

UNOFFICIAL COPY



0321250117

Eugene "Gene" Moore Fee: \$40.00
Cook County Recorder of Deeds
Date: 07/31/2003 03:41 PM Pg: 1 of 9

**AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR
AVENUE B TOWNHOME HOMEOWNER'S ASSOCIATION**

Affects prior document 99667121

P.I.N.s of affected real-estate:
14-30-203-008-0000 and
14-30-203-037-0000

Legal Description Attached

Return to:
Thomas Wait
2033 Sherman Ave. Suite 403
Evanston, IL 60201
(847) 491-0362

9/1/03

STATE OF ILLINOIS
COUNTY OF COOK

UNOFFICIAL COPY

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS
AND EASEMENTS FOR AVENUE B TOWNHOME HOMEOWNERS' ASSOCIATION

This document is recorded for the purpose of amending the Declaration of the Avenue B Townhome Homeowners' Association recorded on July 13, 1999 as document number 99667121 in the office of the Recorder of Deeds, Cook County, IL and covers the property legally described in Exhibits A and B of said Declaration.

This amendment is adopted pursuant to the provisions of ARTICLE XI, Section 11.2 of said Declaration. Said section provides that the Declaration may be amended by an instrument executed and acknowledged by the Board and approved by the Owner's of not less than three-fourths (3/4) of the Lots which are subject to the provisions of the Declaration.

WITNESSETH

WHEREAS, the Board of Directors of the Avenue B Townhome Homeowners' Association desire to amend Section 8.3 of the Declaration; and

WHEREAS, this amendment is signed and acknowledged by the Board of Directors and approved by the Owners (either in person or by proxy) representing at least three fourths (3/4) of the Lots subject to the Declaration; and

WHEREFORE, Section 8.3 of Article VIII of the Declaration for Avenue B Townhome Homeowners' Association be declared amended as follows;

8.3 Maintenance, Repair and Replacement of Lots and Dwelling Units

Each Owner shall maintain such Owner's Lot as well as the interior and exterior portions of such Owner's Dwelling Unit. When necessary, each Owner shall repair such Owner's Lot as well repair or replace the interior and exterior portions of such Owner's Dwelling Unit. The cost to maintain, repair or replace the Lot and Dwelling Unit shall be borne by the Owner of the respective Lot. The portion of the roof which is attached, affixed or otherwise connected to the Dwelling Unit shall be considered an exterior portion of that Dwelling Unit.

In the event that any Owner is unreasonably derelict in Lot or Dwelling Unit maintenance, repair or replacement, the Board shall have the right, but not the obligation, to enter any portion of the Lot or Dwelling Unit for purposes of performing reasonable maintenance, repair or replacement, with said cost to be immediately added to the Owner's assessment and to be enforced and paid pursuant to ARTICLE IV of the Declaration.

UNOFFICIAL COPY

The Board shall determine in its reasonable discretion, if and when the entire roof, shall be repaired or replaced. In the event the Board determines that it is necessary to repair or replace the entire roof, covering all Dwelling Units, the expense shall be borne by the Association. In said event, the following rules shall apply:

- i) The Association, as directed by the Board, shall remove all decks, railings, additions and other obstructions to roof repair or replacement.
- ii) The Association shall not reinstall decks, railings, additions or other material removed for roof repair or replacement. Said reinstallation shall be the responsibility and sole expense of the Lot Owner.
- iii) During the period of roof repair or replacement, ARTICLE V Section 5.3, paragraph (e) and (i) shall be suspended so that Owners are permitted to store removed decks, railings, additions and related deck material within their garage during repair or replacement.
- iv) In the event an Owner chooses to reinstall it's deck, railings or additions with the same material and in the same placement, condition and manner as existed prior to roof repair or replacement, ARTICLE VI shall not apply.
- v) In the event an Owner chooses to reinstall it's deck, railings or additions with new material or in a different placement, condition or manner as existed prior to roof repair or replacement, ARTICLE VI shall apply.

The provisions of ARTICLE IV, Section 4.2 of the Declaration, which refer to Section 8.3 shall apply to this amended Section 8.3 of ARTICLE VIII.

Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms. This amendment does not affect the rights of any mortgagee or trust deed on any Lot.

Avenue B Townhome Homeowners' Association

By: Sue Ann Samuelson
It's President

STATE OF ILLINOIS
COUNTY OF COOK) SS.

The undersigned, a notary public in and for the above county and state, certifies that SUE ANN SAMUELSON, known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me in person and acknowledged signing and delivering the instrument as his/her free and voluntary act, for the uses and purposes therein set forth, and certify to the correctness of the signature.

