

SIXTH  
AMENDMENT TO  
THE DECLARATION FOR  
1340 STATE PARKWAY  
CONDOMINIUM  
ASSOCIATION



For Use By Recorder's Office Only

This document is recorded for the purpose of amending the Declaration for 1340 State Parkway Condominium (hereafter the "Declaration"), which Declaration was recorded on June 23, 1994 as Document Number 94552842 in the Office of the Recorder of Deeds of Cook County, Illinois, and covers the property (hereafter the "Property") legally described in Exhibit "A," which is attached hereto and made a part hereof.

This Amendment is adopted pursuant to the provisions of Article Fifteen, Paragraph 2 (a), of the Declaration. This section provides that any action may be taken at any meeting of the voting members at which a quorum is present upon the affirmative vote of the voting members having a majority of the total votes represented at such a meeting. No amendment is effective until recorded.

RECITALS

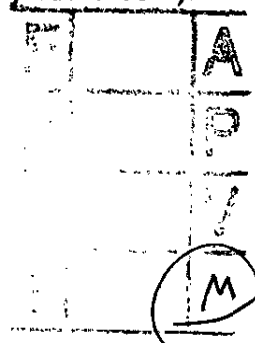
WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been subjected to the covenants contained therein; and

WHEREAS, the Owners desire to amend the Declaration in order to provide for the orderly operation of the Property; and

WHEREAS, the following Amendment has been approved by the Unit Owners having at least a majority of the votes represented, said approvals attached hereto and made a part hereof.

NOW, THEREFORE, the Declaration for the 1340 State Parkway Condominium Association is hereby amended in accordance with the text which follows (Additions in text are indicated by a double underline; deletions by ~~strike-outs~~):

This document prepared by and after recording to be returned to:  
Jerold E. Fleischman  
3200 Orange Brace  
Riverwoods, IL (847) 444-1356



RECORDING FEE 40.00  
DATE 3/13/03  
OK BY JM 9/23

1. Article Nine, Section 1.0 of the Declaration shall be amended as follows:

(a) Sale or Lease. Any Unit Owner other than the Developer who wishes to sell ~~or lease~~ his unit Ownership ~~(or any lessee of any Unit wishing to assign or sublease such Unit)~~ shall give to the Board not less than thirty (30) days prior written notice of his intent to sell ~~or lease~~ and subsequently, the terms of any contract to sell ~~or lease~~, 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 ~~or lessee~~ and such other information concerning the proposed purchaser ~~or lessee~~ 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 ~~or lease~~ such Unit Ownership upon the same terms, which option shall be exercisable for a period of thirty (30) days following the date of receipt of such notice of contract. If said option is not exercised by the Board within said thirty (30) days, the Unit Owner ~~(or lessee)~~ 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 ~~(or sublease or assignment)~~ of such Unit Ownership to the proposed purchaser ~~or lessee~~ named in such notice upon the terms specified therein. If the Unit Owner ~~(or lessee)~~ fails to close said proposed sale ~~or lease~~ transaction within said ninety (90) days, the Unit Ownership shall again become subject to the Board's right of first refusal as herein provided. Notwithstanding any foregoing provisions of this Declaration to the contrary, rental, leasing, subleasing or other tenancy arrangement of Units by a Unit Owner is prohibited.

(b) Each Unit Owner currently renting his or her Unit as of the recording date of this Amendment must, once the current lease has expired, occupy the Unit as his or her personal residence, or maintain the Unit without occupancy, or sell or transfer the Unit. A copy of all current leases must be on file with the Board of Managers.

(c) Any unit being leased out in violation of this Amendment or any Unit Owner found to be in violation of the Rules and Regulations adopted by the Board of Directors may be subject to a flat or daily fine to be determined by the Board of Directors upon notice and an opportunity to be heard.

(d) In addition to the authority to levy fines against the Unit Owner for violation of this Amendment or any other provision of the Declaration, By-Laws or Rules and Regulations, the Board shall have all rights and remedies, including but not limited to the right to maintain an action for possession against the Unit Owner and/or their tenant, under 735 ILCS 5/9-111, an action for injunctive and other equitable relief, or an action at law for damages.

(e) Any action brought on behalf of the Association and/or the Board of Directors to enforce this Amendment shall subject the Unit Owner to the payment of all costs and attorneys' fees at the time they are incurred by the

Association.

(f) All unpaid charges as a result of the foregoing shall be deemed to be a lien against the Unit and collectible as any other unpaid regular or special assessment, including late fees and interest on the unpaid balance.

