

FIRST AMENDMENT
TO DECLARATION



Recorder's Stamp

OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS
FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR
CONDOMINIUMS OF CLAREMONT

This First Amendment to the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for Condominiums of Claremont, made and entered into this 9th day of AUGUST 2001, by the Board of Managers (hereinafter referred to as "Board") of Condominiums of Claremont Association, a condominium unit owners' association and an Illinois not for profit corporation (hereinafter referred to as the "Association"), and approved by Unit Owners, having at least 67% of the Unit Owners of said Association.

WITNESSETH

WHEREAS, by a certain Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for Condominiums of Claremont, dated July 24, 1995 and recorded in the office of the Recorder of Deeds of Cook County, Illinois on July 24, 1995 as Document No. 96310763, certain real estate, legally described in Exhibit "A" attached hereto and form in a part hereof, was submitted to the provisions of the Condominium Property Act of the State of Illinois and declared to be made subject to the covenants, conditions, and restrictions of the Declaration; and

WHEREAS, the covenants, conditions and restrictions in the Declaration are recorded against the property and are in full force and effect and binding upon the unit owners, their units, and their interests in the Association; and

WHEREAS, Article XVIII, Section 6 of the Declaration provides (with some exceptions) that the provisions of the Condominium Instruments may be changed, modified, or rescinded by an instrument in writing setting forth such change, modification, or rescission, signed and acknowledged by the Board and by at least 67% of the Unit Owners of the Association, and which contains an affidavit by an officer of the Board certifying that a copy of the change, modification, or rescission was mailed by certified mail to all mortgagees having bona fide liens of record against any unit, not less than ten days prior to the date of such affidavit, and

WHEREAS, the Board deems it necessary and desirable, and in the best interests of the Association and its members to change, modify, and rescind the provisions of the Declaration as hereinafter set forth, to impose strict limitations, prohibitions, and

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restrictions on leasing, use and occupancy of the units, with certain exceptions and exemptions as set forth herein.

NOW, THEREFORE, the Board of Managers of the Association, and at least 67% of the Unit Owners of the Association, do hereby change, modify and/or rescind the provisions of the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for Condominiums of Claremont:

DECLARATION AMENDMENT

10732222

Section (e) is hereby added to the end of Article IX of the Declaration, which shall read as follows:

(e) Restrictions on Leasing and Occupancy of Units. The units shall not be occupied by any person or leased to any person except as expressly permitted in this Section below.

(i) A unit, or any portion thereof, or any interest therein, shall not be occupied or possessed by any person other than a Permitted Resident as defined herein. A Permitted Resident is: (1) a unit owner; (2) a member of the unit owner's immediate family related to the owner by blood or marriage, and more specifically, any spouse, parent, child, brother or sister, or any one or more of them, or any trustee or a trust, the sole beneficiary of which is the owner, his or her spouse, child, parent, brother or sister or any one or more of them, when used as their personal residence; (3) the domestic partner of a unit owner, provided that a Unit Owner also contemporaneously occupies the unit with the domestic partner; and/or (4) an Authorized Lessee under a valid written lease agreement authorized in subparagraph (ii) of this section (e).

(ii) Nothing contained in this Section (e) shall be construed to prohibit the guests and visitor of any Permitted Resident from temporary occupancy of a unit as an overnight visitor, provided that a Permitted Resident also contemporaneously occupies the unit with such guest or visitors. The Board shall have the authority, at its sole and absolute discretion, to determine whether a person's stay is permitted temporary occupancy, under the facts and circumstances of a particular case.

(iii) The Board shall have the sole and absolute discretion and authority (but shall not have the obligation) to waive, modify or eliminate the restrictions, limitations, prohibitions, or conditions of this Section, in any specific case and for a definite and limited time period, for the purpose of avoiding undue hardship with respect to any individual unit owner. The Board's determination in each case shall be final. No court or other tribunal may consider whether the Board was correct or reasonable in its determination of the presence or absence of undue hardship, whether the scope, limitations, or time period of the waiver or modification approved by the board were reasonable, provided that the Board exercised business judgment. The exercise of the Board's discretion or authority herein shall not be otherwise deemed to be or constitute a waiver of the restrictions, limitations, prohibitions, or conditions of this Section, or rules and regulations promulgated hereunder, and shall not under any circumstances prejudice the right of the Board to enforce the restrictions, limitations, prohibitions, or conditions of this Section, or rules and regulations promulgated hereunder, it being expected that the exercise of such discretion or authority will further and promote the interests which the provisions of this Section were intended to serve.

