



Doc#: 0823418073 Fee: \$72.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/21/2008 03:00 PM Pg: 1 of 19

PREPARED BY & MAIL TO:

Douglas A. Hanson, Esq.
Schuyler Roche & Zwirner, P.C.
One Prudential Plaza
130 East Randolph Street
Suite 3800
Chicago IL 60601

**THIRD AMENDMENT TO THE DECLARATION OF
CONDOMINIUM OF
THE HEADLEY SCHOOL CONDOMINIUM**

This THIRD AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND BYLAWS EASEMENTS, RESTRICTIONS, AND COVENANTS FOR THE HEADLEY SCHOOL CONDOMINIUM (the "Declaration") is made and entered into as of 15th day of June 2008 (this "Amendment").

This Amendment is based on the following:

- A. By a Declaration of Condominium Ownership and Bylaws, Easements, Restrictions, and Covenants for the Headley School Condominium dated June 1, 1986 and recorded with the Cook County Recorder of Deeds as Document Number 85250996, as amended by the Amendment to the Declaration of Condominium Ownership for the Headley School Condominium adding additional land to the Common Elements dated November 28, 1986 and recorded as Document Number 86613920, as amended by the Amendment of the Declaration of Condominium Ownership and Bylaws, Easements, Restrictions, and Covenants for the Headley School Condominium dated May 14, 2002 and recorded with the Cook County Recorder of Deeds as Document Number 0325403057 (the "First Amendment"), and as amended by the Second Amendment to the Declaration of Condominium Ownership and Bylaws, Easements, Restrictions, and Covenants for the Headley School Condominium dated August 20, 2007 and recorded with the Cook County Recorder of Deeds as Document Number 0819231064 (the "Second Amendment") (collectively, the "Declaration") the following described real estate was submitted to the provisions of the Illinois Condominium Property Act (the "Act"):

PARCEL 1: UNITS 1A, 1B, 1C, 1D, 2A, 2B, 2C, 2D, 3A, 3B, 3C, 3D, IN HEADLEY SCHOOL CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: LOTS 43 THROUGH 46 AND THE EAST 22.00 FEET OF THE NORTH 10.50 FEET OF LOT 47, AND THE EAST 50.10 FEET OF THE SOUTH 19.0 FEET OF LOT 41 AND THE EAST 50.10 FEET OF LOT 42, ALL IN A SUBDIVISION OF BLOCK 6 OF BLOCK 13 IN SHEFFIELD ADDITION TO CHICAGO OF THE SOUTHWEST ¼ OF SECTION 29 AND THE

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SOUTHEAST ¼ OF THE SOUTH ½ OF THE NORTHEAST ¼ OF SECTION 31, ALL OF SECTION 32 AND THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN; WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 86250996, AS AMENDED, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

PARCEL 2: EASEMENTS APPURTENANT TO PARCEL 1 AS RESERVED IN DEED FROM TRUSTEE TO MID TOWN BANK & TRUST COMPANY OF CHICAGO AS TRUSTEE UNDER TRUST NO. 1351 DATED DECEMBER 18, 1985, RECORDED JUNE 3, 1986, AS DOCUMENT NO. 86-221625

PROPERTY INDEX NOS.: 14-32-127-033-1001
 14-32-127-033-1002
 14-32-127-033-1003
 14-32-127-033-1004
 14-32-127-033-1005
 14-32-127-033-1006
 14-32-127-033-1007
 14-32-127-033-1008
 14-32-127-033-1009
 14-32-127-033-1010
 14-32-127-033-1011
 14-32-127-033-1012

Commonly known as: 2107 N. Magnolia, Chicago, Illinois

- B. In the First Amendment and in the Second Amendment, Unit Owners of the Association intended to prohibit leasing of Units in all cases, except for cases of extreme hardship.
- C. At least one potential purchaser, despite the language contained in the First Amendment and despite being told by the Association prior to his purchase of the Unit that the Association prohibited leasing except for cases of extreme hardship, purchased his Unit solely for investment purposes with the intent to generally lease his Unit.
- D. The Association now desires to further clarify the Declaration to ensure that leasing of the Units is prohibited in all cases, except for cases of extreme hardship, and to ensure that a future Unit Owner does not purchase his or her Unit for investment purposes with the intent to generally lease his or her Unit.
- E. In accordance with Article XX Paragraph 6 of the Declaration and pursuant to Section 27(a) of the Act, the undersigned desire to amend the Declaration.