2. This Amendment shall be effective upon recordation in the Office of the Recorder of Deeds of Cook County, Illinois.

3. Except to the extent expressly set forth hereinabove, the remaining provisions of the Declaration shall continue in effect without change.

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

0030348258

EXHIBIT "A"

ADDRESS: 1340 NORTH STATE PARKWAY  
CHICAGO, ILLINOIS

PIN #: 17-04-218-047-1001 17-04-218-047-1005  
17-04-218-047-1002 17-04-218-047-1006  
17-04-218-047-1003 17-04-218-047-1007  
17-04-218-047-1004

Unit 1N, 1S, 2, 3N, 3S, 4N, and 4S IN 1340 STATE PARKWAY  
CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED  
REAL ESTATE:

PARCEL 1:

SOUTH 27 FEET OF LOT 2 AND ALL OF LOTS 3 AND 4 IN ASSESSORS  
DIVISION, OF LOT 8 IN BRONSON'S ADDITION TO CHICAGO; ALSO THAT PART  
OF THE NORTH 25 FEET OF LOT 7 IN BRONSON'S ADDITION TO CHICAGO  
LYING EAST OF THE EAST LINE OF THE SOUTHERLY EXTENSION OF LOT 5 IN  
ASSESSOR'S DIVISION OF LOT 3 IN BRONSON'S ADDITION AFORESAID; BEING  
PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AND  
THE RIGHT TO MAINTAIN THEREON THE EXISTING FENCE, INCLUDING  
GATEWAYS BORDERING THE FOLLOWING DESCRIBED LAND:  
THE SOUTH 23 FEET LYING WEST OF THE SOUTHERLY EXTENSION OF THE EAST  
LINE OF LOT 5 IN ASSESSOR'S DIVISION OF LOT 8 OF BRONSON'S ADDITION  
TO CHICAGO EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY THAT PART  
DEDICATED BY DOCUMENT NUMBER 132784, AND THE NORTH 23 FEET OF THE  
PUBLIC ALLEY DEDICATED BY DOCUMENT 132784 (NOW VACATED) LYING NORTH  
OF THE SOUTH LINE OF THE NORTH 25.0 FEET OF LOT 7 AS SET FORTH IN  
INSTRUMENTS RECORDED AS DOCUMENT 21266392 AND 21289644; WHICH  
SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM  
RECORDED AS DOCUMENT NUMBER 94552842 TOGETHER WITH ITS UNDIVIDED  
PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY,  
ILLINOIS.

WHEREAS, the Declaration of Condominium Ownership and By-Laws,  
Easements, Restrictions, and Covenants for the 1340 State Parkway  
Condominium Association was recorded on June 23, 1994 as Document  
Number 94552842.

**UNOFFICIAL COPY**

**Feulner, Burton & Purcell, Inc.**  
60 East Chestnut Street - 415

Chicago, Illinois 60611

0030348258

(312) 255-2200

Fax (312) 255-1710

November 18, 2002

To: All Owners at 1340 N. State Parkway

Subject: Amendment to 1340 State Parkway Condominium Declaration

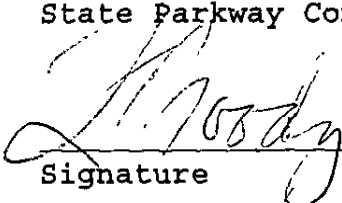
Enclosed is a copy of the amendment to the declaration that will prohibit leasing of units at 1340 State. All owners present at a building meeting on October 24th, 2002 agreed to this amendment in principle. Revisions proposed at that time have been incorporated. Per the owner's request at that time Mr. Hymen has reviewed the amendment and agrees with it. In order for this amendment to be recorded owners must sign this letter signifying their approval.

Please sign where indicated as soon as possible and return this letter to me in the enclosed envelope.

Very truly yours,

Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

  
\_\_\_\_\_  
Signature

1 N  
\_\_\_\_\_  
Unit Number

12/6/02  
\_\_\_\_\_  
Date

(312) 255-2200  
Fax (312) 255-1710

November 18, 2002


To: All Owners at 1340 N. State Parkway

Subject: Amendment to 1340 State Parkway Condominium Declaration

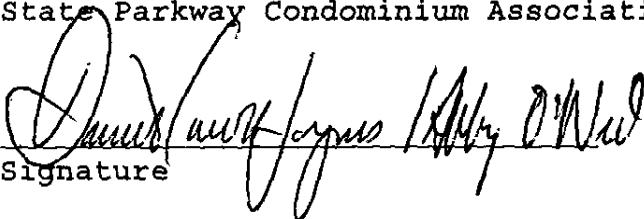
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Please sign where indicated as soon as possible and return this letter to me in the enclosed envelope.

