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1999-01-26 15:19:13  
Cook County Recorder 95.00



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

**PLAT WITH THIS DOCUMENT**

ABOVE SPACE FOR RECORDER'S USE ONLY

ADDRESS: 910 S. Michigan Avenue  
Chicago, Illinois

PIN: 17-15-307-015-0000

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01/11/99

**RECHARACTERIZATION AMENDMENT NO. 2  
TO DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR THE MICHIGAN AVENUE LOFTS CONDOMINIUM AND  
PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

This Recharacterization Amendment is made and entered into by Chicago Title Land Trust Company, Successor Trustee to Chicago Trust Company, not individually, but solely, as Trustee under Trust Agreement dated May 27, 1997 and known as Trust No. 1103307 ("Declarant").

RECITALS

Declarant Recorded the Declaration of Condominium Ownership for the Michigan Avenue Lofts Condominium and Provisions Relating to Certain Non-Condominium Property (the "Declaration") on August 31, 1998, in the Office of the Recorder of Deeds for Cook County, Illinois, as Document No. 98774537. The Declaration affects the Premises which are legally described in Exhibit A hereto.

In Section 12.01 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 exercised such right and power by recording the following document:

<u>Name of Document</u>	<u>Recording Date</u>	<u>Recording No.</u>
Recharacterization Amendment No. 1	12/03/98	08096330

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DATE 1-26-99 COPIES 6  
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Declarant desires to once again exercise the rights and powers reserved in Section 12.01 of the Declaration.

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 Second Amendment to Exhibit B attached hereto is hereby made 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 Second 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 Second Amended and Restated Exhibit D, which is attached hereto.

5. Amendment to Section 11.03 Cost Sharing. To reflect the addition of the Added Dwelling Units, the Non-Condominium Residential Property Cost Sharing Percentage is hereby amended to be 66.52%.

6. 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.

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

8. Trustee Exculpation. Anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings, warranties and agreements herein made on the part of the Declarant while in form purporting to be the representations, covenants, undertakings, warranties, and agreements of the Declarant are nevertheless, each and every one of them, made and intended not as personal representations, covenants, undertakings, warranties and agreements by the Declarant or for the purpose or with the intention of binding the Declarant but are made

and intended solely in the exercise of the powers conferred upon it as Trustee under the Trust Agreement; and no personal liability or personal responsibility is assumed by or shall be enforceable against Declarant on account of this Recharacterization Amendment or any representation, covenant, undertaking, warranty, or agreement of the Declarant in this Recharacterization Amendment contained, either expressed or implied. The Declarant makes no personal representations as nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any.

JAN 25 1999

Dated: \_\_\_\_\_, ~~1998~~

DECLARANT:

CHICAGO TITLE LAND TRUST COMPANY,  
SUCCESSOR TRUSTEE TO CHICAGO TRUST  
COMPANY, not individually, but solely, as Trustee  
aforesaid



By: [Signature]  
Title: ASST VP

ATTEST:

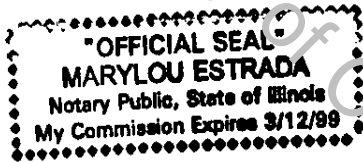
By: [Signature]  
Title: ASST SEC

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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 KAREN MICHEL, ASST VP of the Chicago Title Land Trust Company, not individually, but solely, and LYNDA S. BARRIE, the ASST SEC. thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such ASST VP. and ASST SEC., 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 of said company, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 25<sup>th</sup> day of JAN, 1998.



Marylou Estrada  
Notary Public

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## CONSENT OF MORTGAGEE

Miller and Schroeder Investments Corporation, which is the holder of a first mortgage dated June 23, 1997 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 30, 1997 as Document No. 97469556, encumbering the Real Estate (as defined in the Declaration) other than portions thereof which have been released from the lien of said mortgage, hereby consents to the recording of the within Recharacterization Amendment and agrees that the lien of its mortgage shall be subject to the provisions of the Declaration, as amended by the Recharacterization Amendment.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on January 22, ~~1998~~ 1999.

MILLER AND SCHROEDER INVESTMENT CORPORATION

By: Stephen P. Ray  
Its: Vice President

STATE OF WISCONSIN )  
  ) SS  
COUNTY OF Milwaukee

I, Dina L. Kish, a Notary Public in and for said County and State, do hereby certify that Stephen P. Ray the Vice President of Miller and Schroeder Investments Corporation (the "Mortgagee"), appeared before me this day in person and acknowledged that he signed, sealed and delivered the within instrument as his free and voluntary act, and as the free and voluntary act of the Mortgagee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 22<sup>nd</sup> day of January, ~~1998~~ 1999.

Dina L. Kish  
Notary Public



**EXHIBIT A TO  
TO DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR THE MICHIGAN AVENUE LOFTS CONDOMINIUM AND  
PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

**The Real Estate**

**A The Real Estate**

LOT 1 AND LOT 4 (EXCEPT THE SOUTH 1/3 THEREOF) THE EAST 60 FEET OF LOT 2 AND THE EAST 60 FEET OF LOT 3 (EXCEPT THE SOUTH 1/3 THEREOF) ALL IN BLOCK 20 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, IN THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