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BASED ON THE ABOVE, THE DECLARATION IS AMENDED AS FOLLOWS:

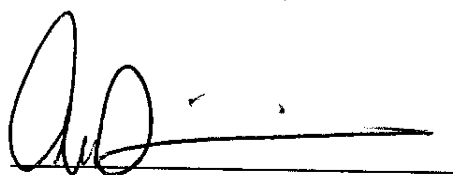
1. The above recitals are incorporated into this Amendment.
2. Article XVII, Paragraph 16 of the Declaration titled Lease Restrictions is deleted in its entirety and replaced with the following:
 16. **Lease Restrictions.** No Unit Owner shall enter into any lease affecting a Unit. All Units must be owner occupied and the leasing of Units is strictly prohibited under this Declaration. Notwithstanding this complete leasing prohibition, in the event that $\frac{3}{4}$ of the Unit Owners, counted by number of units and not by a Unit's percentage interest in the common elements, determine that an extreme hardship has been exhibited, the Unit Owners may approve the leasing of a Unit for a period not to exceed one (1) year ("Hardship Lease"). In the event that the Unit Owners approve of such Hardship Lease, then the following terms and conditions shall apply:
 - (a) Such lease is in writing and incorporates all rules, regulations and the Declaration specifically;
 - (b) Such lease shall provide that the Board shall have standing in a court of competent jurisdiction to enforce the Declaration, Rules and Regulations against both the tenant and Unit Owner, if necessary; and
 - (c) The Unit Owner provides the Board with a copy of the lease and all amendments thereto at least fourteen (14) days prior to tenant's acceptance of possession of the Unit, such notice shall include contact information for such Unit Owner for Association notices, billings, and emergencies.
3. All other provisions of the Declaration remain the same.

IN WITNESS WHEREOF, the undersigned, being the legal owners of at least $\frac{3}{4}$ of the Units, and all the members of the Board of Managers of the Headley School Condominium Association, do hereby execute the foregoing amendment pursuant to the authority granted in said Declaration and by the Act.

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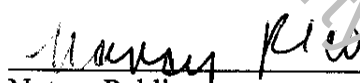
The undersigned, being a member of the Board of Managers of the Headley School Condominium Association, by my signature below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 18 day of June, 2008

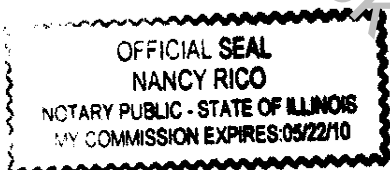


Anthony Derwinski

Subscribed and sworn to before me
this 18 day of June, 2008



Notary Public

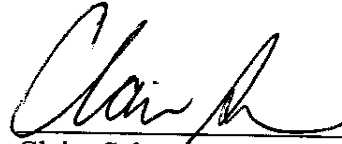


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The undersigned, being a member of the Board of Managers of the Headley School Condominium Association, by my signature below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 16 day of June, 2008

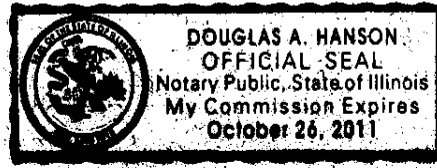


Claire Sebastian

Subscribed and sworn to before me
this 16 day of June, 2008



Notary Public



Property of Cook County Clerk's Office

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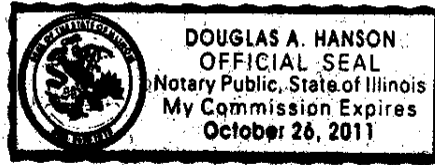
The undersigned, being a member of the Board of Managers of the Headley School Condominium Association, by my signature below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 15 day of June, 2008


Larry McGrail

Subscribed and sworn to before me
this 15 day of June, 2008


Notary Public



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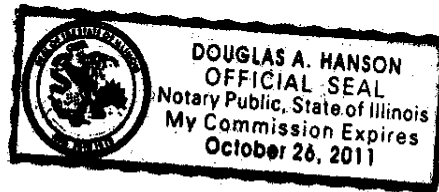
The undersigned, being a member of the Board of Managers of the Headley School Condominium Association, by my signature below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 15th day of June, 2008


