

# UNOFFICIAL COPY

FOURTH AMENDMENT TO  
DECLARATION OF PARTYWALL  
RIGHTS, COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS  
FOR ASHFORD MANOR WEST III  
TOWNHOUSE ASSOCIATION



Doc#: 0523146079 Fee: \$38.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/19/2005 10:59 AM Pg: 1 of 8

Amendment to the Declaration of Party Wall Rights, Covenants, Conditions, Easements and Restrictions For Ashford Manor West III Townhouse Association, as amended, recorded in the office of the Cook County Recorder of Deeds on August 31, 1995, Cook County, Illinois as Document Number 95-580519.

This document is recorded for the purpose of amending the Declaration of Party Wall Rights, Covenants, Conditions, Easements and Restrictions For Ashford Manor West III Townhouse Association which Declaration was recorded in the office of the Cook County Recorder of Deeds as Document No. 95-580519 in Cook County, Illinois, as amended from time to time, legally described on Exhibit A attached hereto.

This Amendment is adopted pursuant to the provisions of Article XII Section 12.05 of the aforesaid Declaration. Said section provides that the Declaration may be amended by an instrument in writing, the text of which is set forth below, shall become effective upon the recordation in the Office of the Recorder of Deeds of Cook County, Illinois, executed by at least seventy-five percent (75%) of the total votes then subject to the Declaration.

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois; and

WHEREAS, the Board and Owners have previously amended the Declaration via the Third Amendment to the Declaration of Party Wall Rights, Covenants, Conditions, Easements and Restrictions for Ashford Manor West III Townhouse Association recorded with the Cook County Recorder of Deeds as documents number 0310545052 in order to prohibit the leasing and rental of Units; and

WHEREAS, the Board and Owners desire to amend the Declaration in order to require that all Units be owner-occupied; and

WHEREAS, the amendment has been approved in writing by the acknowledged signatures of the President and Secretary of the Board and by the acknowledged

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signatures of at least seventy-five percent (75%) of the Unit Owners, all in compliance with Article XII Section 12.05;

NOW THEREFORE, the Declaration of Party Wall Rights, Covenants, Conditions, Easements and Restrictions for Ashford Manor West III Townhouse Association is hereby amended in accordance with the text which follows:

(a) Notwithstanding any other provisions of the Declaration, each Unit Owner shall occupy and use such Unit as a private dwelling for himself/herself and his/her immediate family. Rental or leasing of units is strictly prohibited.

(1) The leasing prohibition shall be prospective and become effective upon the recording of this Fourth Amendment as follows:

(1) The provisions of subsections (a) and (b) shall not apply to the rental or leasing of Units by the Association through its Board of Managers.

(2) The provisions of subsections (a) and (b) shall not apply to a mortgage holder's rental of a Unit during a judicial foreclosure proceeding if the case is being reasonably and diligently prosecuted, provided that (i) the Board is notified of the pending proceeding, (ii) the Board is notified of the Unit rental, (iii) any lease for the Unit contains provisions that the lessee has received a copy of the Declaration of Party Wall Rights, Covenants, Conditions, Easements and Restrictions for Ashford Manor West III Townhouse Association and Rules and Regulations and agrees to be bound thereby.

(3) If there is any violation of the foregoing by a Unit Owner, such violation shall be subject to each and all rights and remedies of the Board hereunder and each and all of the remedies and actions available to the Board here under at law or in equity. If the Board is required to take legal action, the Board shall charge back all attorneys fees and court costs against the Unit Owner as a special assessment.

(4) In the event a Unit is currently non-owner occupied, the aforementioned restriction shall become effective immediately upon the Unit Owner upon vacation of the Unit by the non-owner occupant and the Unit Owner shall be required to either occupy or sell the Unit.

(c) Except to the extent that they conflict with the amendatory language set forth above, the remaining provisions of the Declaration shall continue in effect without change.

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As evidence of such agreement and consent to the foregoing Amendment, the members of the Board of Directors hereby affix their hands and seals and attach hereto the signatures of the Unit Owners.

Acknowledged this 10 day of August, 2005.