Very truly yours,

  
Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

  
Signature

2  
Unit Number

November 23, 2002  
Date

**UNOFFICIAL COPY**  
Reimer, Burton & Purcell, LLP 0030348258  
60 East Chestnut Street - 415  
Chicago, Illinois 60611

(312) 255-2200  
Fax (312) 255-1710

0030348258

November 18, 2002

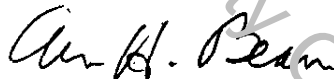
To: All Owners at 1340 N. State Parkway

Subject: Amendment to 1340 State Parkway Condominium Declaration


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Very truly yours,

  
Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

  
\_\_\_\_\_  
Signature

3N  
\_\_\_\_\_  
Unit Number

11-22-02  
\_\_\_\_\_  
Date

UNOFFICIAL COPY

Peunier, Burton & Purcell, Inc.  
60 East Chestnut Street - 415  
Chicago, Illinois 60611

(312) 255-2200  
Fax (312) 255-1710

November 18, 2002

0030348258

To: All Owners at 1340 N. State Parkway

Subject: Amendment to 1340 State Parkway Condominium Declaration

Enclosed is a copy of the amendment to the declaration that will prohibit leasing of units at 1340 State. All owners present at a building meeting on October 24th, 2002 agreed to this amendment in principle. Revisions proposed at that time have been incorporated. Per the owner's request at that time Mr. Hymen has reviewed the amendment and agrees with it. In order for this amendment to be recorded owners must sign this letter signifying their approval.

Please sign where indicated as soon as possible and return this letter to me in the enclosed envelope.

Very truly yours,

*Alvin H. Beam*  
Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

*[Signature]* \_\_\_\_\_ 4 South  
Signature Unit Number

11/19/02 11.19.02  
Date



**UNOFFICIAL COPY**

**Keulner, Burton & Purcell, Inc.**  
60 East Chestnut Street - 415  
Chicago, Illinois 60611

(312) 255-2200  
Fax (312) 255-1710

November 18, 2002

0030348258

To: All Owners at 1340 N. State Parkway

Subject: Amendment to 1340 State Parkway Condominium Declaration

Enclosed is a copy of the amendment to the declaration that will prohibit leasing of units at 1340 State. All owners present at a building meeting on October 24th, 2002 agreed to this amendment in principle. Revisions proposed at that time have been incorporated. Per the owner's request at that time Mr. Hymen has reviewed the amendment and agrees with it. In order for this amendment to be recorded owners must sign this letter signifying their approval.

Please sign where indicated as soon as possible and return this letter to me in the enclosed envelope.

Very truly yours,

  
Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

  
\_\_\_\_\_  
Signature

1 S  
\_\_\_\_\_  
Unit Number

Nov. 19, 2002  
\_\_\_\_\_  
Date

**SIXTH  
AMENDMENT TO  
THE DECLARATION FOR  
1340 STATE PARKWAY  
CONDOMINIUM  
ASSOCIATION**

For Use By Recorder's Office Only

This document is recorded for the purpose of amending the Declaration for

1340 State Parkway Condominium (hereafter the "Declaration"), which Declaration was recorded on June 23, 1994 as Document Number 94552842 in the Office of the Recorder of Deeds of Cook County, Illinois, and covers the property (hereafter the "Property") legally described in Exhibit "A," which is attached hereto and made a part hereof.

This Amendment is adopted pursuant to the provisions of Article Fifteen, Paragraph 2 (a), of the Declaration. This section provides that any action may be taken at any meeting of the voting members at which a quorum is present upon the affirmative vote of the voting members having a majority of the total votes represented at such a meeting. No amendment is effective until recorded.

**RECITALS**

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been subjected to the covenants contained therein; and

WHEREAS, the Owners desire to amend the Declaration in order to provide for the orderly operation of the Property; and

WHEREAS, the following Amendment has been approved by the Unit Owners having at least a majority of the votes represented, said approvals attached hereto and made a part hereof.

