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Cook County Recorder

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SECO **AMENDMENT** TO **DECLARATION** OF COVENANTS, **EASEMENTS** AND RESTRICTIONS FOR CLUSTERS ON VINE HOME **OWNERS** ASSOCIATION. INC. RECORDED IN THE OFFICE OF THE RECORDER OF **DEEDS OF** COOK COUNTY, ILLINOIS ON February 10, 1994 AS DOCUMENT NO. 34137282



THIS AMENDMENT to Declaration, made and entered into the Low day of September, 1995 by the required majority of the members of the Clusters on Vine Home Owners Association, Inc., an Illinois not-for-profit corporation, is an amendment to the Declaration of Covenants, Easements and Restrictions for Clusters on Vine Home Owners Association, Inc. recorded in the Office of the Recorder of Deeds of Cook County, Illinois on February 10, 1994 as Document No. 94137282

WITNESSET

WHEREAS, said Declaration and By-laws have submitted certain real property to the provisions of said documents, which are covenants running with the land, which real property is legally described in Exhibit "B" and attached hereto; and

WHEREAS, the Clusters on Vine Home Owners Association, Inc. is an Illinois not-for-profit corporation (hereinafter referred to as "Association") and administers the property as set forth and described in the Declaration and By-Laws; and

WHEREAS, Article X, Section 10.05 of the Declaration provides that the Declaration may be amended by a written instrument executed by members having at least two-thirds (2/3) of the total votes of the members and containing a certificate by an officer of the Association that said instrument was duly approved; and

WHEREAS, said instrument has been adopted by the members as required.

After recording please return to: Matthew L. Moodhe Kovitz Shifrin & Waitzman 750 Lake Cook Road, #350 Buffalo Grove, IL 60089

DATE 11 23 46 CO

NOW, THEREFORE, the Association hereby declares that the Declaration be and hereby is amended as follows:

- A. WHEREAS, Article III, Section 3.01(f) of the Declaration presently reads as follows:
 - The right of any individual members to the exclusive use of parking spaces as hereinafter described. The Association shall maintain upon the Common Area Parking Lots at least one parking space for each Townhouse Lot. Subject to reasonable rules and conditions, the Association shall designate at least one parking space conveniently located with respect to each Lot for the exclusive use of the Owners residing in a dwelling unit constructed thereon, their families and guests. The use of such space by any other person may be enjoined by the Association of the Owners entitled thereto. The right of the exclusive use of parking space and to its maintenance and designation by the Association shall be appurtenant to and shall pass with title to each living unit. In lieu of parking spaces, garages may be constructed on current Common Areas(s) provided the following conditions are met:
 - 1. A minimum of 20 garages must be built initially. After the initial construction of the garages, no future construction of garages will be allowed without the approval of two-t'nirds (2/3) votes of the Members.
 - 2. No Owner of a lot shall be required to construct a garage or incur any costs for the construction of the garages themselves. All owners are entitled to, at a minimum, a parking space as outlined above.
 - 3. Approval of the architectural design and construction of the garages by a majority of those Owners building a garage.

The undersigned, for the purposes set forth, hereby declare that the Declaration be and hereby is amended in regard to said article as follows:

Article III, Section 3.01(f) of the Declaration shall be deleted in its entirety and the following is inserted in its place:

(f) GARAGES: Garage structures have been constructed pursuant to policies adopted by the Board. Each such structure has been conveyed to the respective owner and that portion of the property no longer is part of the common elements of the Association. Those portions of the parking spaces upon which no garage has been constructed shall remain part of the common elements subject to the rules and regulations adopted from time to time by the Board. There shall be one garage or parking space for each Townhouse Lot. The use of such space by any other person may be enjoined by the

Association or the Owners entitled thereto. The right of the exclusive use of parking space and to its maintenance and designation by the Association shall be appurtenant to and shall pass with title to each living unit. In lieu of parking spaces, garages may be constructed pursuant to policies adopted by the Board.

- B. WHEREAS, a Plat of Survey identified as Exhibit "A" is attached to the Declaration, the undersigned, for the purposes set forth, hereby declare that the Declaration be and hereby is amended by deletion of said Plat of Survey and replacing it with the Plat of Survey attached hereto and incorporated herein by reference as Exhibit "A".
- C. except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

This Second Amendment to Declaration is approved by the required majority of the members in the exercise of the power and authority conferred upon and vested in Association. The signatories pereby warrant that they possess full power and authority to execute this instrument.

