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SECOND AMENDMENT TO THE

DECLARATION OF CONDOMINIUM OWNERSHIP FOR

915 MONTANA CONDOMINIUM

This Second Amendment to the Declaration of Condominium Ownership for 915 Montana Condominium ("First Amendment") is made as of February 17, 2004,

by the Board of Managers of The 915 West Montana Condominium Association, an Illinois not-for-profit corporation.



Doc#: 0405532130
Eugene "Gene" Moore Fee: \$34.50
Cook County Recorder of Deeds
Date: 02/24/2004 03:11 PM Pg: 1 of 6

RECITALS

- A. On September __, 1979, The Declaration of Condominium Ownership for 915 Montana Condominium (the "Declaration") was recorded in the office of the Registrar of Titles, Cook County, Illinois as Document Number 31-20-127.
- B. On November 18, 1999, the first Amendment to Declaration of Condominium Ownership for 915 Montana Condominium was recorded with the Cook County Recorder of Deeds as Document Number 09088388 (the "First Amendment"). The First Amendment modified the Declaration by adding subsection (C) to Article IX, which provided that a Unit must be occupied by a Unit Owner for a period of at least one year from the date of closing before that Unit may be leased to another person, and stated the intent of such amendment was to discourage absentee Unit ownership and the purchase of Units for investment only.
- C. Article VII of the Declaration provides that the By-laws may be amended or modified from time to time by action or approval of three-fourths (3/4) of the total ownership of the Common Elements.
- D. On December 15, 2000, the Unit owners held a meeting at which a quorum was present for the purpose of voting on a further restriction on the rental of Units and after due notice, three-fourths (3/4) of the total ownership of the Common Elements voted to pass the proposed restriction on the rental of Units, as set forth below.

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- E. The Board of Managers desires to implement this restriction by causing this Second Amendment to be recorded with the Recorder of Deeds of Cook County, Illinois, as provided by the Declaration and the Illinois Condominium Property Act.
- F. The legal description for the 915 Montana Condominium is attached hereto as Exhibit "A"; and the Secretary's Certificate certifying the vote taken at the Unit Owners' meeting on December 15, 2000 is attached hereto as Exhibit "B".

NOW, THEREFORE, for the purposes above set forth, The Board of Managers of The 915 Montana Condominium Association hereby DECLARES AS FOLLOWS:

ARTICLE I DEFINITIONS

All of the terms set forth in capital letters in this Second Amendment shall have their same meaning as defined in the Declaration, except as expressly otherwise set forth herein.

ARTICLE II AMENDMENT OF ARTICLE IX (C) RESTRICTION ON RENTAL

Article IX (C) Restriction on Rental is hereby deleted in its entirety and the following shall be substituted for the new Section (C):

- C. Restriction on Rental. Notwithstanding any provision in this Declaration to the contrary, a Unit must be occupied by a Unit Owner and may not be leased to any other person for the one-year period commencing on the date of the closing of the purchase of such Unit by such Unit Owner and terminating three hundred sixty-five (365) days thereafter. It is the intent of this provision to discourage absentee Unit ownership and the purchase of a Unit for investment purposes only. A transaction which technically complies with this Article IX, Section C but violates the spirit and intent hereof shall be deemed to be a violation of this provision. The Board and the Association shall have each and every right and remedy stated in the Declaration and the Act to enforce the provisions stated in this Articles IX, Section C.

In addition to the foregoing, no Unit Owner will be granted permission to lease his or her Unit to another person at any time when the ratio of Owner-occupied Units to non-Owner-occupied Units within the Condominium is 65%/35% or more, existing at the time of the lease application. This ratio is effective as of December 15, 2000. All applications to lease a Unit must be made to the Board of Managers in writing and accompanied by a copy of the proposed lease, and the Board of Managers shall respond to such application within 14 days of receipt of the application. A Unit Owner who wishes to lease his or her Unit to another person may be placed on a waiting list to become the next Owner permitted to lease out his or her Unit when the ratio of Owner-occupied Units to non-Owner-occupied Units permits, by making such a request in writing to the Board of Managers.

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EXHIBIT A

THE 915 MONTANA CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 54 AND 55 IN SHELDON, WESTON AND STONE'S SUBDIVISION OF THE EAST 10 ACRES OF OUT LOT 19 OF THE CANAL TRUSTEES SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM FILED AS DOCUMENT LR 3120127 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS

P.I.N.s 14-29-427-057-1001 through -1018

Commonly known as 915 W. Montana Chicago, IL 60614

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EXHIBIT B

Lori Condie, Secretary of the Board of Managers of The 915 Montana Condominium Association, hereby certifies as follows:

1. On December 15, 2000, I was the duly elected President of the Board of Managers of The 915 Montana Condominium Association, and as such President, I attended the Unit Owner's meeting held that day.
2. At the meeting held on December 15, 2000, at which a quorum of Unit Owners were present, a vote was taken on whether to further restrict the leasing of Units. Upon motion duly made and seconded, the vote was affirmed by at least three-fourths (3/4) of the Unit Owners present. The action taken was to limit the number of Unit Owners permitted to lease out their Units so that at any given time, the ratio of Owner-occupied Units within the Condominium to non-Owner-occupied Units would never fall below .65/.35.
3. Sheila Creed reflected this action and this vote in the Minutes she prepared as the then Secretary of the Board of Managers of The 915 Montana Condominium Association. These Minutes were approved by the Board of Managers at the next Board meeting, without amendment.
4. I am the currently acting Secretary of the Board of Managers of The 915 Montana Condominium Association and the Minutes of the December 15, 2000 meeting are part of the business records kept by the Board. These Minutes are true and accurate in substance and fact.

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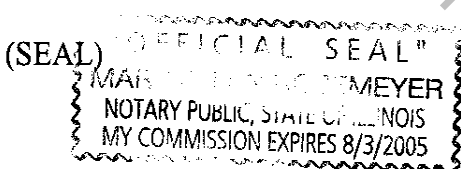
Lori Condie

Lori Condie, Secretary of the Board of Managers
The 915 Montana Condominium Association

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

The undersigned, a notary public in and for the county in the state aforesaid, do hereby certify that Lori Condie, personally known to me to be the Secretary of The 915 Montana Condominium Association, an Illinois not-for-profit corporation, appeared before me this day in person, and acknowledged that she signed and delivered the foregoing instrument as her free and voluntary act and the free and voluntary act of said corporation, for the uses and purposes set forth therein.

Given under my hand and official seal this 20 day of February, 2004.



Mary Ellen Rosemeyer
NOTARY PUBLIC

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