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Doc#: 0510427051  
Eugene "Gene" Moore Fee: \$46.00  
Cook County Recorder of Deeds  
Date: 04/14/2005 10:59 AM Pg: 1 of 12

Arnstein & Lehr  
120 South Riverside Plaza  
Suite 1200  
Chicago, Illinois 60606  
Attn: Robert J. Taylor, Esq.

## SECOND AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP OF THE ANDERSONVILLE MANOR CONDOMINIUMS ASSOCIATION

This document is recorded for the purpose of amending the Declaration of Condominium Ownership (hereafter the "Declaration") for the Andersonville Manor Condominium Association (hereafter the "Association"), which Declaration was recorded on May 24, 1999, as Document No. 99498123 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 thereof.

This amendment is adopted pursuant to the provisions of Article XI, Section 11.01 of the aforesaid Declaration and Section 17 of the Illinois Condominium Property Act (the "Act"). Said provisions provide that this amendment, the text of which is set forth below, shall become effective upon recordation in the Office of the Recorder of Deeds of Cook County, Illinois, of an instrument in writing setting forth the change, provided the same is executed by the President of the Association or such other officer authorized by the Board of Directors of the Association (the "Board"), signed and acknowledged by Unit Owners owning at least sixty-two and two-thirds percent (66 $\frac{2}{3}$ %) of the total ownership of the Common Elements, and provided further that it contains an affidavit by the Secretary of the Association, certifying that a copy of the change has been sent by certified mail to all lienholders of record against any Unit.

### RECITALS

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been submitted to the provisions of the Act; and

WHEREAS, the Board and the Unit Owners desire to amend the Declaration in order to prohibit the leasing or rental of Units with certain limited exceptions; and

RECORDING FEE \$46  
DATE 04-14-05 COPIES 6\*  
BY C. Fitz

12 PG

Box 378  
RJT

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		C.F.

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WHEREAS, the amendment has been executed by the President of the Association or such other officer authorized by the Board, signed and acknowledged by Unit Owners having at least sixty-two and two-thirds percent (66⅔%) of the total ownership of the Common Elements, and due notice having been provided to all lienholders of record against any Unit, all in compliance with Article XI, Section 11.01 of the Declaration and Section 17 of the Act.

NOW THEREFORE, Article VII of the Declaration of Condominium Ownership of the Andersonville Manor Condominiums is hereby amended by addition of a new Section 7.13 in accordance with the text which follows:

1. New Section 7.13

7.13 Rental of a Unit

(a) Rental or leasing of Units except as hereinafter provided in sections (b), (c), (d) and (e) is prohibited.

(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 or rent his Unit to a specified lessee for a period of not more than twelve (12) consecutive months on such other reasonable terms as the Board may establish. Such permission may be granted by the Board only upon the 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 the lease. The Board's decision shall be final and binding.

(c) Any and all leases in force on the date of recording this Amendment are not affected by section 7.13(a); provided, however, that section 7.13(a) shall apply to a Unit that is subject to such lease from and after the earlier of the date that the current term of such lease expires or the date that such lease is otherwise terminated.

(d) The provisions of section 7.13(a) shall not apply to the rental or leasing of Units by the Association through its Board of Directors.

(e) The provisions of Section 7.13(a) shall not apply to former Unit Owners who have sold their Unit and are leasing back the Unit from the new Unit Owners for not more than ninety (90) days after the sale of the Unit.

(f) Copies of all leases in effect must be submitted to the Board within thirty (30) days of the effective date of this Amendment. All leases permitted by this Amendment shall be subject to the terms of the Declaration and the rules established by the Board. The provisions of the Condominium Property Act, the Declaration and rules or regulations that relate to the use of the individual Unit or the Common Elements shall be applicable to any person leasing a Unit and shall be deemed to be incorporated in any

