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Eugene "Gene" Moore Fee: \$32.50  
Cook County Recorder of Deeds  
Date: 03/23/2004 03:47 PM Pg: 1 of 5

FORM NFP 102.10 (rev. Dec. 2003)  
ARTICLES OF INCORPORATION  
General Not For Profit Corporation Act

Jesse White, Secretary of State  
Department of Business Services  
Springfield, IL 62756  
Telephone (217) 782-9522  
www.cyberdriveillinois.com



CP0625211

Cashier's  
check

payable to the Secretary of State.

Jesse White Secretary of State

DATE FILED: 3/10/2004

File # 63407429

Filing Fee: \$ 50.00 Approved:

PHS

Submit in duplicate

Type or Print clearly in black ink

Do not write above this line

Article 1. The name of the corporation is: LA LEGENDA CONDOMINIUM ASSOCIATION

Article 2. The name and address of the initial registered agent and registered office are:

Registered Agent KENNETH W. BOSWORTH

First Name Middle Name Last Name

Registered Office 180 N. LASALLE STREET, SUITE 3700

Number Street (Suite #) (A P.O. Box alone is not acceptable)  
CHICAGO IL 60601 COOK  
City ZIP Code County

Article 3. The first Board of Directors shall be 3 in number, their names and addresses being as follows:  
(Not less than three)

Directors Names	Street Address	City	State	ZIP Code
JAMES TOPPS	6654 GRANDE ORCHARD WAY,	DEL RAY BEACH,	FLORIDA	33446
GAIL TOPPS	6654 GRANDE ORCHARD WAY,	DEL RAY BEACH,	FLORIDA	33446
FARAH TOPPS	1344 N. DEARBORN,	CHICAGO,	ILLINOIS	60610

Article 4. The purposes for which the corporation is organized are:  
SEE ATTACHED

(over)

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Article 4. (continued)

Is this corporation a Condominium Association as established under the Condominium Property Act?  
 Yes     No    *(Check one)*

Is this corporation a Cooperative Housing Corporation as defined in Section 216 of the Internal Revenue Code of 1954?  
 Yes     No    *(Check one)*

Is this corporation a Homeowner's Association which administers a common-interest community as defined in subsection (c) of Section 9-102 of the code of Civil Procedure?  
 Yes     No

Article 5. Other provisions (please use separate page if additional space is needed):

**SEE ATTACHED**

Article 6. **NAMES & ADDRESSES OF INCORPORATORS**

The undersigned incorporator(s) hereby declare(s), under penalties of perjury, that the statements made in the foregoing Articles of Incorporation are true.

Dated MARCH 9, 2004  
(Month & Day) (Year)

**SIGNATURES AND NAMES**

**POST OFFICE ADDRESS**

1. Kate Kanabay  
Signature  
 Kate A. Kanabay, Incorporator  
Name (please print)

2. \_\_\_\_\_  
Signature  
 \_\_\_\_\_  
Name (please print)

3. \_\_\_\_\_  
Signature  
 \_\_\_\_\_  
Name (please print)

4. \_\_\_\_\_  
Signature  
 \_\_\_\_\_  
Name (please print)

5. \_\_\_\_\_  
Signature  
 \_\_\_\_\_  
Name (please print)

1. 180 N. LaSalle Street, Suite 3700  
Street  
Chicago, Illinois 60601  
City/Town                      State                      ZIP

2. \_\_\_\_\_  
Street  
 \_\_\_\_\_  
City/Town                      State                      ZIP

3. \_\_\_\_\_  
Street  
 \_\_\_\_\_  
City/Town                      State                      ZIP

4. \_\_\_\_\_  
Street  
 \_\_\_\_\_  
City/Town                      State                      ZIP

5. \_\_\_\_\_  
Street  
 \_\_\_\_\_  
City/Town                      State                      ZIP

*(Signatures must be in BLACK INK on original document. Carbon copied, photocopied or rubber stamped signatures may only be used on the duplicate copy.)*

- If a corporation acts as incorporator, the name of the corporation and the state of incorporation shall be shown and the execution shall be by a duly authorized corporate officer. Please print name and title beneath the officer's signature.
- The registered agent cannot be the corporation itself.
- The registered agent may be an individual, resident in this State, or a domestic or foreign corporation, authorized to act as a registered agent.
- The registered office may be, but need not be, the same as its principal office.
- A corporation which is to function as a club, as defined in Section 1-3.24 of the "Liquor Control Act" of 1934, must insert in its purpose clause a statement that it will comply with the State and local laws and ordinances relating to alcoholic liquors.

**FOR INSERTS - USE WHITE PAPER - SIZE 8 1/2 x 11**

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EXHIBIT A  
TO THE  
ARTICLES OF INCORPORATION  
OF  
LA LEGENDA CONDOMINIUM ASSOCIATION

To maintain, operate and manage a condominium residential development located at 1332-40 W. Estes, Chicago, Illinois (the "Association").

