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# EXHIBIT

ATTACHED TO

99776459

DOCUMENT NUMBER

SEE PLAT BOOK

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THIS INSTRUMENT PREPARED  
BY AND SHOULD BE RETURNED  
TO:

Brian Meltzer  
MELTZER, PURTILL & STELLE  
1515 East Woodfield Road  
Suite 250  
Schaumburg, Illinois 60173-5431  
(847) 330-2400

ADDRESS: 360 W. Illinois Street  
Chicago, Illinois

PIN: 17-09-131-002, 17-09-242-008

17-09-131-003, 17-09-242-001  
17-09-242-002, 17-09-242-003  
17-09-242-004, 17-09-500-021

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## EXHIBIT ATTACHED

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990370101 PG 001 Page 1 of 13  
1999-08-13 12:12:14  
Cook County Recorder 37.00



ABOVE SPACE FOR RECORDER'S USE ONLY

RETURN TO: Box 15  
TICOR TITLE INSURANCE  
203 N. LaSALLE, STE. 1400  
CHICAGO, IL 60601  
RE: 444589

08/09/99

### RECHARACTERIZATION AMENDMENT NO. 1 TO DECLARATION FOR THE SEXTON, INCLUDING MATTERS RELATING TO THE SEXTON CONDOMINIUM

This Recharacterization Amendment is made and entered into by The Sexton L.L.C., an Illinois limited liability company ("Declarant").

#### RECITALS

Declarant Recorded the Declaration for The Sexton, Including Matters Relating to The Sexton Condominium (the "Declaration") on June 29, 1999, in the Office of the Recorder of Deeds for Cook County, Illinois, as Document No. 99624458. The Declaration affects the Premises which are legally described in Exhibit A hereto.

In Section 11.01 of the Declaration, Declarant reserved the right and power to add portions of the Premises from time to time to the Condominium Property and submit such portions to the provisions of the Condominium Property Act of the State of Illinois (the "Act").

Declarant desires to exercise the rights and powers reserved in Section 11.01 of the Declaration.

DATE

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. Terms. All terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.

2. Added Condominium Property/Amendment of Exhibit B. The portion of the Premises which is legally described in the First Amendment to Exhibit B attached hereto is hereby made

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part of the Condominium Property as "Added Condominium Property" and is also submitted to the provisions of the Act. Exhibit B to the Declaration is hereby amended to include the Added Condominium Property which is legally described in the First Amendment to Exhibit B attached hereto.

3. The Added Dwelling Units/Amendment of Exhibit C. Exhibit C to the Condominium Declaration is hereby amended by adding to and making a part of Exhibit C the plat of the Added Condominium Property which is attached hereto and designated as First Supplement to Exhibit C. Exhibit C, as hereby amended and supplemented, identifies each Added Dwelling Unit in the Added Condominium Property and assigns to it an identifying symbol.

4. Amendment of Exhibit D. To reflect the addition of the Added Dwelling Units, the list of the Undivided Interests of the Dwelling Units as shown in Exhibit D to the Declaration is hereby amended to be as set forth in the First Amended and Restated Exhibit D, which is attached hereto.

5. Covenants to Run With Land. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this Recharacterization Amendment, shall run with and bind the Premises, including the Condominium Property, the Added Property and Added Dwelling Units.

6. Continuation. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms.

Dated: July 29, 1999

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DECLARANT:

THE SEXTON L.L.C., an Illinois limited liability company

By: A.C. Homes Corporation V, an Illinois corporation, managing member

By: [Signature]  
Title: Managing Member

ATTEST:

By: [Signature]  
Title: Unit Secretary

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STATE OF ILLINOIS )

) SS.

COUNTY OF Cook

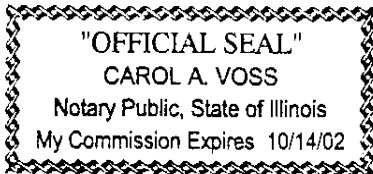
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I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Edward T. Hadden, the Vice Pres. of A.C. Homes Corporation V, the Managing Manager of The Sexton, L.L.C., an Illinois limited liability company, personally known to be the same person whose name is subscribed to the foregoing instrument as such Vice President appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act on behalf of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 30<sup>th</sup> day of July, 1999.

Carol A. Voss

Notary Public



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## CONSENT OF MORTGAGEE

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LaSalle National Bank which is the holder of a first mortgage dated as of February 2, 1998 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on February 5, 1998 as Document No. 98-098362, encumbering the Premises (as defined in the Declaration to which this Consent is attached), hereby consents to the recording of the Recharacterization Amendment to the Declaration and agrees that its lien shall be subject to the provisions of such Recharacterization Amendment to the Declaration, provided that its lien shall be a First Mortgage hereunder with respect to each Dwelling Unit until such time as the Dwelling Unit is released from the lien of the mortgage.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on 7/29, 1999.

