

# UNOFFICIAL COPY

**AMENDMENT TO  
DECLARATION OF  
COVENANTS AND  
RESTRICTIONS FOR  
HERITAGE  
CONDOMINIUMS**



Doc#: 0618810006 Fee: \$70.50  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 07/07/2006 09:10 AM Pg: 1 of 24

**For use by Recorder's Office only**

This Amendment to Declaration is an Amendment to that certain Declaration of Heritage Condominiums (hereinafter referred to as "Declaration") recorded on October 29, 1976 as Document No. 23691932.

WHEREAS, the Board of Directors and members of Heritage Condominiums (hereinafter referred to as the "Association") desire to amend the Declaration; and

WHEREAS, pursuant to Section 29 of the Declaration, the Declaration may be amended by an instrument signed by the owners having at least three-fourths (3/4) of the total vote, and certified by two (2) Officers the Board. Any amendment adopted pursuant to the above provisions shall be recorded in the office of the Recorder of Deeds of Cook County, Illinois; and

WHEREAS, said instrument has been executed by owners having at least three-fourths (3/4) of the total vote; and

NOW, THEREFORE, the Association hereby declares that the Declaration be and is hereby amended as follows (additions to text are shown as underlined and deletions to text are shown as a ~~strikeout~~):

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

**ROBERT B. KOGEN**  
Kovitz Shifrin Nesbit  
750 Lake Cook Road, Suite 350  
Buffalo Grove, IL 60089 - 847/537-0500

1. Article VII, of the Declaration shall be amended by adding the following Section (1):

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1. Pets, etc. No animals, dogs, reptiles, rabbits, livestock, fowl, or poultry of any kind shall be raised, bred, or kept in any unit or in the common elements, except that cats, or other household pets, excluding dogs, may be kept in units, subject to rules and regulations adopted by the Board, provided that they are not kept, bred, or maintained for any commercial purpose; and provided further that any such pet causing or creating a nuisance or unreasonable disturbance shall be permanently removed from the property upon three (3) days' written notice from the Board. To the extent a dog(s) is being kept in the unit as of the effective date of this amendment, the dog(s) may remain. However, once the dog(s) is removed, it may not be replaced.

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

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. Article VIII, Section 1 of the Declaration shall be amended by adding the following paragraph:

Leasing of Units. In order to maintain the quality of life and property values, the objective of the Association is to promote and encourage Owners to reside on the premises. Owners are prohibited from leasing their units. Any Owners leasing their units and having a current lease on file with the Association as of the effective date of this amendment may continue to lease their Unit for up to two (2) years from the effective date of the Amendment or the term of the current lease whichever expires earlier. Once the current lease expires, the unit may no longer be leased.

(1) This restriction shall not apply to the leasing of a unit to a blood relative. A blood relative shall be defined as parent(s), children, brother(s) and/or sister(s). The Board reserves the right to request proof of the relationship. The Board's decision shall be final and binding.

(2) Any Unit Owner may apply for a one year hardship waiver of enforceability of this policy. The Unit Owner must submit a request, in writing, to the Board of Directors, requesting a hardship waiver, setting forth all reasons why they are entitled to same. The Board may grant a hardship waiver on a year-to-year basis. The Owner must re-apply for

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hardship status after the period expires. Failure to abide by all rules and regulations of the Association may result in revocation of hardship status.

(3) 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.

(4) 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 et. seq., an action for injunctive and other equitable relief, or an action at law for damages.

(5) 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.

(6) 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.

(7) The Board of Directors of the Association shall have the right to lease any Association owned units or any unit which the Association has possession, pursuant to any court order, and said units shall not be subject to this amendment.

(8) The effective date of this Amendment shall be deemed to be the date of recording with the Office of the Recorder of Deeds of Cook County.

Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

This Amendment is executed by an instrument in writing, signed and acknowledged by the Board of Directors and the Owners having at least three-fourths (3/4) of the total vote of the Association and the signatories hereby warrant that they possess full power and authority to execute this instrument.

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

**LOT 42 IN FRANK DELUGACH AUSTIN GARDENS SUBDIVISION IN THE NORTHWEST QUARTER FOR THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.**

**Address: 10416 Mansfield Avenue, Oak Lawn, IL**

	<b>UNIT</b>	<b>PIN</b>	<b>ADDRESS</b>	<b>% OF INTEREST</b>
SE	101	24-17-216-015-1001	10416 Mansfield Avenue, Oak Lawn, IL	9.60
SW	102	24-17-216-015-1002	10416 Mansfield Avenue, Oak Lawn, IL	10.40
Center	103	24-17-216-015-1003	10416 Mansfield Avenue, Oak Lawn, IL	10.9
NW	104	24-17-216-015-1004	10416 Mansfield Avenue, Oak Lawn, IL	10.1
NE	105	24-17-216-015-1005	10416 Mansfield Avenue, Oak Lawn, IL	9.6
SE	201	24-17-216-015-1006	10416 Mansfield Avenue, Oak Lawn, IL	9.3
SW	202	24-17-216-015-1007	10416 Mansfield Avenue, Oak Lawn, IL	10.1
Center	203	24-17-216-015-1008	10416 Mansfield Avenue, Oak Lawn, IL	10.9
NW	204	24-17-216-015-1009	10416 Mansfield Avenue, Oak Lawn, IL	9.8
NE	205	24-17-216-015-1010	10416 Mansfield Avenue, Oak Lawn, IL	9.3

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## EXHIBIT B

### APPROVAL BY BOARD OF DIRECTORS

We, the undersigned, are the members of the Board of Directors of Heritage Condominiums, a condominium established by the aforesaid Declaration, and by our signatures below, we hereby execute and acknowledge the foregoing Amendment to the Declaration.