IN WITNESS WHEREOF, Crus'ers on Vine Home Owners Association, Inc., an Illinois not-for-profit corporation, has caused its corporate seal to be affixed hereto and has caused its name to be signed by its President and attested by its Secretary this 104 day of September, 1995.

CLUSTERS ON VINE HOME OWNERS ASSOCIATION INC., an Illinois not-for-profit corporation,

By:

President

ATTEST:

Secretary Secretary

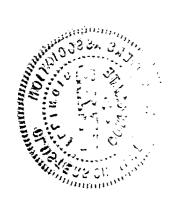
(CORPORATE SEAL)

Property of Cook County Clerk's Office

STATE OF ILLINOIS))SS.
COUNTY OF COOK)
I, Wency Woffoed , do hereby certify that I am the duly elected and qualified Secretary of the Clusters on Vine Home Owners Association, Inc., an Illinois not-for-profit corporation, and as such Secretary, I am the keeper of the books and records of the Association.
I further certify that the attached Second Amendment to the Declaration of Covenants, Easements and Restrictions for the Clusters on Vine Home Owners Association, I've was duly adopted by the affirmative vote of the required majority of the voting members. Secretary
Dated at Chicago, Minois this of the day of September, 1995. (corporate seal)
STATE OF ILLINOIS))SS.
I, <u>لا محدا الله المرتواد</u> , a Notary Public in an a for said County in the
State aforesaid, do hereby certify that the aforesaid officers of the Clusters on Vine Home Dwners Association, Inc., an Illinois not-for-profit corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day and acknowledged that they signed, sealed and delivered the same astrument as their free and voluntary act, for the uses and purposes set forth.
Given under my hand and notarial seal this <u>lot</u> day of <u>Septenter</u> , 199 <u>5</u> . Notary Public
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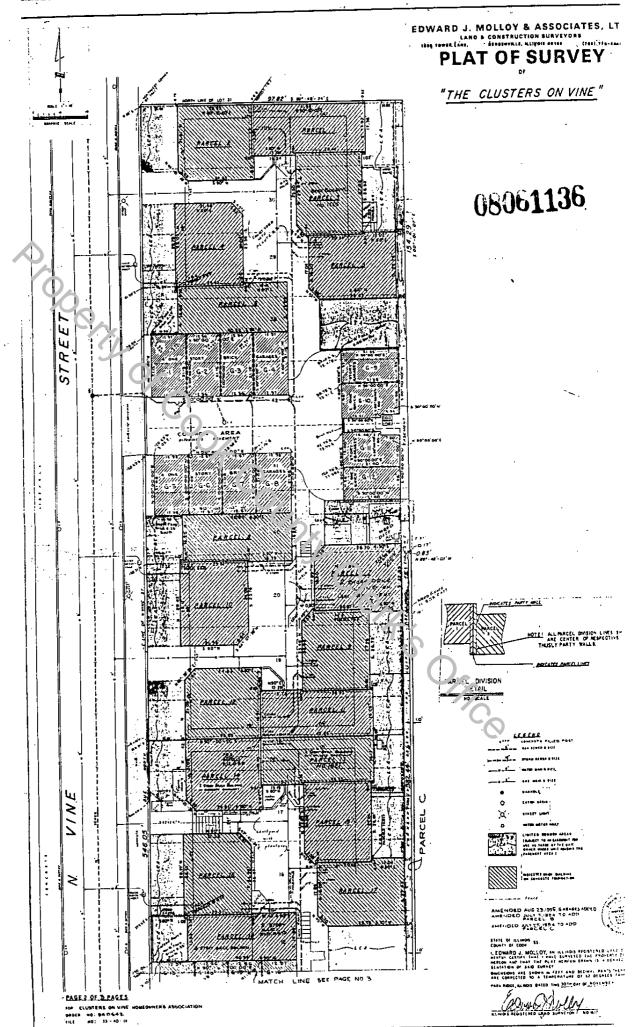
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PAGE 3 OF 3 PAGES

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EXHIBIT "B"

