

# UNOFFICIAL COPY

## AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE ARTHUR PARK CONDOMINIUM ASSOCIATION



Doc#: 0416331005  
Eugene "Gene" Moore Fee: \$38.00  
Cook County Recorder of Deeds  
Date: 06/11/2004 09:13 AM Pg: 1 of 7

For Use By Recorder's Office Only

This document is recorded for the purpose of amending the Declaration of Condominium Ownership (hereafter the "Declaration") for the Arthur Park Condominium Association, (hereafter the "Association"), which Declaration was recorded on May 21, 2001, as Document Number 0010427963, in the Office of the Recorder of Deeds of Cook County, Illinois, and covers the property (hereafter the "Property") legally described in Exhibit "A," which is attached hereto and made a part hereof.

This Amendment is adopted pursuant to the provisions of Paragraph 19 of the aforesaid Declaration. Paragraph 19 provides that the Declaration may be amended by an instrument in writing signed and acknowledged by all of the Board Members and approved by the Unit Owners having at least sixty-seven percent (67%) of the total vote. Paragraph 19 of the Declaration provides that any amendment must also be mailed by Certified Mail to all First Mortgagees of the individual units in the Association. No amendment is effective until recorded.

### RECITALS

**WHEREAS**, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been subjected to the covenants contained therein; and

**WHEREAS**, the Board and the Owners desire to amend the Declaration in order to provide for the orderly operation of the Property; and

**WHEREAS**, the following Amendment has been signed and acknowledged by all of the Board Members; and,

**WHEREAS**, the following Amendment has been approved by the Unit Owners having at least sixty-seven percent (67%) of the total vote, as evidenced by the attached ballots and petitions; and

**WHEREAS**, a copy of the Amendment was mailed by Certified Mail to all of the First Mortgagees of the individual units in the Association, as evidenced by the Certification attached hereto as Exhibit C.

**NOW, THEREFORE**, the Declaration of Condominium Ownership for the Arthur Park Condominium Association is hereby amended in accordance with the text which follows:

This document prepared by and after recording to be returned to:

KERRY T. BARTELL, ESQ.  
Kovitz Shifrin Nesbit  
750 Lake Cook Road  
Suite 350  
Buffalo Grove, IL 60089 — (847) 537-0500

RECORDING FEE 36  
DATE 6-11-4 COPIES 6  
OK BY C. Fitz

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7 PGs

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1. Paragraph 7(a)(i) of the Declaration shall be amended by deleting it in its entirety and replacing it with the following:

(i) Leasing of Units. Notwithstanding any foregoing provisions of this Declaration to the contrary, rental or leasing of Units is prohibited, except as hereinafter provided:

A. Those Units that are leased on the effective date of this Amendment may continue to be leased until the Owner sells or otherwise transfers ownership of the Unit. A copy of all current leases must be on file with the Board of Managers.

B. To meet special situations and to avoid undue hardship or practical difficulties, the Board may, but is not required to, grant permission to a Unit Owner to lease his Unit to a specified lessee for a period of not less than one (1) year on such reasonable terms as the Board may establish. Such permission may be granted by the Board only upon written application by the Unit Owner to the Board. The Board shall respond to each application in writing within thirty (30) days of the submission thereof. All requests for extension of the original lease must also be submitted to the Board in the same manner as set forth for the original application. The Board has sole and complete discretion to approve or disapprove any Unit Owner's application for a lease or extension of a lease. The Board's decision shall be final and binding. Any lease approved by the Board shall be subject to the Declaration, By-Laws and rules and regulations governing the Association.

C. The Board or Directors of the Association shall have the right to lease any Association owned Units or any Unit of which the Association has possession, pursuant to any court order, and said Units shall not be subject to this Amendment.

D. Any Unit being leased out in violation of this Amendment or any Unit Owner found to be in violation of the Rules and Regulations adopted by the Board of Directors may be subject to a flat or daily fine to be determined by the Board of Directors upon notice and an opportunity to be heard.

E. In addition to the authority to levy fines against the Unit Owner for violation of this Amendment or any other provision of the Declaration, By-Laws or Rules and Regulations, the Board shall have all rights and remedies, including but not limited to the right to maintain an action for possession against the Unit Owner and/or their tenant, under 735 ILCS 5/9-111, an action for injunctive and other equitable relief, or an action at law for damages.

F. Any action brought on behalf of the Association and/or the Board of Directors to enforce this Amendment shall subject the Unit Owner to the payment of all costs and attorneys' fees at the time they are incurred by the Association.

G. All unpaid charges as a result of the foregoing shall be deemed to be a lien against the Unit and collectible as any other unpaid regular or special assessment, including late fees and interest on the unpaid balance.

2. This Amendment shall be effective upon recordation in the Office of the Recorder of Deeds of Cook County, Illinois.

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3. Except to the extent expressly set forth hereinabove, the remaining provisions of the Declaration shall continue in effect without change.

