



Eugene "Gene" Moore Fee: \$36.00
Cook County Recorder of Deeds
Date: 06/11/2003 11:11 AM Pg: 1 of 7

Prepared by and after recording, return to:
Brown, Udell & Pomerantz, Ltd.
1332 N. Halsted Suite 100
Chicago, IL 60622

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P	36	P
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**SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS,
EASEMENTS AND PARTY WALL RIGHTS FOR
WELLINGTON PARK HOMEOWNERS' ASSOCIATION**

This Second Amendment to the Declaration of Covenants, Conditions, Restrictions, Easements and Party Wall Rights for Wellington Park Homeowners' Association (the "Second Amendment"), dated this 6th day of June, 2003 is made and entered into by Wellington Park Homeowners' Association, an Illinois Not For Profit Corporation (hereinafter referred to as "Declarant").

RECITALS:

WHEREAS, Declarant is an Illinois Not For Profit Corporation formed to maintain, operate and manage a homeowners association at the Wellington Park Development, located generally in the 1700 block of West Wellington Street and the 2900 Block of North Paulina Street, in Chicago (the "Property"); and

WHEREAS, members of the Declarant consist of the respective unit owners of the Property (the "Owners") which is improved with Townhomes, Single Family Homes, Common Areas and Publicly Dedicated Streets; and

WHEREAS, a Declaration of Covenants, Conditions, Restrictions, Easements and Party Wall Rights for Wellington Park Homeowners' Association was recorded in the office of the Cook County Recorder on December 11, 2000 as document number 00970524 (the "Declaration"); and

WHEREAS, a Special Amendment to the Declaration was recorded on October 25, 2002 as document number 0021179008 (the "Special Amendment"); and

WHEREAS, pursuant to Section 13.1 of the Declaration, the covenants and restrictions may be amended by an instrument approved by seventy-five percent (75%) of the Owners; and

WHEREAS, the required number of Owners wish to record this Second Amendment which shall hereinafter amend the Declaration and Special Amendment for

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purposes of changing the composition of the Board of Managers of the Association and for purposes of changing the composition of the Architectural Control Committee.

NOW, THEREFORE, Declarant hereby declares that this Second Amendment to the Declaration shall be binding upon and inure to the benefit of each existing Owner (as described in Section 1.20 of the Declaration), the Wellington Park Homeowners' Association, and all parties hereafter having or acquiring any right, title or interest in any portion of the Premises, and shall run with the land, to be held, sold and conveyed subject thereto. Declarant hereby declares that the Declaration is hereby amended as follows:

1. Article 2.7 of the Declaration entitled *Election of Managers by Voting Members* shall be amended as follows. The last sentence of the paragraph, as amended, shall be deleted and replaced with the following:

"The Board shall consist of the five (5) members who receive the greatest number of votes, provided that at least one seat on the Board shall be filled by a Single Family Home/Lot Owner. However, if no Single Family Home/Lot Owner is a candidate for the board, then the Board may consist of five (5) Townhome Owners."

2. Article 9.1 of the Declaration, as amended, entitled *Architectural Control Committee* shall be deleted and replaced with the following:

"9.1 Architectural Control Committee. The Architectural Control Committee shall consist of at least three (3) persons appointed by the Board. The term and qualifications for the Architectural Control Committee members shall be the same as that for a Board member. The Architectural Control Committee shall act by majority vote."

3. This Second Amendment may be executed in multiple counterparts, each of which shall be deemed to be and shall constitute one and the same instrument.


4. In the event of any conflict between the terms of this Second Amendment and the terms of the Declaration, By-laws and/or the Special Amendment, the terms of the Second Amendment shall prevail.


[Signatures appear on the following page]

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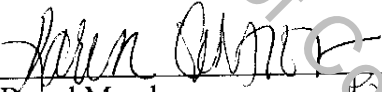
IN WITNESS WHEREOF, the Board has caused this instrument to be executed by its respective members thereunto duly authorized as of the day and year first above written.

WELLINGTON PARK HOMEOWNERS' ASSOCIATION,
an Illinois not-for-profit corporation

BY: 
Board Member **MARK GOLDBERG**

BY: 
Board Member **STEVEN DELLINGER**

BY: 
Board Member **ROBERT DARROW**

BY: 
Board Member **KAREN WHITE**

BY: N/A
Board Member

DeKalb County Clerk's Office

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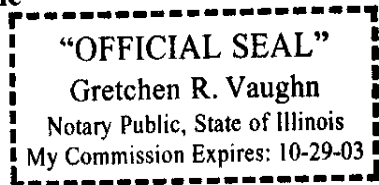
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Gretchen Vaughn, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY, that the aforementioned Board Members of the Wellington Park Homeowners' Association acknowledged that in such capacity, they signed and delivered the said Instrument as their free and voluntary act and as the free and voluntary act and deed of said association for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal, this 6th day of June, 2003.