NOW, THEREFORE, the Declaration for the 1340 State Parkway Condominium Association is hereby amended in accordance with the text which follows (Additions in

text are indicated by a double underline; deletions by ~~strike-outs~~):

\_\_\_\_\_  
This document prepared by and after recording to be returned to:  
Jerold E. Fleischman  
3200 Orange Brace  
Riverwoods, IL (847) 444-1356

40  
3/13/03 (M) JMM

# UNOFFICIAL COPY

1. **Article Nine, Section 1.0 of the Declaration shall be amended as follows:**

(a) Sale or Lease. Any Unit Owner other than the Developer who wishes to sell ~~or lease~~ his unit Ownership (~~or any lessee of any Unit wishing to assign or sublease such Unit~~) shall give to the Board not less than thirty (30) days prior written notice of his intent to sell ~~or lease~~ and subsequently, the terms of any contract to sell ~~or lease~~, 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 ~~or lessee~~ and such other information concerning the proposed purchaser ~~or lessee~~ 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 ~~or lease~~ such Unit Ownership upon the same terms, which option shall be exercisable for a period of thirty (30) days following the date of receipt of such notice of contract. If said option is not exercised by the Board within said thirty (30) days, the Unit Owner (~~or lessee~~) 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 (~~or sublease or assignment~~) of such Unit Ownership to the proposed purchaser ~~or lessee~~ named in such notice upon the terms specified therein. If the Unit Owner (~~or lessee~~) fails to close said proposed sale ~~or lease~~ transaction within said ninety (90) days, the Unit Ownership shall again become subject to the Board's right of first refusal as herein provided. Notwithstanding any foregoing provisions of this Declaration to the contrary, rental, leasing, subleasing or other tenancy arrangement of Units by a Unit Owner is prohibited.

(b) Each Unit Owner currently renting his or her Unit as of the recording date of this Amendment must, once the current lease has expired, occupy the Unit as his or her personal residence, or maintain the Unit without occupancy, or sell or transfer the Unit. A copy of all current leases must be on file with the Board of Managers.

(c) Any unit being leased out in violation of this Amendment or any Unit Owner found to be in violation of the Rules and Regulations adopted by the Board of Directors may be subject to a flat or daily fine to be determined by the Board of Directors upon notice and an opportunity to be heard.

(d) In addition to the authority to levy fines against the Unit Owner for violation of this Amendment or any other provision of the Declaration, By-Laws or Rules and Regulations, the Board shall have all rights and remedies, including but not limited to the right to maintain an action for possession against the Unit Owner and/or their tenant, under 735 ILCS 5/9-111, an action for injunctive and other equitable relief, or an action at law for damages.

(e) Any action brought on behalf of the Association and/or the Board of Directors to enforce this Amendment shall subject the Unit Owner to the payment of all costs and attorneys' fees at the time they are incurred by the

# UNOFFICIAL COPY

Association.

(f) All unpaid charges as a result of the foregoing shall be deemed to be a lien against the Unit and collectible as any other unpaid regular or special assessment, including late fees and interest on the unpaid balance.

2. This Amendment shall be effective upon recordation in the Office of the Recorder of Deeds of Cook County, Illinois.

3. Except to the extent expressly set forth hereinabove, the remaining provisions of the Declaration shall continue in effect without change.

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## EXHIBIT "A"

ADDRESS: 1340 NORTH STATE PARKWAY  
CHICAGO, ILLINOIS

PIN #: 17-04-218-047-1001      17-04-218-047-1005  
17-04-218-047-1002      17-04-218-047-1006  
17-04-218-047-1003      17-04-218-047-1007  
17-04-218-047-1004

Units 1N, 1S, 2, 3N, 3S, 4N, and 4S IN 1340 STATE PARKWAY  
CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED  
REAL ESTATE:

### PARCEL 1:

SOUTH 27 FEET OF LOT 2 AND ALL OF LOTS 3 AND 4 IN ASSESSORS  
DIVISION, OF LOT 8 IN BRONSON'S ADDITION TO CHICAGO; ALSO THAT PART  
OF THE NORTH 25 FEET OF LOT 7 IN BRONSON'S ADDITION TO CHICAGO  
LYING EAST OF THE EAST LINE OF THE SOUTHERLY EXTENSION OF LOT 5 IN  
ASSESSOR'S DIVISION OF LOT 8 IN BRONSON'S ADDITION AFORESAID; BEING  
PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

### PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 FOR INGRESS AND EGRESS AND  
THE RIGHT TO MAINTAIN THEREON THE EXISTING FENCE, INCLUDING  
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TO CHICAGO EXCEPTING FROM THE ABOVE DESCRIBED PROPERTY THAT PART  
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PUBLIC ALLEY DEDICATED BY DOCUMENT 132784 (NOW VACATED) LYING NORTH  
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INSTRUMENTS RECORDED AS DOCUMENT 21266392 AND 21222644; WHICH  
SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM  
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PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY,  
ILLINOIS.