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lease. With regard to any lease, the Unit Owner leasing the Unit shall deliver a copy of the signed lease to the Board or if the lease is oral, a memorandum of the lease, not later than the date of occupancy or ten (10) days after the lease is signed, whichever occurs first. In addition to any other remedies, by filing an action jointly against the tenant and the Unit Owner, the Association may seek to enjoin a tenant from occupying a Unit or seek to evict a tenant under the provisions of Article IX of the Code of Civil Procedure for failure of the lessor-Unit Owner to comply with the leasing requirements prescribed by the Act or by the Declaration and rules or regulations. The Board may proceed directly against a tenant, at law or in equity, or under the provisions of Article IX of the Code of Civil Procedure, for any other breach by a tenant of any covenants, rules or regulations. A Unit Owner may not assign, delegate, transfer, surrender, or avoid the duties, responsibilities, and liabilities of a Unit Owner under the Condominium Property Act, the condominium instruments, or rules and regulations of the Association; and such an attempted assignment, delegation, transfer, surrender, or avoidance shall be deemed void.

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

**END OF TEXT OF AMENDMENT**

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STATE OF ILLINOIS     )  
  )SS  
COUNTY OF COOK     )

I *Janice Maslov*, am the President of the Board of Directors of Andersonville Manor Condominium Association, an Illinois not-for-profit corporation and condominium established by the aforesaid Declaration, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Section 17 of the Illinois Condominium Property Act.

EXECUTED this 17 day of *June*, 2004

BY: *Janice Maslov*  
President

Property of Cook County Clerk's Office

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STATE OF ILLINOIS )  
                                  )  
COUNTY OF COOK )

The undersigned is a (are) member(s) of the Andersonville Manor Condominium Association, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration pursuant to Article XI, Section 11.01 of the Declaration.

EXECUTED this 1<sup>st</sup> day of August 2004.

David Wayne  
Owner's Printed Name

[Signature]  
Owner's Signature

JESSICA Wayne  
Co-Owner's Printed Name

[Signature]  
Co-Owner's Signature

Unit Address: 1473 W Foster Ave, #1W  
Chicago, IL 60640

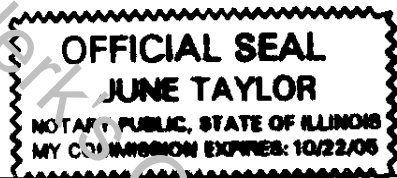
Being owner(s) of Unit # 1W in the Andersonville Condominium Association, and having      % ownership in the common elements.

NOTE: A **NOTARY** MUST COMPLETE ONE OF THE FOLLOWING

Acknowledgment  
(In An Individual Capacity)

This instrument was acknowledged before me on September 21 2004 by David Wayne  
(name of unit owner(s) signing amendment above)

[Signature]  
Notary Public Signature



Acknowledgment  
(In A Representative Capacity)

This instrument was acknowledged before me on \_\_\_\_\_, 2004 by \_\_\_\_\_ as \_\_\_\_\_  
(name) (type of authority, e.g., officer, trustee, etc.)

of \_\_\_\_\_  
( name of unit owner(s) on behalf of whom amendment was signed)

\_\_\_\_\_  
Notary Public Signature

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STATE OF ILLINOIS )  
                                  )  
COUNTY OF COOK )

The undersigned is a (are) member(s) of the Andersonville Manor Condominium Association, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration pursuant to Article XI, Section 11.01 of the Declaration.

EXECUTED this 1<sup>st</sup> day of July Aug. BR 2004.

Beth Richman  
Owner's Printed Name

Beth Richman  
Owner's Signature

\_\_\_\_\_  
Co-Owner's Printed Name

\_\_\_\_\_  
Co-Owner's Signature

Unit Address: 1473 W. Foster  
# 3N

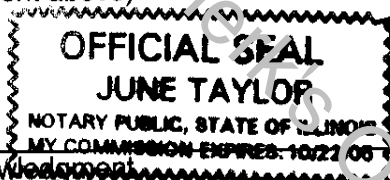
Being owner(s) of Unit  
# 3N in the Andersonville  
Condominium Association, and  
having 16.3 % ownership in the  
common elements.