EXECUTED AND ACKNOWLEDGED this 14 day of June, 2006.

Robert A. Dow

Michael R. Bopp

Carol A. Hynes

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HERITAGE CONDOMINIUMS

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## EXHIBIT C

### AFFIDAVIT OF MAILING

I, Arthur Shapiro, state that I am the Secretary of the Board of Directors of the Heritage Condominiums, and hereby certify that the foregoing Amendment was mailed to mortgagees having bona fide liens of record against any unit ownership at least ten days prior to the date of this affidavit.

Dated: JUNE 14, 2006.

By: Arthur Shapiro  
Secretary

Property of Cook County Clerk's Office

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

*She Hoffman*

\_\_\_\_\_

*Suzanne Hoffman* *6/14/06*

Property Address: 10416 S. MANSFIELD  
CHICK LAWN, IL 60453

Name and Address of Mortgage Lender (if any):

NONE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

MARY E. NEYTON

Property Address: 10416 MANSFIELD

Name and Address of Mortgage Lender (if any):

None

Mary E. Neyton 6/11/06

Property of Cook County Clerk's Office



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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Suzanne Reynolds

Property Address: 10416 S. Mansfield

Name and Address of Mortgage Lender (if any):

None

*Suzanne Reynolds*  
06/14/06

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

BERTHA R. WILLIAMS 6-14-06  
Bertha R. Williams  
TR UA - 08-22-81

Property Address: 16416 S. MANSFIELD AVE GAK LAWNIL 60453

Name and Address of Mortgage Lender (if any):

NONE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

ARTHUR SHAPIRO

Property Address: 10416 MANSFIELD

Name and Address of Mortgage Lender (if any):

NONE

*Arthur Shapiro*  
6/14/06

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Michael F. Przybocki  
Michael F. Przybocki 6-14-06

Property Address: 10416 Mansfield Ave Unit #7

Name and Address of Mortgage Lender (if any):

Countrywide Home Loans  
\_\_\_\_\_  
\_\_\_\_\_

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Jean M. Kiga 6/14/06

Property Address: 10416 Mansfield  
OAK Lawn, Ill 60453

Name and Address of Mortgage Lender (if any):

CHARTER ONE BANK (Home Equity)

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Robert A Downes

Property Address: 10416 Mansfield

Name and Address of Mortgage Lender (if any):

First Personal Bank

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the leasing of units policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

TERESA OLSZEWSKI  
\_\_\_\_\_

Property Address: 10416 MANFIELD AVE OAK LAWN, IL. 2N.E.

Name and Address of Mortgage Lender (if any):

FIFTH THIRD BANK  
95 S CICERO  
OAK LAWN, IL.

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

*Bretchen Hoffman* *6/14/06*

\_\_\_\_\_

Property Address: *10416 S. Mansfield*  
*Oak Lawn, IL 60453*

Name and Address of Mortgage Lender (if any):

*NONE*  
\_\_\_\_\_  
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Property of Cook County Clerk's Office



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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

MARY E. NEYLAN

Property Address: 10W116 MANSFIELD

Name and Address of Mortgage Lender (if any):

MARY E. NEYLAN  
6/14/06

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Suzanne Reynolds

\_\_\_\_\_

Property Address: 10416 S. Mansfield

Name and Address of Mortgage Lender (if any):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Suzanne Reynolds*  
6/14/06

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Bertha R. Williams 6-14-06

Property Address: 10416 S. Mansfield Ave Oak Lawn, IL 60453

Name and Address of Mortgage Lender (if any):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Bertha R. Williams 6-14-06

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

ARTHUR SHAPIRO

10416 MANSFIELD

Property Address: 10416 MANSFIELD

Name and Address of Mortgage Lender (if any):

NONE

*Arthur Shapiro*  
6/14/06

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Joan McKee 6/14/06

\_\_\_\_\_

Property Address: 10416 Mansfield  
Cook County, IL 60453

Name and Address of Mortgage Lender (if any):

CHARTER ONE (Home Equity)

\_\_\_\_\_

\_\_\_\_\_

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## Heritage Condominiums

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Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Michael F. Przybecki  
Michael F. Przybecki 6-14-06

\_\_\_\_\_

Property Address: 10416 Mansfield Ave. Unit #7  
Oak Lawn, IL 60453

Name and Address of Mortgage Lender (if any):

Countrywide Home Loans

\_\_\_\_\_

\_\_\_\_\_

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## Heritage Condominiums

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Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

TERESA OLSZEWSKI

\_\_\_\_\_

Property Address: 10416 MANFIELD AVE - OAK LAWN, ILL  
60443

Name and Address of Mortgage Lender (if any):

FIFTH THIRD BANK

915 S CICERO

OAK LAWN, ILL

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## Heritage Condominiums

### BALLOT

Regarding the proposed amendment to the Declaration of Heritage Condominiums, specifically regarding the pets policy:

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Robert A Downes

\_\_\_\_\_

Property Address: 10416 Mansfield

Name and Address of Mortgage Lender (if any):

Forsyth Personal Bank

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\_\_\_\_\_