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(iv) Although the Board shall have the authority to promulgate rules and regulations in order to define, interpret, administer and supplement the undue hardship provisions or subparagraph (iii) of this Section, the Board shall not have the authority to adopt rules and regulations granting undue hardship exceptions generally, but rather each specific case must be determined by the Board in the exercise of business judgment.

(v) The Board shall have the sole and absolute discretion and authority; but shall not have an obligation, to waive, modify or eliminate the restrictions, limitations, prohibitions, or conditions of this Section; with respect to any lender having a bona fide mortgage lien, if such lender has taken possession or title of a unit pursuant to a decree of foreclosure (or other court order) or under a deed in lieu of mortgage, trust deed, assignment of rents, assignment of beneficial interest, security agreement, or UCC sale.

(vi) In the event that a unit, or any interest therein, is occupied or leased in violation of this Section, or a unit owner or other person otherwise violates any of the restrictions, limitations, prohibitions, or conditions of this Section, or rules and regulations promulgated hereunder, the lease and/or the occupancy or tenancy shall be voidable at the sole and absolute discretion of the Board, and the Board shall have the right to enforce the restrictions, limitations, prohibitions or conditions of this Section, or rules and regulations promulgated hereunder, by any proceeding at law or in equity, against the unit owner and/or any and all other persons occupying a unit contrary to the provisions of this Section, and the Board may pursue any or all of the remedies set forth in this or any other Article of the Declaration, and the Board may seek specific performance, injunctive and declaratory relief, damages, and/or seek to rescind or cancel any lease in violation thereof, and/or any combination of relief. All expenses of the Board including all attorney fees incurred prior to, during and after such actions or proceedings, and including court costs, other fees and expenses, and all damages, liquidated or otherwise, together with interest thereon at the rate of nine (9) percent per annum until paid, shall be charged to and assessed against those persons occupying a unit in default of this Section, and/or the defaulting unit owner, and the amount thereof shall be added to and deemed a part of said unit owner's respective share of the maintenance assessment and the Board shall have alien for the same upon the unit of such defaulting unit owner, and upon all of his other additions and improvements thereto and upon all of his or her personal property in the unit or located elsewhere on the Property.

EFFECTIVE DATE OF AMENDMENT

The effective date of this Amendment shall be the date of recordation in the Office of Recorder of Deeds of Cook County, Illinois.

FEE AND COSTS OF AMENDMENT

The approval by the unit owners to this Amendment shall be deemed to be their ratification and approval for the payment as an Association's expense, of all costs incurred for the preparation, approval and recordation of this Amendment.

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SIGNATURE PAGES OF SECOND AMENDMENT TO DECLARATION FOR CONDOMINIUMS OF CLAREMONT ASSOCIATION

UNIT OWNER*

UNIT

[Signature]
Signature

15

David P. Suss
Printed Name

UNIT OWNER

UNIT

[Signature]
Signature

15

Sara Woodgans
Printed Name

* All Owners should sign as their names appear of record. If property is owned in trust, the trustee should sign. All signatures must be acknowledged before a Notary public. The Unit number or address should be inserted in the blanks provided

STATE OF ILLINOIS

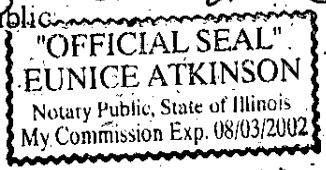
COUNTY OF Cook

I, a Notary Public, in and for the County of Cook and State of Illinois, do hereby certify that

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 said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 30th day of May 2001.