NOTE: A **NOTARY MUST COMPLETE ONE OF THE FOLLOWING**

\_\_\_\_\_  
Acknowledgment  
(In An Individual Capacity)

This instrument was acknowledged before me on September 21 2004 by \_\_\_\_\_  
Beth Richman  
(name of unit owner(s) signing amendment above)

[Signature]  
Notary Public Signature



\_\_\_\_\_  
Acknowledgment  
(In A Representative Capacity)

This instrument was acknowledged before me on \_\_\_\_\_, 2004 by \_\_\_\_\_  
as \_\_\_\_\_  
(name) (type of authority, e.g., officer, trustee, etc.)

of \_\_\_\_\_  
(name of unit owner(s) on behalf of whom amendment was signed)

\_\_\_\_\_  
Notary Public Signature

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STATE OF ILLINOIS )  
                                  )  
COUNTY OF COOK )

The undersigned is a (are) member(s) of the Andersonville Manor Condominium Association, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration pursuant to Article XI, Section 11.01 of the Declaration.

EXECUTED this 1<sup>st</sup> day of August 2004.

Patrick Knight  
Owner's Printed Name

Patrick J. Knight  
Owner's Signature

\_\_\_\_\_  
Co-Owner's Printed Name

\_\_\_\_\_  
Co-Owner's Signature

Unit Address: 1471 W. Foster Ave #2E  
Chicago, IL 60640

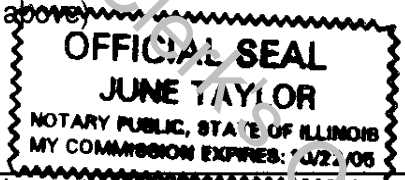
Being owner(s) of Unit # 2E in the Andersonville Condominium Association, and having 15.8 % ownership in the common elements.

NOTE: A **NOTARY** MUST COMPLETE ONE OF THE FOLLOWING

\_\_\_\_\_  
Acknowledgment  
(In An Individual Capacity)

This instrument was acknowledged before me on September 21 2004 by Patrick Knight  
(name of unit owner(s) signing amendment above)

June Taylor  
Notary Public Signature



\_\_\_\_\_  
Acknowledgment  
(In A Representative Capacity)

This instrument was acknowledged before me on \_\_\_\_\_, 2004 by \_\_\_\_\_  
as \_\_\_\_\_  
(name) (type of authority, e.g., officer, trustee, etc.)

of \_\_\_\_\_  
(name of unit owner(s) on behalf of whom amendment was signed)

\_\_\_\_\_  
Notary Public Signature

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STATE OF ILLINOIS )  
                                  )  
COUNTY OF COOK )

The undersigned is a (are) member(s) of the Andersonville Manor Condominium Association, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration pursuant to Article XI, Section 11.01 of the Declaration.

EXECUTED this 19<sup>th</sup> day of OCTOBER 2004.

LINDA M. MILLER  
Owner's Printed Name

Linda M Miller  
Owner's Signature

\_\_\_\_\_  
Co-Owner's Printed Name

\_\_\_\_\_  
Co-Owner's Signature

Unit Address: 1471 W. FOSTER  
# 3E  
CHICAGO, IL 60640

Being owner(s) of Unit  
# \_\_\_\_\_ in the Andersonville  
Condominium Association, and  
having \_\_\_\_\_% ownership in the  
common elements.

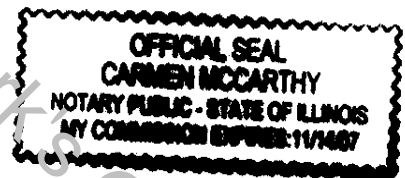
NOTE: A **NOTARY** MUST COMPLETE ONE OF THE FOLLOWING

Acknowledgment  
(In An Individual Capacity)

This instrument was acknowledged before me on Oct 19 2004 by \_\_\_\_\_

LINDA MILLER  
(name of unit owner(s) signing amendment above)

Carmen McCarthy  
Notary Public Signature



Acknowledgment  
(In A Representative Capacity)

This instrument was acknowledged before me on \_\_\_\_\_, 2004 by \_\_\_\_\_

\_\_\_\_\_ as \_\_\_\_\_  
(name) (type of authority, e.g., officer, trustee, etc.)



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STATE OF ILLINOIS )  
                                  )  
COUNTY OF COOK )

The undersigned is a (are) member(s) of the Andersonville Manor Condominium Association, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration pursuant to Article XI, Section 11.01 of the Declaration.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_ 2004.

