

**THIRD AMENDMENT TO
DECLARATION OF
CONDOMINIUM
OWNERSHIP AND
BY-LAWS, EASEMENTS,
RESTRICTIONS AND
COVENANTS FOR
WINDER LANE
CONDOMINIUM**



0011032563

This amendment to the Declaration of Condominium for Winder Lane Condominium is made and entered into this 28th day of August, 2001 by the Board of Directors of Winder Lane Condominium Association and the undersigned Unit Owners of the condominium units in the Winder Lane Condominium (hereinafter referred to as the "Unit Owners"), having at least seventy-five percent (75%) of the total votes of the membership of the Winder Lane Condominium.

WITNESSETH

WHEREAS, by the Declaration of Condominium Ownership for Winder Lane Condominium (hereinafter referred to "the Declaration"), filed in the office of the Recorder of Deeds of Cook County, Illinois on or about July, 1975 as Document No. 23403005 certain real estate was committed to the Condominium Property Act of the State of Illinois, said condominium being know as Winder Lane Condominium;

WHEREAS, Section 19 of the Declaration sets forth the procedures for amendment, change or modification of the Declaration by written instruments setting forth the amendment, change or modification, signed and acknowledged by all members of the Board and at least seventy-five percent (75%) of the Unit Owners and containing an affidavit by an office of the Board certifying that all mortgagees having bona fide liens of record against any Unit have been notified by certified mail of such an amendment, change or modification and an affidavit by an officer certifying to such mailing is part of such instrument;

WHEREAS, the Board and the Unit Owners desire to prohibit the leasing of Units;

NOW THEREFORE, the Board and the Unit Owners do hereby amend the Declaration as follows:

Section 7 of the Declaration is deleted in its entirety and the following substituted in its place and stead:

- Sale.** Any Unit Owner who wishes to sell his unit shall give to the Board not less than thirty (30) days prior written notice of his intent to sell and subsequently, the terms of any contract to sell, entered into subject to the Board's option as set forth hereinafter together with a copy of such contract, the name, address and financial and character references of the proposed purchaser and such other information concerning the proposed

F	57	A
P		P
		V
		AB

RECORDING FEE 57
DATE 11/2/01 COPIES 6
OK BY [Signature]

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purchaser as the Board may reasonably require. The members of the Board, acting on behalf of the other Unit Owners, shall at all times have the first right and option to purchase such unit ownership upon the same terms, which option shall be exercisable for a period of thirty (30) days, the Unit Owner may, at the expiration of said thirty (30) day period and at any time within ninety (90) days after the expiration of said period, proceed to consummate the sale of such unit ownership to the proposed purchaser named in such notice upon the terms specified therein. If the Unit Owner fails to close said proposed sale transaction within said ninety (90) days, the unit ownership shall again become subject to the Board's right of first refusal as herein provided. If a proposed sale, devise or gift of any unit ownership is made by any Unit Owner, after compliance with the foregoing provision, the purchaser, devisee or donee thereunder shall be bound by and subject to such unit ownership obligations of such Unit Owner with respect to such unit ownership as provided in this Declaration. If any sale, devise or gift of a unit ownership is made or attempted by any Unit Owner without complying with the foregoing provisions, such sale, devise or gift shall be subject to each and all the rights and options of the Board hereunder and each and all of the remedies and actions available to the Board hereunder or at law or in equity in connection therewith. The foregoing provisions with respect to the Board's right of first option as to any proposed sale, devise or gift shall be and remain in full force and effect until the Property as a whole shall be sold or removed from the provisions of the Act, as provided in the Act, unless sooner rescinded or amended by the Unit Owners in the manner herein provided for amendments of this Declaration. The Board may adopt rules and regulations from time to time, not inconsistent with the foregoing provisions, for the purpose of implementing and effectuating the same.

Section 7(k) of the Declaration is deleted in its entirety and the following substituted in its place and stead:

The Board's right of first refusal as provided in this section shall not apply to any sale, gift devise or transfer by any corporation, trust or other entity when the original Unit Owner or persons having at least a majority control of said Unit Owner are in control of the transferee, or resulting from statutory merger or consolidation, or between co-owners of the same unit, or any one or more of them, or to any Trustee of a trust, the sole beneficiary of beneficiaries of which are the Unit Owner, the spouse or lawful child of the Unit Owner, or any one or more of them, or from any Trustee of a trust to any one or more of the beneficiaries thereof.

Section 7(g) of the Declaration is deleted in its entirety.