Michael Pierdiluca

Subscribed and sworn to before me
this 15th day of June, 2008


Notary Public



Property of Cook County Clerk's Office

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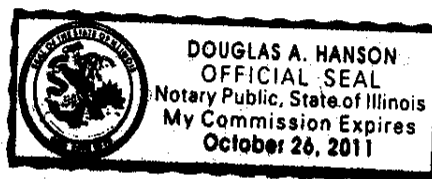
The undersigned, being a member of the Board of Managers of the Headley School Condominium Association, by my signature below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 15 day of June, 2008

Paul DeForest
Paul DeForest

Subscribed and sworn to before me
this 15 day of June, 2008

Douglas A. Hanson
Notary Public



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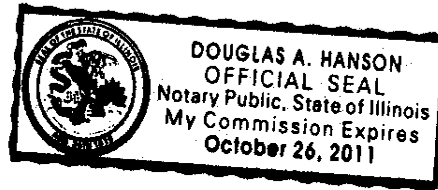
The undersigned, owners of Unit 1A, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 15 day of June, 2008

Paul H DeForest
Paul H. DeForest

Subscribed and sworn to before me
this 15 day of June, 2008

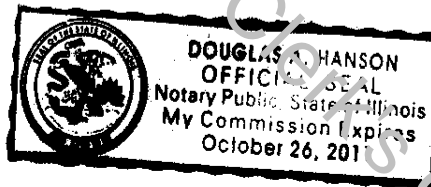
[Signature]
Notary Public



Alice M DeForest
Alice M. DeForest

Subscribed and sworn to before me
this 15 day of June, 2008

[Signature]
Notary Public




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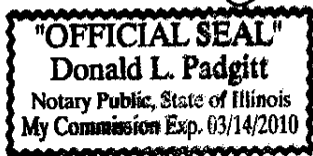
The undersigned, owners of Unit 1B, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.

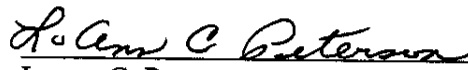
Executed this 19 day of June, 2008


Lance R. Peterson

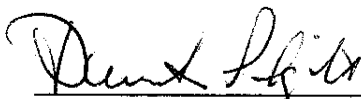
Subscribed and sworn to before me
this 19 day of June, 2008

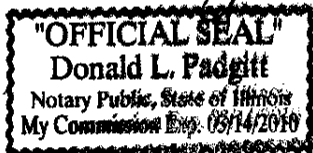

Notary Public




Loann C. Peterson

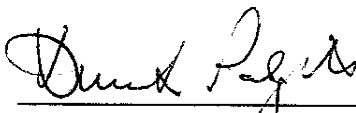
Subscribed and sworn to before me
this 19 day of June, 2008

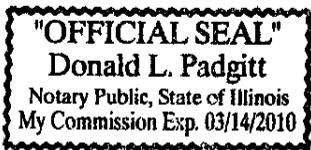

Notary Public




Anja K. Peterson

Subscribed and sworn to before me
this 19 day of June, 2008

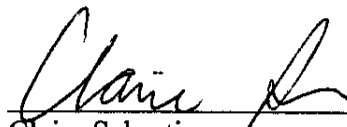

Notary Public



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The undersigned, owners of Unit 1C, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 16 day of June, 2008

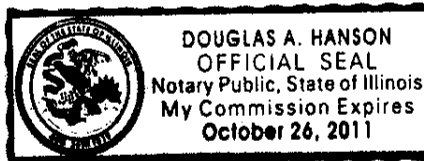


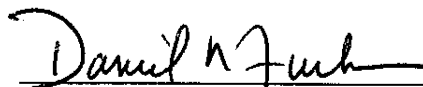
Claire Sebastian

Subscribed and sworn to before me
this 16 day of June, 2008



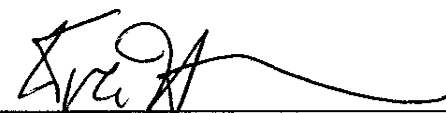
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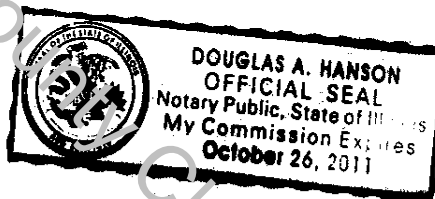