**B The Commercial Property**

THAT PART OF LOT 1 AND LOT 4 (EXCEPT THE SOUTH 1/3 THEREOF) THE EAST 60 FEET OF LOT 2 AND THE EAST 60 FEET OF LOT 3 (EXCEPT THE SOUTH 1/3 THEREOF) ALL IN BLOCK 20 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, IN THE SOUTHWEST QUARTER OF FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 4 AFORESAID; THENCE SOUTH 89 DEGREES 13 MINUTES 20 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT, 42.11 FEET; THENCE SOUTH 0 DEGREES 43 MINUTES 55 SECONDS EAST, 8.77 FEET; THENCE SOUTH 89 DEGREES 16 MINUTES 05 SECONDS WEST, 1.33 FEET; THENCE SOUTH 0 DEGREES 43 MINUTES 55 SECONDS EAST, 6.00 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 05 SECONDS EAST, 1.33 FEET; THENCE SOUTH 0 DEGREES 43 MINUTES 55 SECONDS EAST, 31.04 FEET; THENCE NORTH 89 DEGREES 16 MINUTES 05 SECONDS EAST, 41.51 FEET TO THE EAST LINE OF SAID LOT 4; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, 46.86 FEET TO THE POINT OF BEGINNING, LYING ABOVE A HORIZONTAL PLANE OF +14.40 FEET CHICAGO CITY DATUM AND LYING BELOW A HORIZONTAL PLANE OF +36.03 FEET CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.

**C. The Residential Property**

LOT 1 AND LOT 4 (EXCEPT THE SOUTH 1/3 THEREOF) THE EAST 60 FEET OF LOT 2 AND THE EAST 60 FEET OF LOT 3 (EXCEPT THE SOUTH 1/3 THEREOF) ALL IN BLOCK 20 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, IN THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH,

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RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, EXCEPTING THEREFROM THE COMMERCIAL PROPERTY WHICH IS LEGALLY DESCRIBED IN B. ABOVE:

D. The Add-On Property

THE REAL ESTATE DESCRIBED IN A. ABOVE, EXCEPTING THEREFROM THE PORTIONS THEREOF WHICH ARE LEGALLY DESCRIBED IN EXHIBIT B HERETO, AS EXHIBIT B MAY BE AMENDED OR SUPPLEMENTED FROM TIME TO TIME.

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**SECOND AMENDMENT TO EXHIBIT B  
TO DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR THE MICHIGAN AVENUE LOFTS CONDOMINIUM AND  
PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

Added Condominium Property

**7TH FLOOR:**

LOT 1 AND LOT 4 (EXCEPT THE SOUTH 1/3 THEREOF) THE EAST 60 FEET OF LOT 2 AND THE EAST 60 FEET OF LOT 3 (EXCEPT THE SOUTH 1/3 THEREOF) ALL IN BLOCK 20 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, IN THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; LYING ABOVE A HORIZONTAL PLANE OF +105.65 FEET (CHICAGO CITY DATUM) AND LYING BELOW A HORIZONTAL PLANE OF +119.65 FEET (CHICAGO CITY DATUM), IN COOK COUNTY, ILLINOIS.

**13TH FLOOR:**

LOT 1 AND LOT 4 (EXCEPT THE SOUTH 1/3 THEREOF) THE EAST 60 FEET OF LOT 2 AND THE EAST 60 FEET OF LOT 3 (EXCEPT THE SOUTH 1/3 THEREOF) ALL IN BLOCK 20 IN FRACTIONAL SECTION 15 ADDITION TO CHICAGO, IN THE SOUTHWEST 1/4 OF FRACTIONAL SECTION 15, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; LYING ABOVE A HORIZONTAL PLANE OF +187.61 FEET CHICAGO CITY DATUM AND LYING BELOW A HORIZONTAL PLANE OF +200.63 FEET CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.



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**SECOND AMENDED AND RESTATED EXHIBIT D  
TO DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR THE MICHIGAN AVENUE LOFTS CONDOMINIUM AND  
PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

**Undivided Interests**

<u>Dwelling Unit No.</u>	<u>Undivided Interest</u>
401	1.43%
402	.96%
403	.96%
404	1.43%
405	.54%
406	.57%
407	.54%
408	.57%
409	.54%
410	.69%
411	1.15%
412	.81%
413	.84%
414	.72%
415	.87%
416	.75%
417	.54%
418	.75%
419	.87%
501	.46%
502	.98%
503	.98%
504	1.46%
505	.57%
506	.59%
507	.57%
508	.59%
509	.57%
510	.69%
511	1.19%
512	.84%
513	.84%

<u>Dwelling Unit No.</u>	<u>Undivided Interest</u>
514	.72%
515	.87%
516	.75%
517	.57%
518	.75%
519	1.02%
701	1.52%
702	1.05%
703	1.05%
704	1.52%
705	.59%
706	.59%
707	.59%
708	.59%
709	.59%
710	.72%
711	1.22%
712	.87%
713	.90%
714	.75%
715	.90%
716	.78%
717	.60%
718	.78%
719	1.05%
1301	1.70%
1302	1.15%
1303	1.15%
1304	1.70%
1305	.69%
1306	.69%
1307	.69%
1308	.69%
1309	.69%
1310	.81%
1311	1.34%
1312	.98%
1313	1.02%
1314	.84%

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<u>Dwelling Unit No.</u>	<u>Undivided Interest</u>
1315	1.11%
1317	1.02%
1319	1.25%
1401	1.88%
1402	1.64%
1403	2.12%
1404	1.08%
1405	1.31%
1406	1.31%
1411	1.34%
1412	.98%
1413	.98%
1414	.81%
1415	1.11%
1417	1.08%
1419	1.25%
1501	1.94%
1502	1.70%
1503	2.18%
1504	1.11%
1505	1.34%
1506	1.34%
1511	1.40%
1512	1.02%
1513	1.02%
1514	.81%
1515	1.14%
1517	1.11%
1519	1.28%
	<hr/> 100.00%

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