The members of the Association shall consist of the respective Unit Owners of the Association located at the above described location in Chicago, Illinois, in the same percentages as their respective ownership interests in the Common Elements of the Condominium Property as defined in the Declaration of Condominium pursuant to the Condominium Property Act for La Legneda Condominium Association, which Declaration will be recorded in the Office of the Recorder of Deeds, Cook County, Illinois.

The membership of each Unit Owner shall terminate when he/she ceases to be a Unit Owner, and upon the sale, transfer or other disposition of his/her ownership interest in the Property, his/her membership in the Association shall automatically be transferred to the new Unit Owner succeeding to such ownership interest.

No part of the monies received by the corporation shall inure to the benefit of any private individual except in accordance with the Illinois Not-For-Profit Corporation Act of 1986.

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## ARTICLE 5 OF THE ARTICLES OF INCORPORATION FOR LA LEGENDA CONDOMINIUM ASSOCIATION, AN ILLINOIS NOT FOR PROFIT CORPORATION

**5.1 Limitation of Director Liability.** No director shall be liable to La LeGenda Condominium Association, an Illinois not for profit corporation ("Corporation") or its members for any mistake of judgment or for any other acts or omissions of any nature whatsoever as a director, except for any acts or omissions found by a court to constitute willful misconduct in the performance of his or her duty as a director.

**5.2. Mandatory Indemnification and Advancement.** The Corporation shall indemnify, in accordance with and to the full extent now or hereafter permitted by law, any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (including, without limitation, an action by or in the right of the Corporation), by reason of his or her acting as a director of the Corporation (or his or her service at the request of the Corporation in any other capacity for or on behalf of the Corporation) against any expenses (including attorneys' fees, judgments, fines, ERISA or other excise taxes, penalties and amounts paid in settlement) actually and reasonably incurred by such person in respect thereof. Expenses that may be subject to indemnification hereunder shall be paid in advance of the final disposition of the action, suit or proceeding to the full extent permitted by applicable law, subject to the Corporation's receipt of any undertaking required thereby. The provisions of this Article shall be deemed to constitute a contract between the Corporation and each director who serves in such capacity at any time while this Article and the relevant provisions of the applicable laws are in effect, and each such director shall be deemed to be serving as such in reliance on the provisions of this Article, and any repeal of any such provisions or of such Article shall not affect any rights or obligations then existing with respect to any state of facts then or theretofore existing or any action, suit or proceeding theretofore or thereafter brought or threatened based in whole or in part upon any such state of facts.

**5.3. Right of Claimant to Bring Suit.** If a claim under Section 5.2 of this Article is not paid in full within thirty days after a written claim has been received by the Corporation, the claimant may at any time thereafter bring suit against the Corporation to recover the unpaid amount of the claim and, if successful in whole or in part, the claimant also shall be entitled to be paid the expense of prosecuting such claim. It shall be a defense to any such action (other than an action brought to enforce a claim for expenses incurred in defending any proceeding in advance of its final disposition where the required undertaking, if any, has been provided to the Corporation) that the claimant has not met the standards of conduct that make it permissible under the applicable laws for the Corporation to indemnify the claimant for the amount claimed, but the burden of proving such defense shall be on the Corporation. Neither the failure of the Corporation to have made a determination prior to the commencement of such action that indemnification of the claimant is proper under the circumstances because the claimant has met the applicable standard of conduct set forth in the applicable laws, nor an actual determination by the Corporation that the claimant has not met such standard of conduct shall be a defense to the action or create a presumption that the claimant has not met the applicable standard of conduct.

**5.4. Other Indemnification Rights.** The rights of indemnification and advancement provided by this Article are not exclusive of any other right to indemnification or advancement provided by law, agreement or otherwise, and shall apply to actions, suits or proceedings commenced after the date hereof, whether or not arising from acts or omissions occurring before or after the adoption hereof, and shall continue as to a person who has ceased to be a director of the Corporation and shall inure to the benefit of the heirs, executors and administrators of such a person.

**5.5. Amendments.** Notwithstanding anything contained in these Articles of Incorporation to the contrary, no amendment to or repeal of this Article, or adoption of any provision of these Articles of Incorporation which has the effect of increasing director liability, shall apply to or have any effect on the rights of any individual referred to in this Article for or with respect to acts or omissions of such individual occurring prior to such amendment or repeal or the adoption of such provision.

**5.6. Severability.** Whenever possible, each provision of these Articles of Incorporation shall be interpreted in such a manner as to be effective and valid under applicable law; but if any provision of these Articles

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of Incorporation or the application of these Articles of Incorporation to any party or circumstance is prohibited by or invalid under applicable law, such provision shall be effective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions hereof or the application of such provision to other parties or circumstances.

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