The following provisions are added to the Declaration:

7(p) Leasing of Units Prohibited. No Unit Owner may enter into any lease, sublease or other tenancy arrangement for any Unit or with respect to any Unit. Leasing, subleasing or other tenancy arrangements are, as of the date of this Amendment and hereinafter, prohibited in their entirety. Any lease, sublease or other tenancy arrangement effective on the date of this Amendment, however, shall be valid for the term of that lease, sublease or other tenancy arrangement but shall not be renewed for any term thereafter. Nothing contained herein shall prohibit a Unit Owner from renting a parking space to another Unit Owner.

7(q) Units Owned by Association. The Board of Directors of the Association shall have the right to lease out any Association owned Units or any Unit which the Association has possession of pursuant to any court order.

7(r) Full Remedies Available to Association. In the event a Unit or any interest herein is leased in violation of this Amendment, the Board and/or Association shall have the right

to enforce this Amendment by any proceeding in law or in equity and may pursue any and/or all of the remedies set forth in the Declaration, rules and regulations, the Illinois Condominium Property Act and the condominium instruments.

7(s) **Legal Contest.** In the event of any legal contest or challenge to the provisions of this Declaration Amendment, the party raising the contest or challenge shall pay all costs and expenses relating to the contest or challenge, including those attorney's fees and costs of the Association and/or Board, regardless of the outcome of such contest or legal proceedings.

IN WITNESS WHEREOF, the undersigned Unit Owners and Board Members have hereunto set their hands and seals the day and date first written above.

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0011032563

Property of Cook County Clerk's Office

Janet F. Chumley
President
Linda Radendorf
Secretary
Barbara K. Smith
Treasurer

Dated this 24th day of August, 2001.

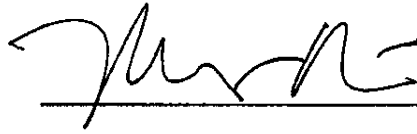
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**AFFIDAVIT RELATING TO THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP AND
BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR
WINDER LANE CONDOMINIUM ASSOCIATION**

I, Mark D. Roth, affirm in this Affidavit that a copy of the Third Amendment to Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for Winder Lane Condominium Association, was mailed by certified mail at least 10 days prior to all mortgagees with a bona fide lien of record against any unit.

The undersigned certifies that the statements set forth in this instrument are true and correct.



Date: _____

Property of Cook County Clerk's Office

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LEGAL DESCRIPTION:

LOTS 1, 2 AND THE EAST HALF OF LOT 3 IN BLOCK 4 IN ROBERTS MILWAUKEE AVENUE SUBDIVISION OF LOTS 5 AND 10 IN SUBDIVISION OF THAT PART OF LOT 5 WEST OF MILWAUKEE AVENUE IN SCHOOL TRUSTEES SUBDIVISION IN SECTION 16, TOWNSHIP 40 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN.

THE REAL PROPERTY OR ITS ADDRESS IS COMMONLY KNOWN:
5518 W. WINDSOR
CHICAGO, IL

PIN NOS:

(Repealed 12-16-1999)
CONDOMINIUM 12-16-114-045
WINDSOR LANE CONDOMINIUM

UNIT	UNIT	UNIT
1-A - 1001	2-A - 1007	3-A - 1013
1-B - 1002	2-B - 1008	3-B - 1014
1-C - 1003	2-C - 1009	3-C - 1015
1-D - 1004	2-D - 1010	3-D - 1016
1-E - 1005	2-E - 1011	3-E - 1017
1-F - 1006	2-F - 1012	3-F - 1018

Additional units per Dec. 23493305 Rev. MAR 1, 1979

UNIT	UNIT	UNIT
1-G - 1019	2-G - 1025	3-G - 1031
1-H - 1020	2-H - 1026	3-H - 1032
1-I - 1021	2-I - 1027	3-I - 1033
1-J - 1022	2-J - 1028	3-J - 1034
1-K - 1023	2-K - 1029	3-K - 1035
1-L - 1024	2-L - 1030	3-L - 1036
1-M - 1025	2-M - 1031	3-M - 1037
1-N - 1026	2-N - 1032	3-N - 1038
1-O - 1027	2-O - 1033	3-O - 1039
1-P - 1028	2-P - 1034	3-P - 1040

Prepared By: Mark D. Roth, Esq.
ORUM & ROTH
53 W. Jackson Boulevard
Chicago, IL 60604
(312) 922-6262

Mail To: Mark D. Roth, Esq.
ORUM & ROTH
53 W. Jackson Boulevard
Chicago, IL 60604

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SIGNATURE PAGE FOR THE THIRD AMENDMENT TO THE DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS OF WINDER LANE CONDOMINIUM ASSOCIATION

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<u>UNIT OWNER</u>	<u>UNIT ADDRESS</u>	<u>% OF COMMON ELEMENTS</u>
<u>John Riggs</u> Unit Owner's Signature	<u>5514 W. Wenden / L</u>	<u>2.367</u>
<u>Lillian Riggs</u> Unit Owner's Signature		

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: 0
 Street/P.O. Box: _____
 City/State/Zip: _____

NOTARY SECTION-MUST BE COMPLETED PRIOR TO RETURN

STATE OF ILLINOIS)
) SS:
 COUNTY OF COOK)

I, a Notary Public, in the County of Cook and State of Illinois, do hereby certify that the above persons who are personally known to me appeared before me this day in person and signed this instrument as their free and voluntary act for the purposes therein set forth.

