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0010771627

# EXHIBIT

ATTACHED TO

0010771627

DOCUMENT NUMBER

8-21-01

SEE PLAT BOOK

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EXHIBIT ATTACHED

This instrument was prepared by and after recording should be returned to:

Daniel L. Baskes, Esq.  
Law Offices of Daniel L. Baskes  
300 West Adams Street, Suite 529  
Chicago, Illinois 60606

Space above this line for recorder's use.

SECOND AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF  
EASEMENTS, RESTRICTIONS AND COVENANTS  
FOR  
THE UNIVERSITY COURT CONDOMINIUM

THIS SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR THE UNIVERSITY COURT CONDOMINIUM (this "Second Amendment") is entered in to this 2nd day of May, 2001, by THE UNIVERSITY COURT CONDOMINIUM ASSOCIATION (the "Association").

RECITALS

A. The Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for the University Court Condominium (the "Declaration") was recorded with the Cook County Recorder's Office on November 1, 1976 as Document Number 23 693 245 by the First National Bank and Trust Company of Evanston, as Trustee, under Trust Agreement, dated February 25, 1976, and known as Trust No. R-1912, and not individually. The Declaration governs the property legally described on Exhibit A attached hereto.

B. The Declaration was modified and amended by that certain Certificate of Amendment to Declaration of The University Court Condominium Association, dated January 31, 1979 (the "First Amendment").

C. The Association hereby desires to further amend the terms of the Declaration by the terms and conditions contained in this Amendment.

THEREFORE, the undersigned members of the Association hereby amend the Declaration as follows:

1. Inconsistencies. In the event of any inconsistencies between the terms and provisions of this Second Amendment and the terms and conditions of the Declaration or the First Amendment, the terms and provisions of this Second Amendment shall control.

2. Definitions. Any capitalized terms used but not defined herein shall have the definitions ascribed thereto in the Declaration.

3. Lease Restrictions. Article VIII, Section 1 is hereby amended to insert the following paragraph into such Section as a new paragraph after the existing paragraph:

"Notwithstanding anything contained in the previous paragraph to the contrary, the following restrictions shall apply to the leasing of any Unit:

(M)

RECORDED BY: 83<sup>00</sup>  
DATE: 8/21/01 TIME: 9M  
PAGE: 4 OF: 12

- (a) No more than five (5) Units may be leased at any given time;
- (b) No Owner shall have the right to lease its Unit until such Owner has lived in its Unit for at least three (3) years;
- (c) Prior to entering into any lease for its Unit, Owner shall submit to the Association a copy of the prospective lessee's application acknowledging that lessee has read and is familiar with the rules and regulations of the Association;
- (d) If five (5) Units are leased at a given time and one of such leases expires, the Owner of the Unit for which the lease expired shall have three (3) months from the date of such expiration to re-lease the Unit or lose the privilege to do so, such privilege then transferring to the first person on a lease priority list to be maintained by the Association. If the Owner with first priority on the list elects to lease its Unit, such Owner shall have three (3) months within which to lease its Unit or forfeit its right to do so, in which case the Owner next on the list shall have such right.
- (e) Any Owner facing a special circumstance shall have the right to petition the Board for an exception to, or waiver of, these leasing restrictions. Whether the Board grants such exception or waiver shall be a decision of the Board's in its sole and absolute discretion.

These lease restrictions shall be effective as of August 1, 2000 and shall apply to leases of any length (yearly, month-to-month, etc.). Any leases initiated prior to such date and in effect on the date this Second Amendment is executed shall not be subject to lease restrictions (a) and (b) above; however, upon expiration of such lease, all lease restrictions shall become effective with respect to such Owner and its Unit."