Edward T. Dineen  
Board President

Andrew Kang  
Board Secretary

Board of Directors:

Edward T. Dineen

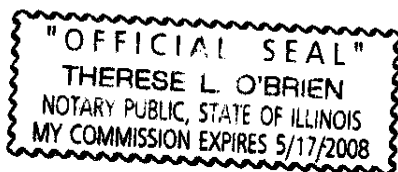
Andrew Kang

Cheri Lynn Elliott

Subscribed and sworn to before me  
this 10 day of August, 2005.

Therese L. O'Brien  
Notary Public

Seal:



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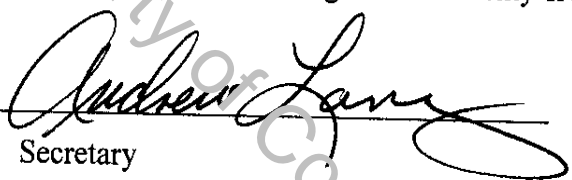
## CERTIFICATION AS TO UNIT OWNER APPROVAL

STATE OF ILLINOIS

COUNTY OF COOK

I, ANDREW LANG, state that I am the Secretary of the Board of Managers of the Ashford Manor West III Townhouse Association, and as such Secretary and the keeper and custodian of the books and records of said Association, hereby certify that the persons whose names are subscribed to the foregoing instruments represent the unit owners having at least seventy-five percent (75%) of the total vote.

By:

  
Secretary

Dated:

8/10/05

Property of Cook County Clerk's Office

## UNOFFICIAL COPY

Lynne Jackson  
 Owners Printed Name  
 Owners Signature  
 7957 W. 160<sup>th</sup> St.  
 Unit Number & Address

Margaret Krichbaum  
 Owners Printed Name  
 Owners Signature  
 15935 Blackwater Ct.  
 Unit Number & Address

Cleetus Parambaloth  
 Owners Printed Name  
 Owners Signature  
 7958 W. 160<sup>th</sup> St.  
 Unit Number & Address

Maura Baskovich  
 Owners Printed Name  
 Owners Signature  
 15936 Blackwater Ct.  
 Unit Number & Address

John Lynch  
 Owners Printed Name  
 Owners Signature  
 7959 W. 160<sup>th</sup> St.  
 Unit Number & Address

Jeffrey Maurer  
 Owners Printed Name  
 Owners Signature  
 15939 Blackwater Ct.  
 Unit Number & Address

Kathy Gudauskas  
 Owners Printed Name  
 Owners Signature  
 15930 Blackwater Ct.  
 Unit Number & Address

L. & M. Mosher  
 Owners Printed Name  
 Owners Signature  
 15942 Blackwater Ct.  
 Unit Number & Address

Jeanne Sadowski  
 Owners Printed Name  
 Owners Signature  
 15933 Blackwater Ct.  
 Unit Number & Address

Cheri Elliot  
 Owners Printed Name  
 Owners Signature  
 15944 Blackwater Ct.  
 Unit Number & Address

John McMahon  
 Owners Printed Name  
 Owners Signature  
 15934 Blackwater Ct.  
 Unit Number & Address

Kevin Swarens  
 Owners Printed Name  
 Owners Signature  
 15945 Blackwater Ct.  
 Unit Number & Address

## UNOFFICIAL COPY

Julie McNicholas  
 Owners Printed Name  
 Owners Signature  
 7933 W. 160<sup>th</sup> St.  
 Unit Number & Address

Andrew Lang  
 Owners Printed Name  
 Owners Signature  
 7951 W. 160<sup>th</sup> St.  
 Unit Number & Address

Ed & Nancy Dineen  
 Owners Printed Name  
 Owners Signature  
 7941 W. 160<sup>th</sup> St.  
 Unit Number & Address

Susan McNicholas  
 Owners Printed Name  
 Owners Signature  
 7952 W. 160<sup>th</sup> St.  
 Unit Number & Address

Ray Kaley  
 Owners Printed Name  
 Owners Signature  
 7943 W. 160<sup>th</sup> St.  
 Unit Number & Address

Walter Shipman  
 Owners Printed Name  
 Owners Signature  
 7953 W. 160<sup>th</sup> St.  
 Unit Number & Address