Daniel Fuhrman

Subscribed and sworn to before me
this 16 day of June, 2008



Notary Public



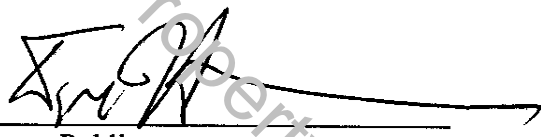
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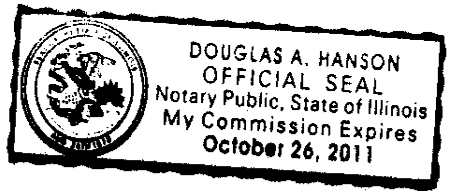
The undersigned, owner of Unit 1D, by my signature below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 16 day of June, 2008


Kenneth L. Green

Subscribed and sworn to before me
this 16 day of June, 2008


Notary Public



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The undersigned, owners of Unit 2A, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Betsy Derwinski
Betsy Derwinski (f/k/a Levsik)

Subscribed and sworn to before me
this 14 day of June, 2008

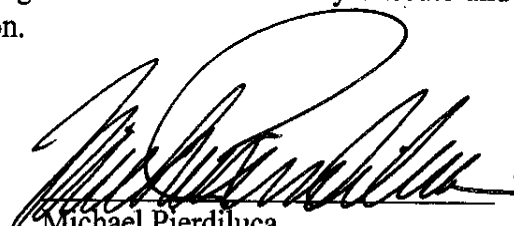
Nancy Rico
Notary Public



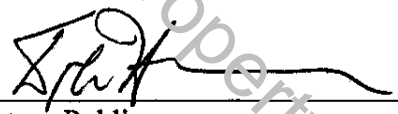
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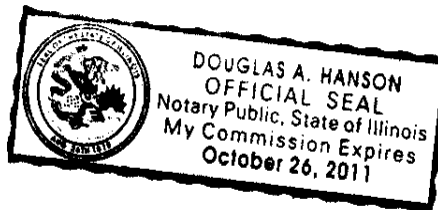
The undersigned, owners of Units 2B and 2D, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.


Executed this 15th day of June, 2008


Michael Pierdiluca

Subscribed and sworn to before me
this 15th day of June, 2008

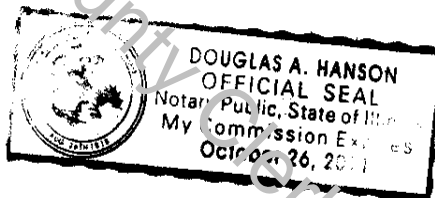

Notary Public




Gail Pierdiluca

Subscribed and sworn to before me
this 15th day of June, 2008

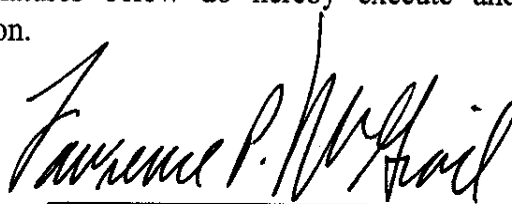

Notary Public



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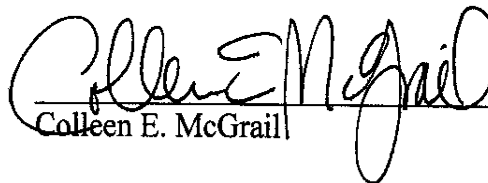
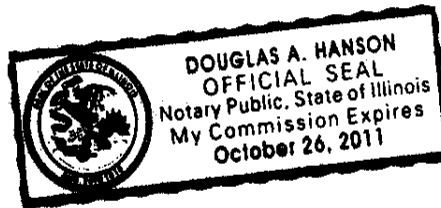
The undersigned, owners of Unit 2C, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 15 day of June, 2008

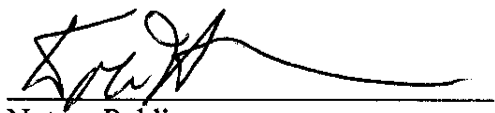
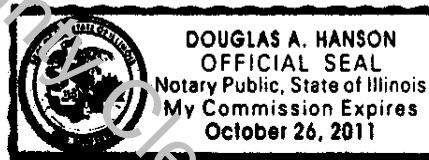