4. Sale of Garden Unit; Percentage of Ownership in Common Elements. The Association intends to sell the Unit located on the lower level of the Building (the "Garden Unit") to a private, third party owner. As of the date of this Second Amendment, the Garden Unit has no percentage of ownership in the Common Elements assigned to it. Following the closing on the sale of the Garden Unit, such Unit, which contains 790.27 square feet as determined by the Survey, dated March 9, 2001 and completed by B.H. Suhr & Company, Evanston, Illinois (the "Survey"), will have assigned to it a percentage of ownership in the Common Elements of 3.89%. Consequently, the percentage of ownership in the Common Elements of all other Units will change. Exhibit B to the Declaration which states the percentage ownership in the Common Elements is hereby deleted in its entirety and replaced with Exhibit B attached to this Second Amendment. Attached hereto as Exhibit C is the Survey, showing the lower level of the Property, including the Garden Unit.

5. Full Force and Effect. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the Association has caused this Second Amendment to be duly executed by its President and attested to by its Secretary as of the day and year first above written.

THE UNIVERSITY COURT CONDOMINIUM ASSOCIATION

By: Jean V Demas  
 Name: Jean V. Demas  
 Title: President

Attested to:  
 By: Walter Gatt  
 Secretary

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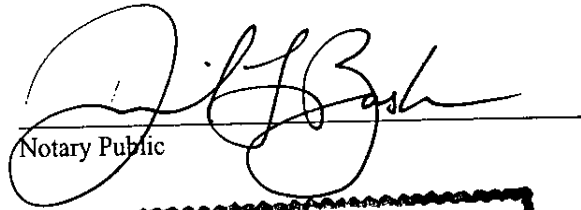
STATE OF ILLINOIS

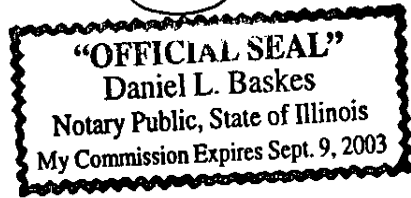
))) SS

COUNTY OF COOK

I, Daniel L. Baskes, a Notary Public in and for said county and state, do hereby certify that Jean V. Demas and Marc Mylott, President and Secretary respectively of the University Court Condominium Association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed and delivered the said instrument as their free and voluntary act on behalf of University Court Condominium Association, for the uses and purposes therein set forth.

Given under my hand and official seal, this 2nd day of May, 2001.

  
Notary Public



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We, the undersigned, members of The University Court Condominium Association and owners of the Units and votes appearing next to our names hereby approve the Second Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for the University Court Condominium set forth above this 2 day of May, 2001.

<u>Owner's Signature</u>	<u>Unit No.</u>	<u>Number of Votes Cast</u>
<u>Jean V Demas</u> Jean V Demas	2014-1	4.43
<u>Helder dos Santos</u> <u>Diane dos Santos</u> Helder and Diane Dos Santos	2014-2	4.43
<u>Geoffrey G and Lisa S Adams MURRAY</u>	2014-3	4.43
<u>Michael W Erdman</u> <u>Barbara E Brown</u> Michael W Erdman and Barbara E Brown	2016-1-E	4.32
<u>Virginia O Roeder</u>	2016-2-E	4.32
<u>Elizabeth A Nunamaker</u>	2016-3-E	4.32
<u>Robert B and Helen Hovis</u>	2016-1-W (50%)	4.16 (in total)
<u>Ernest and Anthea G Slotar</u>	2016-1-W (50%)	4.16 (in total)
<u>Barrett Webb</u>	2016-2-W	4.16
<u>Stephen B Gilbert and Joanne M Marshall</u>	2016-3-W	4.16
<u>Edward and Sarah Karvelis</u>	2016½ -1-S	3.98
<u>Michael Dunn</u>	2016½ -2-S	3.98



