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**THIS INSTRUMENT PREPARED BY
AND SHOULD BE MAILED TO:**

Doc#: 0810118000 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/10/2008 09:45 AM Pg: 1 of 5

**Dennis G. Kral
Attorney at Law
18100 South Harwood Avenue
Homewood, IL 60473
(708) 957-7800**

**3rd AMENDMENT TO THE
AMENDED AND RESTATED DECLARATION OF COVENANTS,
EASEMENTS AND RESTRICTIONS FOR
CLUSTERS ON VINE HOMEOWNERS
ASSOCIATION, INC.**

THIS AMENDMENT TO AMEND DECLARATION made and entered into this 2nd day
of APRIL, 2008, as follows:

WITNESSETH

WHEREAS, the undersigned are the elected representatives of the owners of the real estate commonly known as CLUSTERS ON VINE HOMEOWNERS ASSOCIATION, INC., Chicago, Illinois, being legally described in Exhibit "A" attached hereto and made a part hereof, and has, pursuant to section 10.05 of the amended and restated Declaration of Covenants, Easements and Restrictions recorded on February 10, 1994 as document number 94137282; and

WHEREAS, the owners of at least two thirds of the units have approved and adopted the following amendment to said Declaration; and

WHEREAS, Section 10.05 of the Declaration provides for the amendment by at least two thirds of the Unit Owners thereof.

NOW, THEREFORE, at least two thirds of the unit owners hereby declare that the Declaration be and is hereby amended and Article IX is hereby deleted and the following is inserted in its place;

ARTICLE IX

Effective upon recording, if a Unit is purchased or ownership otherwise is transferred, except for heirs, the Unit must be lived in and occupied by the Unit Owner of record for a period of twelve (12) consecutive months before the Unit Owner may lease the Unit or otherwise arrange for person(s) to occupy the Unit in place of the Unit Owner. This change to the declarations does not apply to owners of record as of the date of this recording.

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- A. All Unit Owners who do not reside in a Unit owned by them will provide the Board with their permanent residence address and phone numbers where they may be reached in an emergency, both at home and work. Any expenses of the Board incurred in locating the Unit Owner who fails to provide such information will be assessed to that Unit Owner. Unless otherwise provided by law, any Unit Owner who fails to provide such information will be deemed to have waived the right to receive notices at any address other than the address of the Unit, and the Board shall not be liable for any loss, damage, injury or prejudice to the rights of any such Unit Owner caused by any delays in receiving notice resulting therefrom.
- B. No Unit Owner may lease less than the entire Unit, nor may the Unit be leased for transient or hotel purposes. There can be one lease per 12 month period counting from the month of the original lease, unless the Board consents in writing to the contrary. No Unit may be subleased.
- C. Every lease shall be in writing and shall include provisions of the Declaration, Bylaws and Rules and Regulations of the Association as amended from time to time hereafter. Each lease shall provide that the Association on its own may evict a tenant pursuant to the Forcible Entry and Detainer Statement of the State of Illinois (735 ILCS 519-101 et seq) for violation of the Declaration, Bylaws or Rules and Regulations of the Association and may charge to the Unit Owner all fines, costs and fees including reasonable attorney fees associated with such eviction.
- D. All expenses of the Board, in connection with any violations under these rules will be assessed to the account of the Unit Owner responsible.
- E. Provisions which relate to the execution of new leases will become effective upon the expiration of any lease that is currently in effect. However, the requirements herein are effective immediately.

Dated APRIL 7, 2008

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CERTIFICATE

STATE OF ILLINOIS)
)S
 COUNTY OF COOK)

The undersigned, President of Clusters on Vine Homeowners Association, Inc., being first duly sworn on oath, certifies that this document is a true and correct copy of the Amendment to the Covenants, Easements and Restrictions for Clusters on Vine Homeowners Association, Chicago, Illinois approved by two-thirds ownership of the units of the aforesaid association pursuant to Article 10.05 of the Amended and Restated Declaration of Covenants and Restrictions of the Association.

FURTHER AFFIANT SAYTH NOT.


CLUSTERS ON VINE HOMEOWNERS ASSOCIATION, INC.

By: 

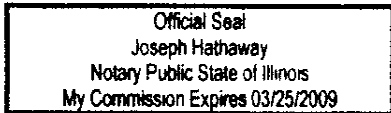
 Its President

SUBSCRIBED AND SWORN TO

Before me this 2nd day of April, 2008



 Notary Public



Property of Cook County Clerk's Office

UNOFFICIAL COPY**CLUSTERS ON VINE****LEGAL DESCRIPTION RIDER**

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 SHEFFIELDS 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 20 DESCRIBED AS FOLLOWS: 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 SOUTH 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 20 TO THE NORTH EAST CORNER OF SAID LOT 20; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 20 TO A LINE 1 FOOT WEST OF AND PARALLEL WITH THE SAID EAST LINE OF LOT 20; THENCE SOUTH ALONG A LINE 1 FOOT WEST OF AND PARALLEL WITH THE EAST LINE OF SAID LOTS 5 TO 20 TO A LINE 1 FOOT 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 1 FOOT NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 5; THENCE WEST ALONG SAID LINE 1 FOOT NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 5 TO THE WEST LINE OF SAID LOT 5; THENCE SOUTH ALONG SAID 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 WEST QUARTER OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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CLUSTERS ON VINE HOMEOWNERS ASSOCIATION PROPERTY INDEX NUMBERS

- 14-33-316-014
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- 14-33-316-016
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