Lawrence P. McGrail

Subscribed and sworn to before me
this 15 day of June, 2008


Notary Public
Colleen E. McGrail

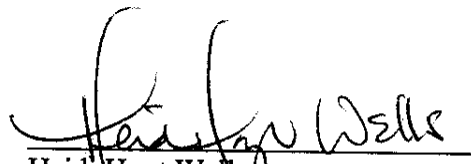
Subscribed and sworn to before me
this 15 day of June, 2008


Notary Public


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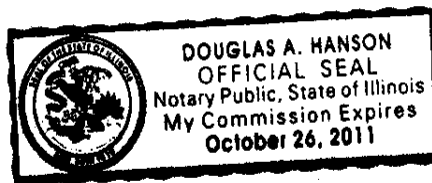
The undersigned, owners of Unit 3A, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.

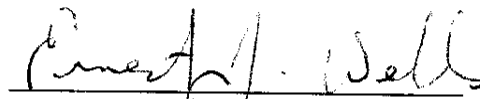
Executed this 16 day of June, 2008


Heidi Hoyt Wells


Subscribed and sworn to before me
this 16 day of June, 2008

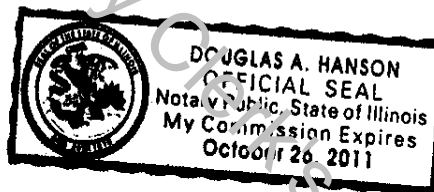

Notary Public




Ernest J. Wells

Subscribed and sworn to before me
this 16 day of June, 2008

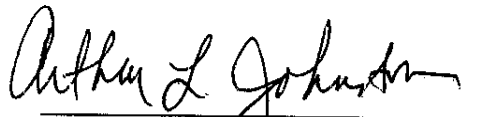

Notary Public



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The undersigned, owners of Unit 3B, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.


Executed this 23 day of June, 2008



Arthur Lloyd Johnson
Johnson

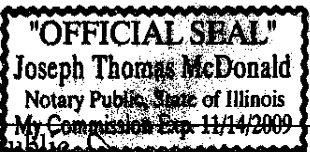
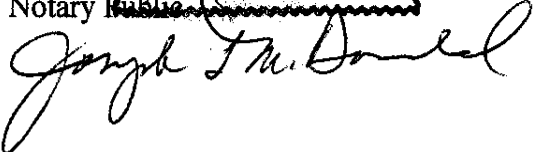
Subscribed and sworn to before me
this 23 day of June, 2008


Notary 



Jose A. Pena

Subscribed and sworn to before me
this 23 day of June, 2008


Notary 

CLERK OF COOK COUNTY CLERK'S OFFICE

UNOFFICIAL COPY

The undersigned, owners of Unit 3C, by our signatures below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 23 day of June, 2008

Henry de Vogue, Trustee of the
Henry de Vogue Trust dated
November 28, 1990

Subscribed and sworn to before me
this 23rd day of June, 2008

Notary Public
Cheryl J. Warnock

My Commission Expires:
May 21, 2009

Priscilla de Vogue, Trustee of the
Priscilla de Vogue Trust dated
November 28, 1990

Subscribed and sworn to before me
this 23rd day of June, 2008

Notary Public
Cheryl J. Warnock

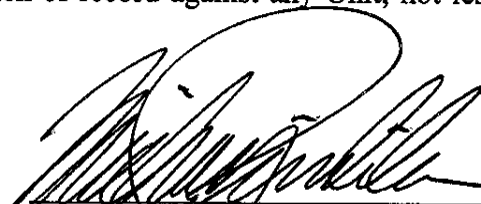
My Commission Expires:
May 21, 2009

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AFFIDAVIT OF MAILING

I, Michael Pierdiluca, President of the Board of Managers of the Headley School Condominium Association, by my signature below do hereby that a copy of this Amendment has been mailed by certified mail to all mortgagees having a bona fide lien of record against any Unit, not less than ten (10) days prior to the date of this Amendment.

Executed this 14 day of June, 2008

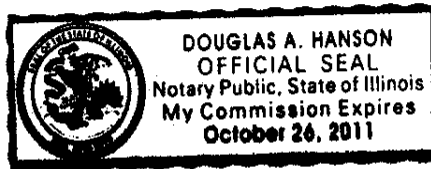


Michael Pierdiluca

Subscribed and sworn to before me
this 15 day of June, 2008



Notary Public



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