Gretchen Vaughn
Notary Public

My Commission Expires: 10/29/03



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Exhibit A

Ownership Approval

The following Dwelling Unit Owners, comprising not less than seventy-five (75%) of the Dwelling Units which are subject to the Declaration, hereby approve of the foregoing amendment:

- | | |
|---------------------------------------|-------------------------------|
| <i>[Signature]</i> G-7 | <i>[Signature]</i> F6 ✓ |
| <i>[Signature]</i> D-2 | <i>[Signature]</i> F-34 ✓ |
| <i>[Signature]</i> B1-1 | <i>[Signature]</i> B44 ✓ |
| <i>[Signature]</i> F-1 | <i>[Signature]</i> B21 ✓ |
| <i>[Signature]</i> B2-7 | <i>[Signature]</i> Diana D6 ✓ |
| <i>[Signature]</i> F-13 | BASSANCO NG C4 ✓ |
| <i>[Signature]</i> Rachel Axelrod E-3 | <i>[Signature]</i> G3 ✓ |
| <i>[Signature]</i> C-1 | <i>[Signature]</i> E-9 ✓ |
| <i>[Signature]</i> Wendy Bone E5 | <i>[Signature]</i> E-7 |
| <i>[Signature]</i> F6 | MARK G... E-3 |
| <i>[Signature]</i> E8 | <i>[Signature]</i> S-6 |
| <i>[Signature]</i> B44 | |
| <i>[Signature]</i> E-13 | |
| <i>[Signature]</i> G-5 | |
| <i>[Signature]</i> G-6 | |
| <i>[Signature]</i> A-3 | |
| <i>[Signature]</i> E-11 | |
| <i>[Signature]</i> B41 | |
| <i>[Signature]</i> B3-3 | |
| <i>[Signature]</i> | |

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<u>Stuart Rose (proxy) (owner of 12 units)</u>	<u>Owner B4-3 (proxy)</u>
<u>Kathleen Krist Krueger (proxy)</u>	<u>Owner of B4-5 (proxy)</u>
<u>Mary Mussman (proxy) Delia Diaz (proxy)</u>	<u>Owner of B4-6 (proxy)</u>
<u>J. Allegretti (proxy) Fred Dudak (proxy)</u>	<u>Owner B2-5 (proxy)</u>
<u>Dana Wisnick (proxy) Lynn Evans (proxy)</u>	_____
<u>Leslie Barber (proxy) Daniel Burke (proxy)</u>	_____
<u>Claire LaToraca (proxy) Allison Guttman (proxy)</u>	_____
<u>Sarah Stares (proxy) Stephen Hecker (proxy)</u>	_____
<u>Kimberly Stahl (proxy) David Hughes (proxy)</u>	_____
<u>Jack Berger (proxy) Jonathan Marks (proxy)</u>	_____
<u>Melissa Conway (proxy) Anna Twisher (proxy)</u>	_____
<u>John Krembs (proxy) Jeff Hart (proxy)</u>	_____
<u>Scott Holford (proxy) Belma Bulthazar (proxy)</u>	_____
<u>Millie Rosenbloom (proxy) Jennifer Seuring (proxy)</u>	_____
<u>Robert Travis (proxy) Mimi Almase (proxy)</u>	_____
<u>Josephine Kyore (proxy) Mark Warless (proxy)</u>	_____
<u>Laura Grady (proxy) Sigi Lays (proxy)</u>	_____
<u>Howard Kim (proxy) Michael Harahan (proxy)</u>	_____
<u>Tom Witt (proxy) S Abdullah (proxy)</u>	_____
<u>Richard Cray (proxy)</u>	_____
<u>Scott Silverman (proxy) Carol Stone (proxy)</u>	_____
<u>Alfred Cardillo (proxy) Tony Krueger (proxy)</u>	_____
<u>James Delord (proxy)</u>	_____

UNOFFICIAL COPY**Exhibit B****Legal Description**

PARCEL A:

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LOTS 1 THROUGH ~~AND~~ INCLUDING 13 IN THE WELLINGTON PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER 09079864 IN COOK COUNTY ILLINOIS.

PARCEL B:

LOTS 1 THROUGH ~~AND~~ INCLUDING 20 IN THE RESUBDIVISION OF LOTS 8, 9, 10, 11 AND 12 AND PARTS OF PRIVATE STREETS IN WELLINGTON PARK SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT 00954797 IN COOK COUNTY, ILLINOIS.

PIN NUMBERS:

14-30-223-043; -044; -045; -046; -047; -048; -049; -055; -060; -061; -062; -063; -064; -065; -066; -067; -068; -069; -070; -071; -072; -073; -074; -075; -076; -077; -078; -079; -080

Common Addresses in the 2900 Block of N. Paulina; the 2900 Block of N. Hermitage Avenue; the 1700 Block of W. Wellington; and the 1700 block of W. George Streets