This Amendment to the Declaration is signed and acknowledged by all of the Members of the Board:

*[Signature]*  
Signature

3/14/04  
Date

*Colleen Chesny*  
Signature

3.14.2004  
Date

*Susan Briggs*  
Signature

3/14/04  
Date

*[Signature]*  
Signature

3/14/04  
Date

*[Signature]*  
Signature

3-14-04  
Date

Being the Board of Directors  
Arthur Park Condominium Association

PROPERTY OF COOK COUNTY CLERK'S OFFICE

**UNOFFICIAL COPY****EXHIBIT A****LEGAL DESCRIPTION**

LOTS 165 AND 165 IN ARTHUR AVENUE SUBDIVISION OF 26 ACRES IN THE SOUTHWEST ¼ OF SECTION 31, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 4, 1922 AS DOCUMENT NO. 7366967, IN COOK COUNTY, ILLINOIS

PERMANENT TAX NUMBER: 11-31-319-001-0000

Unit Number	Percentage (Rounded)	PIN Number
6447-1	6.195	11-31-319-040-1001
6447-2	6.301	11-31-319-040-1002
6447-3	6.549	11-31-319-040-1003
6449-1	5.734	11-31-319-040-1004
6449-2	5.841	11-31-319-040-1005
6449-3	6.088	11-31-319-040-1006
2025-G	4.779	11-31-319-040-1007
2025-1	5.274	11-31-319-040-1008
2025-2	5.381	11-31-319-040-1009
2025-3	5.628	11-31-319-040-1010
2023-G	4.106	11-31-319-040-1011
2023-1	6.726	11-31-319-040-1012
2023-2	6.832	11-31-319-040-1013
2023-3	6.867	11-31-319-040-1014
2021-1	6.336	11-31-319-040-1015
2021-2	5.558	11-31-319-040-1016
2021-3	5.805	11-31-319-040-1017

100.000

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## EXHIBIT B

### CERTIFICATION AS TO UNIT OWNER APPROVAL

I, Brian Smith, do hereby certify that I am the duly elected and qualified secretary for the Arthur Park Condominium Association, and as such Secretary, I am the keeper of the books and records of the Association.

I further certify that the attached Amendment to the Declaration of Condominium Ownership for the Arthur Park Condominium Association, was duly approved by the affirmative vote of voting members representing at least sixty-seven percent (67%) of the total vote, in accordance with the provisions of Paragraph 13 of the Declaration.

Brian D. Smith  
Secretary

Dated at Chicago, Illinois this

1<sup>ST</sup> day of June, 2004.

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## EXHIBIT C

### CERTIFICATION AS TO MORTGAGEE NOTIFICATION

I, Brian Smith, do hereby certify that I am the duly elected and qualified secretary for the Arthur Park Condominium Association, and as such Secretary, I am the keeper of the books and records of the Association.

I further certify that a copy of this Amendment was mailed by Certified Mail, to all of the First Mortgagees of the individual units in the Association, no less than ten (10) days prior to the date of this Certification, in accordance with Paragraph 19 of the Declaration.

Brian Smith  
Secretary

Subscribed and sworn to before me  
this 1<sup>st</sup> day of June, 2004.

[Signature]  
Notary Public



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## PETITION TO APPROVE AMENDING THE DECLARATION FOR Arthur Park CONDOMINIUM ASSOCIATION

We, the undersigned, do hereby approve the amendment to the Declaration of the Arthur Park Condominium Association, specifically regarding the leasing of units, as attached hereto.

Name (Signature)	Address/ Unit No.	Name and Address of Mortgagee
Krishna Sallua <i>Krishna Sallua</i>	2025 W. Arthur #2C Chicago, IL 60645	ABN AMRO, Loan Admin 2600 W. Big Beaver MD904-470 Troy MI 48064-3326
C.ileen O'Leary <i>C.ileen O'Leary</i>	6447 N. Seeley 3A Chicago, IL 60645	CENDANT MORTGAGE 2001 BISHOPS GATE BLVD. MOUNT LAUREL, N.J. 08054
Patricia L. Palmer <i>Patricia Palmer</i>	6449 N. Seeley 2B Chicago, IL 60645	GMAC Mortgage Corporation PO Box 9001719 Louisville, KY 40290-1719
ERIC T. KRUEGER <i>Eric T. Krueger</i>	6447 N. Seeley 3A Chicago, IL 60645	<del>LA SALLE</del> ABN AMRO 1643 Harrison Pkwy, Bldg A Sunrise, FL 33323
Marc Sirinsky <i>Marc Sirinsky</i>	2025 W. Arthur #2C Chicago, IL 60645	Cendant Mortgage 2001 Bishops Gate Blvd. Mount Laurel, NJ 08054
BRIAN SMITH <i>Brian Smith</i>	2023 W. Arthur D2 Chicago, IL 60645	CROWN BANK P.O. Box 181186 CASSELBERRY, FL 32718-1186
SUSAN SCHMAUDERER-BRIGGS <i>Susan Schmauderer-Briggs</i>	2023 W. ARTHUR 6-D Chicago, IL 60645	None
Michael Sahaop <i>Michael Sahaop</i>	2021 W. Arthur 1E Chicago, IL 60645	GMAC Mortgage Corp PO Box 9001719 Louisville, KY 40290-1719
HADRULLAH WABASHI <i>Hadrullah Wabashi</i>	2023 W. Arthur 60645	Countrywide Home Loans PO Box 5770 Simi Valley, CA 93062
FRANK SANTIACCI <i>Frank Santiacchi</i>	2025 W. ARTHUR 60645	Washington Mutual P.O. Box 70305 CHARLOTTE, NC 28272
KATHY RAYGAN <i>Kathy Raygan</i>	2023 W. Arthur 60645	Soldwell Banker P.O. Box 2112 Palatine IL 60057
Michael Perry <i>Michael Perry</i>	2021 W. Arthur 3C	Chase Manhattan Mortgage Co PO Box 83206, Baltimore MD 21283
<i>Michael Perry</i> Bush Kim Kabashi	6444 AP1A	6445 NORTH AV. CA. 91106 60645 DEVON - DANVILLE