LaSALLE NATIONAL BANK

By: [Signature]  
Its: VP

ATTEST:

[Signature]  
Its: COMMERCIAL BANKING OFFICER

(SEAL)

STATE OF ILLINOIS )  
  )SS  
COUNTY OF Cook )

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that COFFEE A. ROSS and JASON COSTELLO respectively the (Vice) President and Secretary of LaSalle National Bank (the "Bank"), appeared before me this day in person and acknowledged that they signed, sealed and delivered the within instrument as their free and voluntary act, and as the free an voluntary act of the Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 30 day of July, 1999.



[Signature]  
Notary Public

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## EXHIBIT A TO DECLARATION FOR SEXTON, INCLUDING MATTERS RELATING TO THE SEXTON CONDOMINIUM

### The Premises

#### PARCEL 1:

THE SOUTH HALF OF BLOCK 6 (EXCEPT THE WESTERLY 50 FEET THEREOF CONVEYED FOR RAILROAD) IN THE ASSESSOR'S DIVISION OF THAT PART EAST OF THE RIVER AND SOUTH OF ERIE STREET AND KNOWN AS KINGSBURY TRACT IN THE EAST HALF OF THE NORTH WEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO LOTS 9 TO 16, BOTH INCLUSIVE, IN BLOCK 6 IN BUTLER, WRIGHT AND WEBSTER'S ADDITION TO CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THAT PART OF THE NORTH HALF OF BLOCK 6 (EXCEPT THE WESTERLY 50 FEET THEREOF CONVEYED FOR RAILROAD) IN THE ASSESSOR'S DIVISION OF THAT PART EAST OF THE RIVER AND SOUTH OF ERIE STREET AND KNOWN AS KINGSBURY TRACT IN THE EAST HALF OF THE NORTH WEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, THAT LIES WEST OF LINE 144 FEET WEST OF AND PARALLEL TO THE EAST LINE OF BLOCK 6, IN COOK COUNTY, ILLINOIS.

#### PARCEL 3:

THE SOUTH 10 FEET OF LOTS 4 TO 8 INCLUSIVE IN BLOCK 6 IN BUTLER, WRIGHT AND WEBSTER'S ADDITION TO CHICAGO IN THE NORTH HALF OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### PARCEL 4:

THE SOUTH 10 FEET OF THE WEST 16 FEET OF LOT 1 IN THE SUBDIVISION OF LOTS 1, 2 AND 3 IN BLOCK 6 IN BUTLER, WRIGHT AND WEBSTER'S ADDITION TO CHICAGO, IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

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ALL THAT PORTION OF BLOCK 6 OF ASSESSOR'S DIVISION OF THAT PART EAST OF THE CHICAGO RIVER OF THE EAST ½ OF THE NORTH WEST ¼ OF THE SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS A STRIP OF LAND 50 FEET IN WIDTH OF THE WEST END OF SAID BLOCK 6 THE EAST LINE OF SAID STRIP BEING 50 FEET DISTANT FROM AND PARALLEL WITH THE WEST LINE OF SAID BLOCK, SAID STRIP OF LAND HAVING A FRONTAGE OF 57 AND 4/10THS FEET UPON ILLINOIS AND INDIANA STREETS, RESPECTIVELY, IN COOK COUNTY, ILLINOIS.

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FIRST AMENDMENT TO EXHIBIT B  
TO DECLARATION FOR SEXTON, INCLUDING MATTERS  
MATTERS RELATING TO THE SEXTON CONDOMINIUM

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## Added Condominium Property

THAT PART ADDED TO THE SEXTON CONDOMINIUM DESCRIBED AS FOLLOWS:  
THAT PART OF THE SOUTH 1/2 OF BLOCK 6 (EXCEPT THE WESTERLY 50 FEET  
THEREOF CONVEYED FOR RAILROAD) IN THE ASSESSOR'S DIVISION OF THAT  
PART EAST OF THE RIVER AND SOUTH OF ERIE STREET AND KNOWN AS  
KINGSBURY TRACT IN THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 9,  
TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO  
LOTS 9 TO 16 BOTH INCLUSIVE, IN BLOCK 6 IN BUTLER, WRIGHT AND WEBSTER'S  
ADDITION TO CHICAGO IN SECTION 9, TOWNSHIP 39 NORTH, RANGE 14 EAST OF  
THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:  
BEGINNING ON THE NORTH RIGHT OF WAY LINE OF WEST ILLINOIS STREET,  
125.91 WEST FROM THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF  
WEST ILLINOIS STREET AND WEST RIGHT OF WAY LINE OF NORTH ORLEANS  
STREET, SAID INTERSECTION ALSO BEING THE SOUTHWEST CORNER OF BLOCK 6  
IN BUTLER, WRIGHT AND WEBSTER'S ADDITION TO CHICAGO IN SECTION 9,  
TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN;  
THENCE SOUTH 89 DEGREES 55 MINUTES 45 SECONDS WEST, ALONG THE NORTH  
RIGHT OF WAY LINE OF WEST ILLINOIS STREET, 368.73 FEET; THENCE NORTH 30  
DEGREES 14 MINUTES 36 SECONDS WEST ALONG THE LINE 50 FEET  
NORTHEASTERLY AND PARALLEL WITH THE NORTHEASTERLY RIGHT OF WAY  
LINE OF NORTH KINGSBURY STREET, 41.75 FEET; THENCE NORTH 24 DEGREES 23  
MINUTES 23 SECONDS WEST, 70.49 FEET; THENCE NORTH 89 DEGREES 57 MINUTES  
52 SECONDS EAST, 418.56 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 32  
SECONDS EAST, 100.06 FEET TO THE POINT OF BEGINNING, LYING BELOW AN  
ELEVATION OF 78.21 AND ABOVE AN ELEVATION OF 65.25 (CITY OF CHICAGO  
DATUM), IN COOK COUNTY, ILLINOIS.