GIVEN my hand and notarial seal this 28 day of August, 2001.

Christina Brueckman
 OFFICIAL SEAL
 NOTARY PUBLIC
 NOTARY PUBLIC, STATE OF ILLINOIS
 MY COMMISSION EXPIRES 2-28-2003

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UNIT OWNER

UNIT ADDRESS

% OF COMMON
ELEMENTS

Damita Lawaeki
Unit Owner's Signature

5514 W. WINDSOR #3K

2.328

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: _____
Street/P.O. Box: _____
City/State/Zip: _____

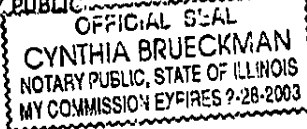
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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

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GIVEN my hand and notarial seal this 28 day of August, 2001.

Cynthia Brueckman
NOTARY PUBLIC



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<u>UNIT OWNER</u>	<u>UNIT ADDRESS</u>	<u>% OF COMMON ELEMENTS</u>
<u><i>Love Ann Rodriguez</i></u> Unit Owner's Signature	5514 W. Windsor Chicago, IL 60630	2328%

Mark [Signature]
Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: Citi Mortgage
Street/P.O. Box: _____
City/State/Zip: _____

NOTARY SECTION-MUST BE COMPLETED PRIOR TO RETURN

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

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GIVEN my hand and notarial seal this 28 day of August, 2001.

Cynthia Brueckman
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 2-28-2003

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<u>UNIT OWNER</u>	<u>UNIT ADDRESS</u>	<u>% OF COMMON ELEMENTS</u>
<u>J. G. [Signature]</u> Unit Owner's Signature	5514 W. WINDSOR 1K	2.307%

[Signature]
Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: _____
Street/P.O. Box: _____
City/State/Zip: _____

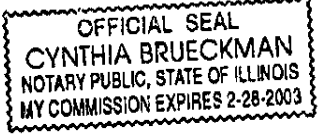
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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

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GIVEN my hand and notarial seal this 28th day of August, 2001.

[Signature]
NOTARY PUBLIC



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<u>UNIT OWNER</u>	<u>UNIT ADDRESS</u>	<u>% OF COMMON ELEMENTS</u>
<u>George Smith</u> Unit Owner's Signature	5512 N. WINDSOR ST	1.845

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)
Financial Institution Full Name: _____
Street/P.O. Box: _____
City/State/Zip: _____

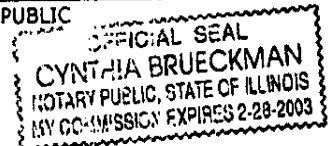
NOTARY SECTION-MUST BE COMPLETED PRIOR TO RETURN

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

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GIVEN my hand and notarial seal this 28 day of August, 2001.

Cynthia Brueckman
NOTARY PUBLIC



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0011032563

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UNIT OWNER UNIT ADDRESS % OF COMMON ELEMENTS
Reshad G. Gervin 4540 W Winder Lane 40 2.221 %

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: N/A
Street/P.O. Box:
City/State/Zip:

NOTARY SECTION-MUST BE COMPLETED PRIOR TO RETURN

STATE OF ILLINOIS)
COUNTY OF COOK) SS:

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GIVEN my hand and notarial seal this 28 day of August, 2001.

Notary Public Brueckman
NOTARY PUBLIC BRUECKMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 2-28-2003

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UNIT OWNER

UNIT ADDRESS

% OF COMMON
ELEMENTS

James Brubaker
Unit Owner's Signature

4540 N. LINDER^{1c}

2,169⁹⁰

Tony Anderson
Unit Owner's Signature

4540 N. Linder #1c
Chi IL 60630

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: Charter One mortgage
Street/P.O. Box: P.O. Box 31034
City/State/Zip: Richmond VA 23294-1034

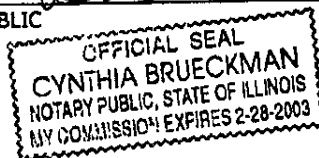
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STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

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GIVEN my hand and notarial seal this 28 day of August, 2001.