Carey Hanna  
 Owners Printed Name  
 Owners Signature  
 7948 W. 160<sup>th</sup> St.  
 Unit Number & Address

Margaret Lund  
 Owners Printed Name  
 Owners Signature  
 7954 W. 160<sup>th</sup> St.  
 Unit Number & Address

Julie Dechene  
 Owners Printed Name  
 Owners Signature  
 7949 W. 160<sup>th</sup> St.  
 Unit Number & Address

Safdar Mirza  
 Owners Printed Name  
 Owners Signature  
 7955 W. 160<sup>th</sup> St.  
 Unit Number & Address

Maria Cesario  
 Owners Printed Name  
 Owners Signature  
 7950 W. 160<sup>th</sup> St.  
 Unit Number & Address

Rita Burke  
 Owners Printed Name  
 Owners Signature  
 7956 W. 160<sup>th</sup> St.  
 Unit Number & Address

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We, the undersigned, constituting seventy-five percent (75%) of the Unit Owners in the Ashford Manor West III Townhouse Association hereby declare that we have received the forgoing Amendment, understand its contents and effect and hereby give our approval of said Amendment by our signatures below pursuant to Article 12 Section .05 of the Declaration.

Linda Karstens

Owners Printed Name

*Linda Karstens*

Owners Signature

7915 W. 160<sup>th</sup> St.

Unit Number & Address

Marianne Alt

Owners Printed Name

*Marianne Alt*

Owners Signature

7921 W. 160<sup>th</sup> St.

Unit Number & Address

Sharon Graham

Owners Printed Name

*Sharon Graham*

Owners Signature

7916 W. 160<sup>th</sup> St.

Unit Number & Address

Sheila Fitzgerald

Owners Printed Name

*Sheila Fitzgerald*

Owners Signature

7922 W. 160<sup>th</sup> St.

Unit Number & Address

Diane Dillon

Owners Printed Name

*Diane Dillon*

Owners Signature

7917 W. 160<sup>th</sup> St.

Unit Number & Address

Jim Buskus

Owners Printed Name

*Jim Buskus*

Owners Signature

7923 W. 160<sup>th</sup> St.

Unit Number & Address

Edith Southwick

Owners Printed Name

*Edith Southwick*

Owners Signature

7918 W. 160<sup>th</sup> St.

Unit Number & Address

Maura Kownacki

Owners Printed Name

*Maura Kownacki*

Owners Signature

7924 W. 160<sup>th</sup> St.

Unit Number & Address

Brian Regnerus

Owners Printed Name

*Brian Regnerus*

Owners Signature

7919 W. 160<sup>th</sup> St.

Unit Number & Address

Jack Hession

Owners Printed Name

*Jack Hession*

Owners Signature

7931 W. 160<sup>th</sup> St.

Unit Number & Address



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Natalie Anderson

Owners Printed Name

Owners Signature

15946 Blackwater Ct.

Unit Number &amp; Address

Barbara Nevins

Owners Printed Name

Owners Signature

15957 Blackwater Ct.

Unit Number &amp; Address

Juste Siupinyte

Owners Printed Name

Owners Signature

15947 Blackwater Ct.

Unit Number &amp; Address

Patricia Weseman

Owners Printed Name

Owners Signature

15959 Blackwater CT.

Unit Number &amp; Address

Jim & Mariann Duffy

Owners Printed Name

Owners Signature

15948 Blackwater Ct.

Unit Number &amp; Address

Joanne Wingate

Owners Printed Name

Owners Signature

15961 Blackwater Ct.

Unit Number &amp; Address

Tom Wallischlager

Owners Printed Name

Owners Signature

15949 Blackwater Ct.

Unit Number &amp; Address

Cynthia Romano

Owners Printed Name

Owners Signature

15963 Blackwater Ct.

Unit Number &amp; Address

John McCarthy

Owners Printed Name

Owners Signature

15951 Blackwater Ct.

Unit Number &amp; Address

Dan Durkin

Owners Printed Name

Owners Signature

15967 Blackwater Ct.

Unit Number &amp; Address

Frank DeSantis

Owners Printed Name

Owners Signature

15953 Blackwater Ct.

Unit Number &amp; Address

Owners Printed Name

Owners Signature

Unit Number &amp; Address