[Signature]
Notary public



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SIGNATURE PAGES OF SECOND AMENDMENT TO DECLARATION FOR CONDOMINIUMS OF CLAREMONT ASSOCIATION

10732222

UNIT OWNER*

UNIT

Nancy Watrous

3N

Signature

Nancy Watrous

Printed Name

UNIT OWNER

UNIT

Signature

Printed Name

* All Owners should sign as their names appear of record. If property is owned in trust, the trustee should sign. All signatures must be acknowledged before a Notary public. The Unit number or address should be inserted in the blanks provided

STATE OF ILLINOIS

COUNTY OF Cook

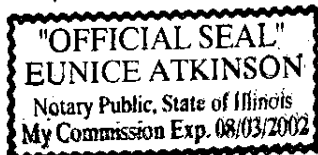
I, a Notary Public, in and for the County of Cook and State of Illinois, do hereby certify that

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 said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 30th day of May 2001.

Eunice Atkinson

Notary public



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2005/07/12

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SIGNATURE PAGES OF
SECOND AMENDMENT TO DECLARATION FOR
CONDOMINIUMS OF CLAREMONT ASSOCIATION

UNIT OWNER*

Signature

Printed Name

Jose Antonio Acosta

Jose Antonio Acosta

UNIT

2nd floor 1-N.-

UNIT OWNER

Signature

Printed Name

Nectalina Romero

Nectalina Romero

UNIT

1st floor 1-N.-

* All Owners should sign as their names appear of record. If property is owned in trust, the trustee should sign. All signatures must be acknowledged before a Notary public. The Unit number or address should be inserted in the blanks provided

STATE OF ILLINOIS

COUNTY OF

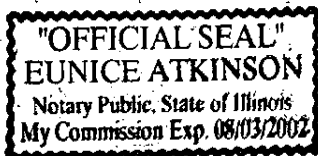
I, a Notary Public, in and for the County of *Cook* and State of Illinois, do hereby certify that

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 said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this *30th* day of *May* 2001.

Eunice Atkinson

Notary public



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SIGNATURE PAGES OF
SECOND AMENDMENT TO DECLARATION FOR
CONDOMINIUMS OF CLAREMONT ASSOCIATION

UNIT OWNER*

UNIT

Howard Lindsey
Signature

2 South

Howard Lindsey
Printed Name

UNIT OWNER

UNIT

Signature

Printed Name

* All Owners should sign as their names appear of record. If property is owned in trust, the trustee should sign. All signatures must be acknowledged before a Notary public. The Unit number or address should be inserted in the blanks provided

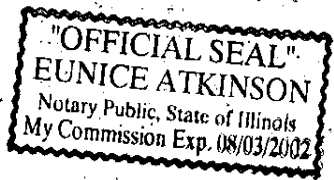
STATE OF ILLINOIS
COUNTY OF Cook

I, a Notary Public, in and for the County of _____ and State of Illinois, do hereby certify that

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 said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 30th day of May 2001.

Eunice Atkinson
Notary public



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SIGNATURE PAGES OF
SECOND AMENDMENT TO DECLARATION FOR
CONDOMINIUMS OF CLAREMONT ASSOCIATION

UNIT OWNER*

Eunice Atkinson
Signature

EUNICE ATKINSON
Printed Name

UNIT

3 South

UNIT OWNER

Signature

Printed Name

UNIT

* All Owners should sign as their names appear of record. If property is owned in trust, the trustee should sign. All signatures must be acknowledged before a Notary public. The Unit number or address should be inserted in the blanks provided

STATE OF ILLINOIS

COUNTY OF COOK

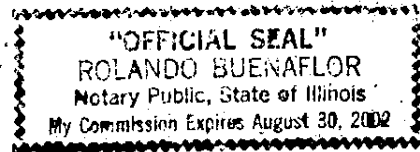
I, a Notary Public, in and for the County of COOK and State of Illinois, do hereby certify that

- EUNICE ATKINSON -

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 said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 07th day of JUNE 2001.