WITNESS my hand and official seal

Ivana Traven

NOTARY PUBLIC

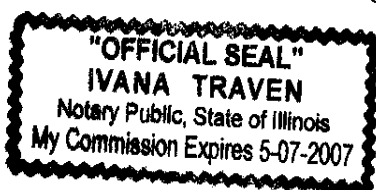
6-27-03

DATE

5-7-2007

COMMISSION EXPIRES

313265_2.DOC



UNOFFICIAL COPY

By: Sue Ann Samuelson
It's Secretary

STATE OF ILLINOIS
COUNTY OF COOK } SS.

The undersigned, a notary public in and for the above county and state, certifies that SUE ANN SAMUELSON, known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me in person and acknowledged signing and delivering the instrument as his/her free and voluntary act, for the uses and purposes therein set forth, and certify to the correctness of the signature.

WITNESS my hand and official seal

Ivana Traven
NOTARY PUBLIC



6-27-03
DATE

5-7-2007
COMMISSION EXPIRES

By: Michael R. Hartley
It's Treasurer

STATE OF ILLINOIS
COUNTY OF COOK } SS.

The undersigned, a notary public in and for the above county and state, certifies that MICHAEL R. HARTLEY, known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me in person and acknowledged signing and delivering the instrument as his/her free and voluntary act, for the uses and purposes therein set forth, and certify to the correctness of the signature.

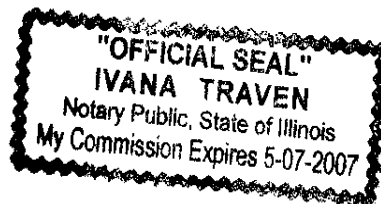
WITNESS my hand and official seal

Ivana Traven
NOTARY PUBLIC

6-27-03
DATE

5-7-2007
COMMISSION EXPIRES

This document was prepared by and
MAIL TO AFTER RECORDING to:
Thomas Wait
Attorney at Law
2033 Sherman Ave. S-403
Evanston, IL 60201



AMENDMENT: ARTICLE VIII, Section 8.3

UNOFFICIAL COPY

Avenue B Townhome Homeowner's Association

On the 15th day of MAY, 2003 the provisions of ARTICLE VIII of this Declaration for the Avenue B Townhome Homeowner's Association were amended pursuant to the approval of not less than three-fourths (3/4) of the Lots which are subject to the provisions of this Declaration, and containing an affidavit by an officer of the board certifying that a copy of the amendment was mailed, by certified mail to all first mortgagees having bona fide liens or record against any Lot, no less than five (5) days prior to the date of such affidavit.

The amendment does not affect the rights of any mortgagee or trust deed on any Lot.

Sue Ann Samuelson 6/1/03
President & Date

Sue Ann Samuelson 6/1/03
Secretary & Date

W. R. H. 6.1.03
Treasurer & Date

Cook County Clerk's Office

UNOFFICIAL COPY

Avenue B Townhome Homeowner's Association

STATE OF ILLINOIS)
COUNTY OF COOK)

On the 15th day of MAY, 2003 the provisions of ARTICLE VIII, Section 8.3 of the Declaration of the Avenue B Townhome Homeowners' Association recorded on July 13, 1999 as document number 99667121 in the office of the Recorder of Deeds, Cook County, IL was amended pursuant to the approval of not less than three-fourths (3/4) of the Lots which are subject to the provisions of the Declaration of home ownership. A copy of the amendment is attached hereto.

I, SUE ANN SAMUELSON, Secretary of the Board of Managers for the Avenue B Townhome Homeowner's Association do hereby swear under oath, and certify that pursuant to the terms of the Declaration I mailed a copy of the amendment, by certified mail, to all first mortgages having bona fide liens or record against any Lot contained in the Declaration no less than five (5) days prior to the date of the signing of this affidavit.

The amendment does not affect the rights of any mortgagee or trust deed on any Lot.

Sue Ann Samuelson
Secretary
Avenue B Townhome Homeowners' Association

STATE OF ILLINOIS
COUNTY OF COOK } SS.

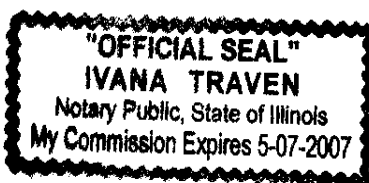
The undersigned, a notary public in and for the above county and state, certifies that SUE ANN SAMUELSON, known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me in person and acknowledged signing and delivering the instrument as his/her free and voluntary act, for the uses and purposes therein set forth, and certify to the correctness of the signature.

