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Eugene "Gene" Moore Fee: \$36.00  
Cook County Recorder of Deeds  
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THIS DOCUMENT WAS  
PREPARED BY AND AFTER  
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MAIL TO:

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Suite 1100  
Chicago, Illinois 60604-2480  
312-372-4000

(For Recorder's Use)

**FIRST AMENDMENT  
TO DECLARATION OF CONDOMINIUM  
PURSUANT TO THE CONDOMINIUM PROPERTY ACT  
FOR  
BLUE MOON LOFTS CONDOMINIUM**

WHEREAS, the unit owners of the certain condominium properties known and legally described as:

Units B-201, B-202, B-203, B-204, B-205, B-207, B-208, B-209, B-210, B-301, B-302, B-303, B-304, B-305, B-306, B-307, B-308, B-309, B-310, A-301, A-302, A-303, A-304, A-305, A-306, A-307, A-308, A-309, A-310, A-311, A-312, A-313, A-314, B-401, B-402, B-403, B-404, B-405, B-406, B-407, B-408, B-409, B-410, A-401, A-402, A-403, A-404, A-405, A-406, A-407, A-408, A-409, A-410, B-501, B-502, B-503, B-504, B-505, B-506, B-507, B-508, B-509, B-510, B-601, B-602, B-603, B-604, B-605, B-606, B-607, B-608, B-609, and B-610, P-01, P-02, P-03, P-04, P-05, P-06, P-07, P-08, P-09, P-10, P-11, P-12, P-13, P-14, P-15, P-16, P-17, P-18, P-19, P-20, P-21, P-22, P-23, P-24, P-25, P-26, P-27, P-28, P-29, P-30, P-31, P-32, P-33, P-34, P-35, P-36, P-37, P-38, P-39, P-40, P-41, P-42, P-43, P-44, P-45, P-46, P-47, P-48, P-49, P-50, P-51, P-52, P-53, P-54, P-55, P-56, P-57, P-58, P-59, P-60, P-61, P-62, P-63, P-64, P-65, P-66, P-67, P-68, P-69, P-70, P-71, P-72, P-73, Retail-A1, Retail-A2, Retail-B1 and Retail-B2, in Blue Moon Lofts Condominium, as delineated on a survey attached to the Declaration of Condominium Pursuant to the Condominium Property Act for the Blue Moon Lofts Condominium recorded on September 8, 2000, as Document No. 00696706 in the Office of the Recorder of Deeds, Cook County, Illinois, as to the following land:

**UNOFFICIAL COPY****PARCEL 1:**

Lots 11 through 20, Inclusive, in the S.S. Hayes Subdivision of Block 24 in Carpenter's Addition to Chicago, a subdivision of the Southeast 1/4 of Section 8, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois.

**PARCEL 2:**

All of the vacated north and south alley lying easterly of and adjoining the easterly lines of Lots 11,14,15,18 and 19 and lying westerly of and adjoining the westerly lines of Lots 12,13,16,17 and 20 all in S.S. Hayes Subdivision of Block 24 in Carpenter's Addition to Chicago, a subdivision of the Southeast 1/4 of Section 8, Township 39 North, Range 14 East of the Third Principal Meridian in Cook County, Illinois,

and commonly known as 215 N. Aberdeen Street/212 N. Carpenter Street, Chicago, Cook County, Illinois,

the same being those condominium properties commonly known, collectively, as **THE BLUE MOON LOFTS CONDOMINIUM**, desire hereby to amend the Declaration of Condominium Pursuant to the Condominium Property Act for the Blue Moon Lofts Condominium recorded on September 8, 2000, as Document No. 00696706 in the Office of the Recorder of Deeds, Cook County, Illinois (hereinafter referred to as the Declaration"); and

**WHEREAS**, it is the purpose of this First Amendment to the Declaration to amend Exhibit "C" to the Declaration, to-wit: the By-Laws of Blue Moon Lofts Condominium Association, an Illinois not-for-profit corporation, in order to promote, improve and facilitate the efficient administration, management and operation of the condominium property and the Blue Moon Lofts Condominium Association, an Illinois not-for-profit corporation; and

**WHEREAS**, pursuant to Article XI of the said By-Laws, the By-Laws may be altered, amended, repealed and new By-Laws adopted upon the affirmative vote of 66 2/3% of all of the members at a regular meeting or at any special meeting called for such purpose; and

**WHEREAS**, except as be modified, amended or restated by reason of the matters and provisions hereinafter set forth, the Declaration, as aforesaid, is and shall be the basic document (and shall be so referred to hereinafter) establishing and affecting the condominium status and ownership of and in the real estate legally described above, and said basic document together with this document, taken together, shall, subject to future restatement and amendment, constitute one document creating, establishing and controlling the ownership, and the conduct appurtenant thereto, in and of the condominium in said documents named and described.

**NOW, THEREFORE**, in consideration of the foregoing recitals, which are incorporated herein by reference, the By-Laws of the Blue Moon Loft Condominium Association, an Illinois not-

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for-profit corporation, which are attached to the Declaration as Exhibit "C", are hereby amended as follows:

1. Article IV, Section 2, of the By-Laws is deleted in its entirety and is replaced with the following:

Section 2. Number. Tenure and Qualifications.