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<u>Jean V Demas</u> Jean V Demas	2014-1	4.43
<u>Helder dos Santos</u> <u>Diane dos Santos</u> Helder and Diane Dos Santos	2014-2	4.43
<u>Geoffrey Cant / Lisa S. Murray</u> Geoffrey Cant, Lisa S. Murray MURRAY	2014-3	4.43
<u>Michael W Erdman</u> <u>Barbara E Brown</u> Michael W Erdman and Barbara E Brown	2016-1-E	4.32
<u>Virginia O Roeder</u> Virginia O Roeder	2016-2-E	4.32
<u>Elizabeth A Nunamaker</u> Elizabeth A Nunamaker	2016-1-E	4.32
<u>Robert B and Helen Hovis</u> Robert B and Helen Hovis	2016-1-W (50%)	4.16 (in total)
<u>Ernest and Anthea G Slotar</u> Ernest and Anthea G Slotar	2016-1-W (50%)	4.16 (in total)
<u>Barrett Webb</u> Barrett Webb	2016-2-W	4.16
<u>Stephen B Gilbert and Joanne M Marshall</u> Stephen B Gilbert and Joanne M Marshall	2016-3-W	4.16
<u>Edward and Sarah Karvelis</u> Edward and Sarah Karvelis	2016½-1-S	3.98
<u>Michael Dunn</u> Michael Dunn	2016½-2-S	3.98

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<u>Owner's Signature</u>	<u>Unit No.</u>	<u>Number of Votes Cast</u>
<u>Jon V Demas</u> Jon V Demas	2014-1	4.43
<u>Helder dos Santos</u> Diane dos Santos Helder and Diane Dos Santos	2014-2	4.43
<u>Geoffrey S and Lisa S Murray</u> Geoffrey S and Lisa S Murray	2014-3	4.43
<u>Michael W Erdman and Barbara E Brown</u> Michael W Erdman and Barbara E Brown	2016-1-E	4.32
<u>Virginia O Roeder</u> Virginia O Roeder	2016-2-E	4.32
<u>Elizabeth A Nufamaker</u> Elizabeth A Nufamaker	2016-3-E	4.32
<u>Robert B and Helen Hovis</u>	2016-1-W (50%)	4.16 (in total)
<u>Ernest and Anthes G Slotar</u>	2016-1-W (50%)	4.16 (in total)
<u>Barrett Webb</u> Barrett Webb	2016-2-W	4.16
<u>Stephen E Gilbert and Joanne M Marshall</u> Stephen E Gilbert and Joanne M Marshall	2016-3-W	4.16
<u>Edward and Sarah Karelis</u> Edward and Sarah Karelis	2016 1/4 -1-S	3.98
<u>Michael Dunn</u> Michael Dunn	2016 1/4 -2-S	3.98

<u>Owner's Signature</u>	<u>Unit No.</u>	<u>Number of Votes Cast</u>
<u>Brittany Mylott</u> Marc and Brittany Mylott	2016½-3-S	3.98
<u>Sigfred Grindheim</u> Sigfred Grindheim	2016½-1-N	3.92
<u>Andria E. Cress</u> Andria Eirini Cress	2016½-2-N	3.92
<u>William D. and Deborah S. Gilmore</u> William D and Deborah Gilmore	2016½-3-N	3.92
<u>Claire L Kanari</u> Claire L Kanari	2018-1-E	4.26
<u>Mark E. Gilbert</u> Mark Gilbert	2018-2-E	4.26
<u>Michael W. Adams</u> Michael W Adams	2018-3-E	4.26
<u>Noreen Kellough and Gretchen Kellough</u> Noreen Kellough and Gretchen Kellough	2018-1-W	3.91
<u>Joy L Joyce, as Trustee</u> Joy L Joyce, as Trustee	2018-2-W	3.91
<u>Karen M Hall</u> Karen M Hall	2018-3-W	3.91
<u>Mary J Gaffigan</u> Mary J Gaffigan	2020-1	4.39
<u>Andrea R Labelle</u> Andrea R Labelle	2020-2	4.39
<u>Rosemary O'Brien</u> Rosemary O'Brien	2020-3	4.39