[Signature]
Notary public



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SIGNATURE PAGES OF SECOND AMENDMENT TO DECLARATION FOR CONDOMINIUMS OF CLAREMONT ASSOCIATION

UNIT OWNER*

[Handwritten Signature]

Signature

Fassyl Demissie

Printed Name

UNIT

2 North

UNIT OWNER

[Handwritten Signature]

Signature

Sandra Jackson

Printed Name

UNIT

2 North

* All Owners should sign as their names appear of record. If property is owned in trust, the trustee should sign. All signatures must be acknowledged before a Notary public. The Unit number or address should be inserted in the blanks provided

STATE OF ILLINOIS

Cook

COUNTY OF

I, a Notary Public, in and for the County of

Cook

and State of Illinois,

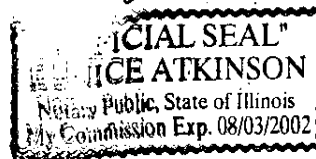
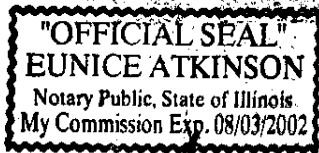
do hereby certify that

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 said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this *27th* day of *May* 2001.

[Handwritten Signature]

Notary public



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SIGNATURE PAGES

The unit owners acknowledge that it may be difficult to obtain all signatures on a single copy of this Amendment. In order to simplify recording of this Amendment, and reduce costs, the unit owners agree to detach signature pages from copies of this Amendment and consolidate all signature pages on a single copy to be recorded with the Recorder of Deeds.

REMAINING PROVISIONS IN FULL FORCE AND EFFECT

Except as specifically revoked, amended, modified or amended herein, the Declaration shall otherwise remain in full force and effect.

IN WITNESS WHEREOF, the members of the board have hereunto set their hands and seals the day and date first written above.

BOARD OF MANAGERS OF CONDOMINIUMS OF CLAREMONT ASSOCIATION

Nancy Watrous
Howard Lindsey
DPJ

10732222

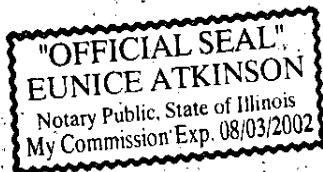
STATE OF ILLINOIS

COUNTY OF Cook

I, a Notary Public, in and for the county of _____ and State of Illinois, do hereby certify that all members of the Board of Managers of Condominiums of Claremont 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 said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 30 day of May 2001.

Eunice Atkinson
Notary Public



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Exhibit A Legal Description

UNITS 1-N, 1-S, 2-N, 2-S, 3-N, 3-S, Garden-N, Garden-S and P-1, P-2, P-3, P-4, P-5, P-6, and P-7 together with its Undivided Percentage Interest in the Common Elements in Condominiums of Claremont as Delineated and Defined in the Declaration Recorded as Document Number 96310763 in the S.W. 1/4 of Section 30, Townships 41 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

PIN # 11-30-301-045-1001
11-30-301-045-1002
11-30-301-045-1003
11-30-301-045-1004
11-30-301-045-1005
11-30-301-045-1006
11-30-301-045-1007
11-30-301-045-1008

11-30-301-045-1009
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11-30-301-045-1011
11-30-301-045-1012
11-30-301-045-1013
11-30-301-045-1014
11-30-301-045-1015

10732222

PREPARED BY:

STEPHEN JOURNEY
7523 N. CLAREMONT #3N
CHICAGO, IL 60645
MAIL TO ABOVE

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11	30	301	045		505	75001
AREA	SUB AREA	BLOCK	PARCEL	UNIT	WARRANT	CODE

1997 DIVISION	
SPECIAL FILE	
Block	301 Parcel 026

OFFICE OF THE CLERK OF COOK COUNTY, ILLINOIS

PERMANENT REAL ESTATE INDEX NUMBER AND LEGAL DESCRIPTION
VOLUME

AREA SUB-AREA BLOCK PARCEL UNIT
11- 30- 301- 045
505
TAX CODE
75001

COUNTY CLERKS DIV OF PT OF SW 1/4 N.I.B.	SEC.	TOWN	RANGE	LOT	SUB-LOT	LOT	BLOCK
L. PARTITION OF LT 1, 10, 11 SUB OF W 383 FT OF LOTS 1 & 2 (EX ST) CONDOMINIUMS OF CLAREMONT UNIT AS PER DOC #96310763	30	41	14				(13&14)

445

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