- a. Until the annual meeting of members in the year 2003, the number of members of the Board shall be seven (7). Commencing with the annual meeting of the members in the year 2003 and in successive years, the number of members of the Board shall be five (5).
- b. Five (5) Board members shall be elected at the annual meeting of the members in the year 2003. The three (3) Board members receiving the highest number of votes at the annual meeting of the members in the year 2003 shall be elected to the Board for a term of two (2) years and shall serve until their respective successors shall have been duly elected and qualified. The two (2) persons receiving the next highest number of votes shall be elected to the Board for a term of one (1) year and shall serve until their respective successors have been duly elected and qualified. In the event of a tie, the Board shall determine which Board members shall have the two (2) year terms and which Board members shall have the one (1) year terms. Upon the expiration of the terms of office of the Board members, successors shall be elected for a term of two (2) years each.
- c. All members of the Board shall be elected at large. Each member of the Board shall hold office without compensation. In the event that a member of the Board is a legal entity other than a natural person or person, then any shareholder, officer or director of such corporation, partner of such partnership, beneficiary or individual trustee of such trust, or manager of such other legal entity, may be eligible to serve as a member of the Board.
- d. Notwithstanding the above, only one person from each Unit

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may be a member of the Board. A member of the Board may succeed himself in office.

2. Article IV, Section 2, of the By-Laws is deleted in its entirety and is replaced with the following:

## Section 9. Vacancies.

- a. Any vacancy occurring in the Board by reason of death, removal or resignation of a member of the Board shall be filled by a two-thirds vote of the remaining members of the Board. A member elected to fill a vacancy shall be elected until the next annual meeting of the members of the Association; provided that if a petition signed by members of the Association holding 20% of the votes in the Association requesting a meeting of the members to fill the vacancy for the balance of the unexpired term of his or her predecessor, the term of the member so elected by the Board shall terminate 30 days after the filing of the petition and a meeting of the members for the purpose of filling such vacancy for such unexpired term shall be called no later than 30 days following the filing of such petition. Members of the Board may resign at any time by written resignation delivered or mailed to any officer of the Association, which resignation shall be effective upon receipt of said resignation. If as the result of death, removal or resignation of a member of the Board, no member of the Board remains in office, a special meeting of the members of the Association may be called to fill all vacancies for the unexpired term of the members of the Board.
- b. The following shall apply in the event that the vacancy occurring in the Board is filled by a two-thirds vote of the remaining members of the Board:
- i. In the event that the term of the Board member (whose position is vacant by reason of death, removal or resignation) expires at the next annual meeting of the members, the successor shall be elected at the next annual meeting of the members for a term of two (2) years.
  - ii. In the event that the term of the Board member

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(whose position is vacant by reason of death, removal or resignation) does not expire at the next annual meeting of the members, the successor shall be elected at the next annual meeting of the members for a term of one (1) year.

3. Article III, Section 5, of the By-Laws is deleted in its entirety and is replaced with the following:

Section 5. Quorum. The members present at a meeting in person or by proxy, holding 20% of the votes which may be cast at any meeting, shall constitute a quorum at such meeting. If a quorum is not present at the commencement of any meeting of members, the meeting shall be adjourned and may only be called again in accordance with the provisions of these By-Laws.

THE ABOVE AMENDMENTS WERE VOTED ON AND APPROVED BY THE MEMBERS OF THE BOARD OF MANAGERS OF BLUE MOON LOFTS CONDOMINIUM ASSOCIATION, AN ILLINOIS NOT-FOR-PROFIT CORPORATION, AND BY MORE THAN 66 2/3% OF THE MEMBERS AT A MEETING HELD ON August 20, 2003.

**BLUE MOON LOFTS CONDOMINIUM ASSOCIATION, an Illinois not-for-profit corporation**

By: Jim Wheat  
Its President

Attest:

By: Augusta B...  
Its Secretary

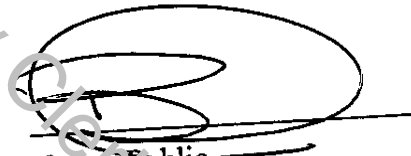
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## ATTESTATION

STATE OF ILLINOIS        )  
   ) SS  
 COUNTY OF COOK         )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that TONI WHEAT, personally known to me to be the President of BLUE MOON LOFTS CONDOMINIUM, an Illinois not-for-profit corporation, and JENNIFER BEVANS, personally known to me to be the Secretary of said corporation, and 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 severally acknowledged that as such President and Secretary, they signed and delivered the said instrument, pursuant to authority given by the Board of Managers of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 21 day of SEPT., 2007.

  
 Notary Public



My Commission expires on 8/21, 2007.

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## AFFIDAVIT

The undersigned, being the President of the Blue Moon Lofts Condominium Association, an Illinois not-for-profit corporation, certifies that on Aug 20, 2003, as required by Article XI of the By-Laws of the Blue Moon Lofts Condominium Association, an Illinois not-for-profit corporation, certifies that the necessary affirmative vote of the members of the Blue Moon Lofts Condominium Association, an Illinois not-for-profit corporation, authorizing the foregoing First Amendment to the Declaration of Condominium Pursuant to the Condominium Property Act for the Blue Moon Lofts Condominium has been obtained.

Jon Wheat

Subscribed and sworn before me  
this 9 day of SEPT, 2003.

[Signature]  
Notary Public

My Commission expires on 8/21, 2007.