LEGAL DESCRIPTION

LOTS 28, 29, 30, 31, 40, 41 AND 42 IN THE SUBDIVISION OF THE EAST HALF OF LOTS 2, 3 AND (EXCEPT THE SOUTH 82 FEET OF THE EAST 100 FEET) OF LOT 4 IN BLOCK 1 IN SHEFFIELD'S ADDITION TO CHICAGO IN THE WEST HALF OF THE SOUTH WEST QUARTER OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN,

TOGETHER WITH

LOTS 5 TO 20, BOTH INCLUSIVE, (EXCEPT THE PART OF SAID LOTS 5 TO DESCRIBED AS POLLOWS: COMMENCING AT THE SOUTH WEST CORNER OF SAID LOT 5; THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 5, A DISTANCE OF 88.43 FEET TO A CORNER OF SAID LOT 5; THENCE NORTH EASTERLY ALONG THE EASTERLY LINE OF SAID LOT 5, A DISTANCE OF 14.10 FEET TO THE EAST LINE OF SAID LOT 5; THENCE NORTH ALONG THE EAST LINE OF SAID LOTS 5 TO TO THE NORTH EAST CORNER OF SAID LOT 20; THENCE WEST ALONG THE LINE OF SAID LOT 20 TO A LINE 1 FOOT WEST OF AND PARALLEL WITH SAID EAST LINE OF LOT 20; THEN SOUTH ALONG A LINE 1 FOOT WEST OF THE PARALLEL WITH THE EAST LINE OF SAID LOTS 5 TO 20 TO A LINE 1 NORTH WESTERLY OF AND PARALLEL WITH THE SAID SOUTH EASTERLY LINE OF LOT 5; THENCE SOUTH WESTERLY ALONG SAID LINE 1 FOOT NORTH WESTERLY OF AND PARALLEL WITH THE SAID SOUTH EASTERLY LINE OF LOT 5 TO A LINE FOOT NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 5; WEST ALONG SAID LINE 1 FOOT NORTH OF AND PARALLEL WITH THE SOUTH OF SAID LOT 5 TO THE WEST LINE OF SAID LOT 5; THENCE SOUTH ALONG WEST LINE OF LOT 5 TO THE POINT OF BEGINNING,) IN THE SUBDIVISION OF LOT 6 AND THE EAST 23 FEET OF LOT 7 IN BLOCK 1 IN SHEFFIELD'S ADDITION TO CHICAGO IN THE WEST HALF OF THE SOUTH WIST QUARTER OF SECTION TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

P.I.N. 14-33-316-014-0000 to 14-33-316-033-0000, inclusive

Property Address: 1611-1669 N. Vine Street, Chicago, IL 60614 Units 1-30, inclusive

This document was prepared by and upon recording should be MAILED TO:

Russel G. Winick Schultz & Winick, P.C. 1220 Iroquois Avenue Suite 100 Naperville, IL 60563

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WE, THE UNDERSIGNED, being owners of record in the Clusters on Vine

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Home Owners Association, Inc., an Illinois not-for-profit corporation, hereby declare that we have reviewed the foregoing Second Amendment, understand its contents and effect, and acknowledge our approval of said amendment by our signatures below: DAVID RAWITSCHER Oxorar's Printed Name RUSALYN RAWITSCHER Co-Owner's Frinted Name Co-Owner's Signature Unit No. Owner's Signature Owner's Printed Name Co-Owner's Printed Name Co-Cwnc.'s Signature Unit No. Owner's Slyr > 10 Owner's Printed Name Co-Owner's Printed Name Co-Owner's Signature Owner's Signature Owner's Printed Name Co-Owner's Printed Name Co-Owner's Signature Unit No. Owner's Signature Owner's Printed Name Co-Owner's Printed Name Co-Owner's Signature

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WE, THE UNDERSIGNED, being owners of record in the Clusters on Vine Home Owners Association, Inc., an Illinois not-for-profit corporation, hereby declare that we have reviewed the foregoing Second Amendment, understand its contents and effect, and acknowledge our approval of said amendment by our aignatures Co-Owner's Printed Name Co-Owner's Signature Unit No. Owner's Signature Owner's Printed Name Co-Owner's Printed Name Co-Crimer's Signature Unit No. Owner's Signature Owner's Printed Name Co-Owner's Printed Name Co-Owner's Signature Owner's Signature Owner's Printed Name Co-Owner's Printed Name Co-Owner's Signature Unit No. Owner's Signature Owner's Printed Name Co-Owner's Printed Name Co-Owner's Signature

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