Damian McIntosh  
Owner's Printed Name

[Signature]  
Owner's Signature

\_\_\_\_\_  
Co-Owner's Printed Name

\_\_\_\_\_  
Co-Owner's Signature

Unit Address: 1473 W. Foster  
#2  
Chicago, IL 60640

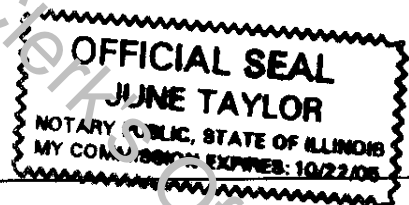
Being owner(s) of Unit # \_\_\_\_\_ in the Andersonville Condominium Association, and having \_\_\_\_\_% ownership in the common elements.

NOTE: A **NOTARY** MUST COMPLETE ONE OF THE FOLLOWING

Acknowledgment  
(In An Individual Capacity)

This instrument was acknowledged before me on September 21 2004 by \_\_\_\_\_  
Damian McIntosh  
(name of unit owner(s) signing amendment above)

[Signature]  
Notary Public Signature



Acknowledgment  
(In A Representative Capacity)

This instrument was acknowledged before me on \_\_\_\_\_, 2004 by \_\_\_\_\_  
\_\_\_\_\_ as \_\_\_\_\_  
(name) (type of authority, e.g., officer, trustee, etc.)

of \_\_\_\_\_  
(name of unit owner(s) on behalf of whom amendment was signed)

\_\_\_\_\_  
Notary Public Signature

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## CERTIFICATION AS TO UNIT OWNER APPROVAL

STATE OF ILLINOIS     )  
   ) SS  
 COUNTY OF COOK        )

I, Beth Richman, state that I am the Secretary of the Andersonville Manor Condominium Association, an Illinois not-for-profit corporation and condominium, and as such Secretary and the keeper and custodian of the books and records of said condominium, I hereby certify that the persons whose names are subscribed to the foregoing instruments represent Unit Owners having at least sixty-two and two-thirds percent (66<sup>2</sup>/<sub>3</sub>%) of the total ownership of the Common Elements.

BY Beth Richman  
 Secretary

DATE: July 1, 2004

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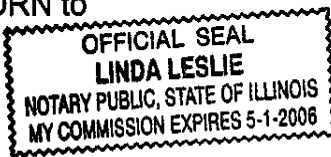
## AFFIDAVIT OF NOTICE TO LIENHOLDERS

STATE OF ILLINOIS     )  
   ) SS  
 COUNTY OF COOK        )

I, Beth Richman, being first duly sworn on oath, depose and state that I am the Secretary of the Board of Directors of Andersonville Manor Condominium Association, an Illinois not-for-profit corporation and condominium, and that pursuant to Article XI, Section 11.01 of the Declaration of Condominium Ownership for said condominium, written notice of the foregoing amendment has been sent by certified mail to all lienholders of record against any Unit in the aforesaid condominium. The identity of said lienholders was obtained by reference to the insurance records of the condominium, tract searches, and/or by information solicited and received from the Unit Owners in the condominium.

Beth Richman  
 Secretary

SUBSCRIBED AND SWORN to  
 before me this 13 day  
 of April, 2005.



Linda Leslie  
 Notary Public

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## EXHIBIT A LEGAL DESCRIPTION

UNIT # 1471-1, 1471-2, 1471-3, 1473-1, 1473-2 AND 1473-3 IN THE ANDERSONVILLE MANOR CONDOMINIUMS, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 15 (EXCEPT THE SOUTH 8.0 FEET THEREOF HERETOFORE DEDICATED FOR AN ALLEY) IN BROWN'S SECOND ADDITION TO ARGYLE, BEING A SUBDIVISION OF THAT PART OF THE NORTH 6.62 CHAINS OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ (LYING EAST OF CLARK STREET) IN SECTION 8, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NO. 99498423 TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

Commonly Known As: 1471-73 West Foster,  
Chicago, Illinois 60640

Permanent Index Numbers: 14-08-301-045-1001  
14-08-301-045-1002  
14-08-301-045-1003  
14-08-301-045-1004  
14-08-301-045-1005  
14-08-301-045-1006