L. Zisook, as Vice President of Dearborn-Goethe Development L.L.C., an Illinois limited liability company.

[Signature]  
Notary Public

My commission expires:



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## EXHIBIT A

### Legal Description of Unit 702

Unit 702 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. 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 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, and amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 (as so amended, the "Declaration"), together with its undivided percentage interest in the Common Elements; and

Permanent Real Estate Index Number (post 1996): 17-04-218-048-1033

Common Address: 1301 North Dearborn Parkway, Unit 702, Chicago, Illinois 60610

98871494

98871494

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## EXHIBIT A

### Legal Description of Unit 702

Unit 702 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. 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 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, and amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 (as so amended, the "Declaration"), together with its undivided percentage interest in the Common Elements; and

Permanent Real Estate Index Number (post 1996): 17-04-218-048-1033

Common Address: 1301 North Dearborn Parkway, Unit 702, Chicago, Illinois 60610

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## EXHIBIT B

### Legal Description of Declarant Units

Unit 602 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. 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 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, and amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 (as so amended, the "Declaration") together with their respective undivided percentage interests in the Common Elements;

Permanent Real Estate Index Number: 17-04-218-048- 1026

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

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