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## FIRST AMENDED AND RESTATED EXHIBIT D TO DECLARATION FOR THE SEXTON, INCLUDING MATTERS MATTERS RELATING TO THE SEXTON CONDOMINIUM

### Undivided Interests

<u>Dwelling Unit No.</u>	<u>Unit Type</u>	<u>Storage Area</u>	<u>Undivided Interest</u>
101	Loft	S- 89	1.36%
103	Loft	S- 96	1.33%
105	Loft	S-234	.71%
107	Loft	S-114	1.09%
109	Loft	S- 82	1.11%
111	Loft	S- 90	1.35%
113	Loft	S- 94	1.34%
114	Loft	S-207	.83%
115	Loft	S-226	.73%
116	Loft	S-204	.84%
117	Loft	S-120	1.21%
118	Loft	S-132	1.08%
201	Loft	S- 60	1.48%
202	Loft	S-150	.98%
203	Loft	S- 71	1.45%
204	Loft	S-168	.65%
205	Loft	S-220	.77%
206	Loft	S- 66	1.12%
207	Loft	S- 57	1.14%
208	Loft	S-178	.56%
209	Loft	S-126	1.15%
210	Loft	S-180	.53%
211	Loft	S- 85	1.40%
212	Loft	S-179	.54%
213	Loft	S- 87	1.39%
214	Loft	S-194	.88%
215	Loft	S-221	.77%
216	Loft	S-195	.88%
217	Loft	S-112	1.25%
218	Loft	S- 81	1.11%
219	Loft	S-113	1.24%
220	Loft	S-214	.80%
221	Loft	S-219	.78%
222	Loft	S-196	.88%
223	Loft	S-164	.66%

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<u>Dwelling Unit No.</u>	<u>Unit Type</u>	<u>Storage Area</u>	<u>Undivided Interest</u>
224	Loft	S-199	.86%
225	Loft	S-165	.66%
226	Loft	S-223	.72%
227	Loft	S-166	.66%
228	Loft	S-202	.85%
229	Loft	S-167	.66%
231	Loft	S-102	1.33%
301	Loft	S- 31	1.51%
302	Loft	S-147	1.00%
303	Loft	S- 63	1.47%
304	Loft	S-163	.67%
305	Loft	S-212	.82%
306	Loft	S-105	1.14%
307	Loft	S-123	1.18%
308	Loft	S-174	.58%
309	Loft	S-121	1.20%
310	Loft	S-177	.56%
311	Loft	S- 70	1.46%
312	Loft	S-176	.57%
313	Loft	S- 72	1.44%
314	Loft	S-188	.90%
315	Loft	S-216	.79%
316	Loft	S-189	.90%
317	Loft	S-109	1.30%
318	Loft	S- 58	1.13%
319	Loft	S-110	1.29%
320	Loft	S-213	.80%
321	Loft	S-215	.80%
322	Loft	S-190	.90%
323	Loft	S-235	.70%
324	Loft	S-192	.89%
325	Loft	S-161	.69%
326	Loft	S-222	.74%
327	Loft	S-159	.70%
328	Loft	S-198	.87%
329	Loft	S-162	.69%
331	Loft	S- 88	1.38%
401	Loft	S- 24	1.54%
402	Loft	S-143	1.02%
403	Loft	S- 34	1.50%
404	Loft	S-160	.70%
405	Loft	S-205	.83%

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<u>Dwelling Unit No.</u>	<u>Unit Type</u>	<u>Storage Area</u>	<u>Undivided Interest</u>
406	Loft	S-125	1.16%
407	Loft	S-119	1.21%
408	Loft	S-170	.61%
409	Loft	S-118	1.22%
410	Loft	S-175	.58%
411	Loft	S- 59	1.49%
412	Loft	S-173	.59%
413	Loft	S- 61	1.47%
414	Loft	S-182	.93%
415	Loft	S-210	.82%
416	Loft	S-183	.93%
417	Loft	S-106	1.32%
418	Loft	S-127	1.15%
419	Loft	S-107	1.31%
420	Loft	S-203	.84%
421	Loft	S-209	.82%
422	Loft	S-184	.93%
423	Loft	S-227	.72%
424	Loft	S-185	.91%
425	Loft	S-232	.71%
426	Loft	S-217	.76%
427	Loft	S-228	.72%
428	Loft	S-191	.89%
429	Loft	S-233	.71%
431	Loft	S- 84	1.41%
		TOTAL	100.00%

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