WHEREAS, the Declaration of Condominium Ownership and By-Laws,  
Easements, Restrictions, and Covenants for the 1340 State Parkway  
Condominium Association was recorded on June 23, 1994 as Document  
Number 94552842.

(312) 255-2200  
Fax (312) 255-1710

November 18, 2002

To: All Owners at 1340 N. State Parkway

Subject: Amendment to 1340 State Parkway Condominium Declaration

Enclosed is a copy of the amendment to the declaration that will prohibit leasing of units at 1340 State. All owners present at a building meeting on October 24th, 2002 agreed to this amendment in principle. Revisions proposed at that time have been incorporated. Per the owner's request at that time Mr. Hymen has reviewed the amendment and agrees with it. In order for this amendment to be recorded owners must sign this letter signifying their approval.

Please sign where indicated as soon as possible and return this letter to me in the enclosed envelope.

Very truly yours,

Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

[Handwritten Signature]  
Signature

1 A  
Unit Number

12/6/02  
Date

Property of Cook County Clerk's Office

**Feulner, Burton & Purtell, Inc.**  
**UNOFFICIAL COPY**  
60 East Chestnut Street - 415  
Chicago, Illinois 60611

(312) 255-2200  
Fax (312) 255-1710

November 18, 2002

To: All Owners at 1340 N. State Parkway

Subject: Amendment to 1340 State Parkway Condominium Declaration

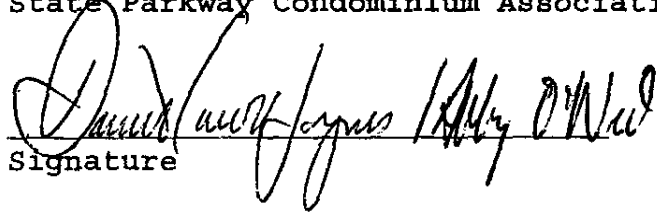
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Very truly yours,

  
Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

  
Signature

2  
Unit Number

November 23, 2002  
Date

**Feiner, Burton & Purcell, Inc.**  
**UNOFFICIAL COPY**  
60 East Chestnut Street - 415  
Chicago, Illinois 60611

(312) 255-2200  
Fax (312) 255-1710

November 18, 2002

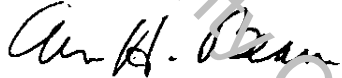
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Very truly yours,

  
Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

Fatma Fallah  
Signature

3N  
Unit Number

11-22-02  
Date



**Feulner, Burton & Purtell, Inc.**  
**UNOFFICIAL COPY**  
60 East Chestnut Street - 415  
Chicago, Illinois 60611

(312) 255-2200  
Fax (312) 255-1710

November 18, 2002

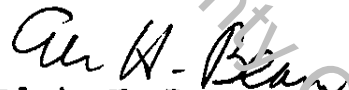
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Subject: Amendment to 1340 State Parkway Condominium Declaration

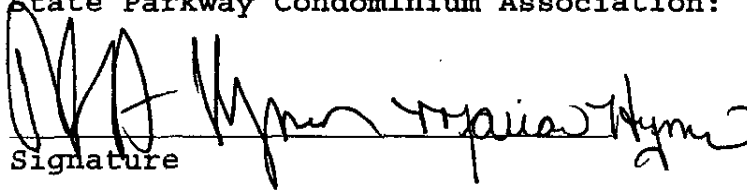
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Very truly yours,

  
Alvin H. Beam

I/we agree to the sixth amendment to the declaration for 1340 State Parkway Condominium Association:

 \_\_\_\_\_ 4 South  
Signature Unit Number

11/19/02 \_\_\_\_\_ 11.19.02  
Date

**UNOFFICIAL COPY**  
Feulner, Burton & Purtell, Inc.  
60 East Chestnut Street - 415  
Chicago, Illinois 60611

(312) 255-2200  
Fax (312) 255-1710

November 18, 2002

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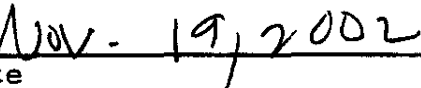
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Alvin H. Beam

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\_\_\_\_\_  
Signature

  
\_\_\_\_\_  
Unit Number

  
\_\_\_\_\_  
Date