Cynthia Brueckman
NOTARY PUBLIC



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<u>UNIT OWNER</u>	<u>UNIT ADDRESS</u>	<u>% OF COMMON ELEMENTS</u>
<u>Richard H. Emovick</u>	<u>4558 N Linder 2F</u>	<u>12.766%</u>
Unit Owner's Signature		

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: NA
 Street/P.O. Box: _____
 City/State/Zip: _____

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STATE OF ILLINOIS)
) SS:
 COUNTY OF COOK)

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GIVEN my hand and notarial seal this 28 day of Aug, 2001.

Cynthia Brueckman
 NOTARY PUBLIC OFFICIAL SEAL
 CYNTHIA BRUECKMAN
 NOTARY PUBLIC, STATE OF ILLINOIS
 COMMISSION EXPIRES 2-28-2003

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<u>UNIT OWNER</u>	<u>UNIT ADDRESS</u>	<u>% OF COMMON ELEMENTS</u>
<u>Dorothy Felak</u> Unit Owner's Signature	45307 Leiden #3B	2.189

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: _____
Street/P.O. Box: _____
City/State/Zip: _____

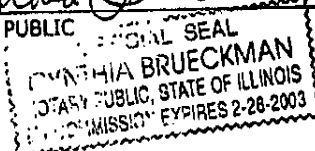
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) SS:
COUNTY OF COOK)

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Cynthia Brueckman
NOTARY PUBLIC



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UNIT OWNER

UNIT ADDRESS

% OF COMMON
ELEMENTS

[Signature]
Unit Owner's Signature

4530 N. WINDER # 1B

2.169%

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: Home Side Lending
Street/P.O. Box: P.O. BOX 47524
City/State/Zip: San Antonio TX 78265

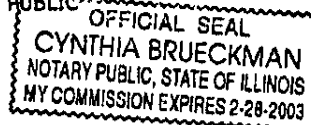
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COUNTY OF COOK)

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[Signature]
NOTARY PUBLIC



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<u>UNIT OWNER</u>	<u>UNIT ADDRESS</u>	<u>% OF COMMON ELEMENTS</u>
<u><i>Jeanette Jaskowicz</i></u> Unit Owner's Signature	4530 N. WINDER APT 8A	2.227%

Jeanette Jaskowicz
Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: *1st Security Federal Savings Bank*
Street/P.O. Box: _____
City/State/Zip: _____

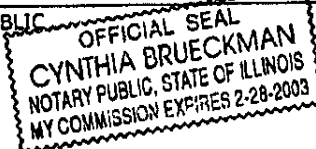
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Cynthia Brueckman
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SIGNATURE PAGE FOR THE THIRD AMENDMENT TO THE DECLARATION OF EASEMENTS, RESTRICTIONS AND COVENANTS OF WINDER LANE CONDOMINIUM ASSOCIATION

The undersigned hereby approve(s) the adoption of the foregoing Third Amendment to the Declaration of Easements, Restrictions and Covenants for Winder Lane Condominium Association and authorizes detachment of this page from the copy to which it is attached and the attachment of this signature page to the Amendment to be recorded. (Note: Sign in presence of a duly authorized Notary Public only and show names EXACTLY as they appear on the Deed!)

UNIT OWNER

UNIT ADDRESS

% OF COMMON
ELEMENTS

Cynthia Brueckman
Unit Owner's Signature

4530 Winder 1A

2.206%

VIRGINIA
Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: Na
Street/P.O. Box: _____
City/State/Zip: _____

NOTARY SECTION-MUST BE COMPLETED PRIOR TO RETURN

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

I, a Notary Public, in the County of Cook and State of Illinois, do hereby certify that the above persons who are personally known to me appeared before me this day in person and signed this instrument as their free and voluntary act for the purposes therein set forth.

GIVEN my hand and notarial seal this 28 day of Aug, 2001.

Cynthia Brueckman
NOTARY PUBLIC
CYNTHIA BRUECKMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 2-28-2003

UNOFFICIAL COPY

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<u>UNIT OWNER</u>	<u>UNIT ADDRESS</u>	<u>% OF COMMON ELEMENTS</u>
<u>Grego Codkaski</u> Unit Owner's Signature	<u>5512 W. Windsor II</u>	<u>2.31%</u>

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

Unit Owner's Signature

MORTGAGE HOLDERS NAME AND ADDRESS: (to be completed by Unit Owner)

Financial Institution Full Name: BANK OF AMERICA
 Street/P.O. Box: P.O. Box 9000
 City/State/Zip: Getzville NY 14068-9000

NOTARY SECTION-MUST BE COMPLETED PRIOR TO RETURN

STATE OF ILLINOIS)
) SS:
 COUNTY OF COOK)

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GIVEN my hand and notarial seal this 28 day of August, 2001.

Cynthia Brueckman
 NOTARY PUBLIC OFFICIAL SEAL
 CYNTHIA BRUECKMAN
 NOTARY PUBLIC, STATE OF ILLINOIS
 MY COMMISSION EXPIRES 2-28-2003