<u>Owner's Signature</u>	<u>Unit No.</u>	<u>Number of Votes Cast</u>
<u>Brittany M. Mylott</u> Marc and Brittany Mylott	2016½-3-S	3.98
<u>Sigurd Grindheim</u> Sigurd Grindheim	2016½-1-N	3.92
<u>Andria E. Cress</u> Andria Eirini Cress	2016½-2-N	3.92
<u>William D. and Deborah S. Adams</u> William D and Deborah Adams	2016½-3-N	3.92
<u>Claire L Kanari</u> Claire L Kanari	2018-1-E	4.26
<u>Mark E. Gilbert</u> Mark Gilbert	2018-2-E	4.26
<u>Michael W. Adams</u> Michael W Adams	2018-2-E	4.26
<u>Noreen Kellough and Gretchen Kellough</u> Noreen Kellough and Gretchen Kellough	2018-1-W	3.91
<u>Joy L. Joyce, as Trustee</u> Joy L. Joyce, as Trustee	2018-2-W	3.91
<u>Karen M. Hall</u> Karen M Hall	2018-3-W	3.91
<u>Mary J. Gaffigan</u> Mary J Gaffigan	2020-1	4.39
<u>Andrea R. Labelle</u> Andrea R Labelle	2020-2	4.39
<u>Rosemary O'Brien</u> Rosemary O'Brien	2020-3	4.39

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Number of Votes Cast

Owner's Signature	Unit No.	Number of Votes Cast
<u>Brittany L. Mott</u> Marc and Brittany Mott	2016 1/4 -3-S	3.98
<u>Sigurd Brundheim</u> Sigurd Brundheim	2016 1/4 -1-N	3.92
<u>Andria E. Cress</u> Andria Eirini Cress	2016 1/4 -2-N	3.92
<u>William D. and Debrah Gilmore</u> William D and Debrah Gilmore	2016 1/4 -3-N	3.92
<u>Claire L. Kanari</u> Claire L Kanari	2018-1-E	4.26
<u>Mark E. Gilbert</u> Mark Gilbert	2018-2-E	4.26
<u>Michael W. Adams</u> Michael W Adams	2018-3-E	4.26
<u>Noreen Kellough and Gretchen Kellough</u> Noreen Kellough and Gretchen Kellough	2018-1-W	3.91
<u>Joy L. Joyce, Trustee</u> Joy L Joyce, as Trustee of The Joy L. Joyce Declaration of Trust dated 12/29/97	2018-2-W	3.91
<u>Kate M. Hall</u> Kate M Hall	2018-3-W	3.91
<u>Mary J. Caffigan</u> Mary J Caffigan	2020-1	4.39
<u>Andrea R. Labelle</u> Andrea R Labelle	2020-2	4.39
<u>Rosemary O'Brien</u> Rosemary O'Brien	2020-3	4.39

EXHIBIT A

LEGAL DESCRIPTION

LOTS 3 AND 4 IN BLOCK 2 IN WHEELER'S AND OTHERS SUBDIVISION OF THAT PART OF THE NORTH HALF OR THE NORTH EAST QUARTER OF THE NORTH WEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF SHERMAN AVENUE, IN COOK COUNTY, ILLINOIS

PIN NUMBERS: 11-18-104-036-1001 through 11-18-104-036-1024

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EXHIBIT B

PERCENTAGE OF OWNERSHIP OF COMMON ELEMENTS  
(following sale of Garden Unit)

<u>Unit No.</u>	<u>Square Footage</u>	<u>Percentage of Ownership</u>
2014-1	865.78	4.26
2014-2	865.78	4.26
2014-3	865.78	4.26
2016-1-E	844.28	4.15
2016-2-E	844.28	4.15
2016-3-E	844.28	4.15
2016-1-W	813.01	4.00
2016-2-W	813.01	4.00
2016-3-W	813.01	4.00
2016½-G-S (Garden)	790.27	3.76
2016½-1-S	777.83	3.83
2016½-2-S	777.83	3.83
2016½-3-S	777.83	3.83
2016½-1-N	766.11	3.77
2016½-2-N	766.11	3.77
2016½-3-N	766.11	3.77
2018-1-W	764.15	3.76
2018-2-W	764.15	3.76
2018-3-W	764.15	3.76
2018-1-E	832.55	4.09
2018-2-E	832.55	4.09
2018-3-E	832.55	4.09
2020-1	857.96	4.22
2020-2	857.96	4.22
2020-3	857.96	4.22
		<hr/>
		100.00

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EXHIBIT ATTACHED