WITNESS my hand and official seal

Ivana Traven
NOTARY PUBLIC

6 27 03
DATE

5-7-2007
COMMISSION EXPIRES



UNOFFICIAL COPY**PARCEL 1:**

LOTS 12 THROUGH 19, BOTH INCLUSIVE, IN EUGENE F. PRUSSING'S ADDITION TO LAKE VIEW, A SUBDIVISION OF THE NORTH ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 20 THROUGH 23 (EXCEPT THE WEST 4 FEET 1 ½ INCHES OF LOT 23) IN EUGENE F. PRUSSING'S ADDITION TO LAKE VIEW, A SUBDIVISION OF THE NORTH ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXCEPT FOR THE FOLLOWING DESCRIBED PROPERTY:

Legal Description (Unit 9):

THAT PART OF LOTS 19 AND 20 IN EUGENE F. PRUSSING'S ADDITION TO LAKE VIEW, A SUBDIVISION OF THE NORTH ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID LOT 19, ALSO BEING THE SOUTHEAST CORNER OF AFORESAID LOT 20; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 20, 11.55 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST, 65.72 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 10.33 FEET TO A POINT OF INTERSECTION WITH THE LINE COMMON TO AFORESAID LOTS 19 AND 20; THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 9.68 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST, 65.72 FEET TO THE SOUTH LINE OF SAID LOT 19; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 19, 9.46 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Legal Description (Unit 10):

PARCEL 1: THAT PART OF LOTS 20 AND 21 IN EUGENE F. PRUSSING'S ADDITION TO LAKE VIEW, A SUBDIVISION OF THE NORTH ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID LOT 21, ALSO BEING THE SOUTHWEST CORNER OF AFORESAID LOT 20; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 21, 3.40 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST, 65.72 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 3.21 FEET TO THE EAST LINE OF SAID LOT 21, ALSO BEING THE WEST LINE OF SAID LOT 20; THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 14.74 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST, 65.42 FEET TO THE SOUTH LINE OF SAID LOT 20; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 20, 14.54 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Legal Description (Unit 12):

THAT PART OF LOTS 21 AND 22 IN EUGENE F. PRUSSING'S ADDITION TO LAKE VIEW, A SUBDIVISION OF THE NORTH ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

UNOFFICIAL COPY

BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID LOT 21, ALSO BEING THE SOUTHEAST CORNER OF AFORESAID LOT 22; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 22, 16.64 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST, 65.72 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 16.44 FEET TO A POINT OF INTERSECTION WITH THE LINE COMMON TO AFORESAID LOTS 21 AND 22; THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 1.82 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST, 65.72 FEET TO THE SOUTH LINE OF SAID LOT 21; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 21, 1.62 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

UNOFFICIAL COPY**Legal Description (Unit 9):**

THAT PART OF LOTS 19 AND 20 IN EUGENE F. PRUSSING'S ADDITION TO LAKE VIEW, A SUBDIVISION OF THE NORTH ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID LOT 19, ALSO BEING THE SOUTHEAST CORNER OF AFORESAID LOT 20; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 20, 10.55 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST, 65.72 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 10.33 FEET TO A POINT OF INTERSECTION WITH THE LINE COMMON TO AFORESAID LOTS 19 AND 20; THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 9.68 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST, 65.72 FEET TO THE SOUTH LINE OF SAID LOT 19; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 19, 9.46 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Legal Description (Unit 10):

PARCEL 1: THAT PART OF LOTS 20 AND 21 IN EUGENE F. PRUSSING'S ADDITION TO LAKE VIEW, A SUBDIVISION OF THE NORTH ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID LOT 21, ALSO BEING THE SOUTHWEST CORNER OF AFORESAID LOT 20; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 21, 3.40 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST, 65.72 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 3.21 FEET TO THE EAST LINE OF SAID LOT 21, ALSO BEING THE WEST LINE OF SAID LOT 20; THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 14.74 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST, 65.42 FEET TO THE SOUTH LINE OF SAID LOT 20; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 20, 14.54 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

Legal Description (Unit 12):

THAT PART OF LOTS 21 AND 22 IN EUGENE F. PRUSSING'S ADDITION TO LAKE VIEW, A SUBDIVISION OF THE NORTH ¼ OF THE NORTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF AFORESAID LOT 21, ALSO BEING THE SOUTHWEST CORNER OF AFORESAID LOT 22; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 22, 16.64 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 13 SECONDS EAST, 65.72 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 16.44 FEET TO A POINT OF INTERSECTION WITH THE LINE COMMON TO AFORESAID LOTS 21 AND 22; THENCE CONTINUING NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 1.82 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 13 SECONDS WEST, 65.72 FEET TO THE SOUTH LINE OF SAID LOT 21; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 21, 1.62 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.