

UNOFFICIAL COPY



Doc#: 0835856034 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/23/2008 02:36 PM Pg: 1 of 5

Prepared by; Return To:
Lawrence A. Guzik
Attorney at Law
22285 Pepper Rd., Suite 308
Lake Barrington, IL 60010

(this space is reserved for recorder's use only)

SPECIAL AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR DOVER COURT CONDOMINIUM

This Special Amendment is made and entered into as of this 4th day of December, 2008 to the Declaration of Condominium Ownership and Easements, Restrictions, Covenants and Bylaws for Dover Court Condominium (the "Declaration") and is made by 4601 N. Dover, LLC, an Illinois Limited Liability Company (the "Declarant").

WITNESSETH:

WHEREAS, the Declaration of Condominium for the Dover Court Condominium was recorded in the office of the Recorder of Deeds on September 26, 2007 as document number 0726915004;

WHEREAS, the property (the "Property") which is subject to this Special Amendment is legally described as follows:

PARCEL 1: LOTS 1, 2, 3, 4, 5, 10 AND 11, THE PRIVATE ALLEY BETWEEN LOTS 1, 2, 3 AND 11, AND THE PRIVATE ALLEY BETWEEN LOTS 10 AND 11, IN THE SUBDIVISION OF LOTS 263 AND 269, INCLUSIVE, IN SHERIDAN DRIVE SUBDIVISION, A SUBDIVISION OF THE NORTH THREE-FOURTH'S OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, TOGETHER WITH THAT PART OF THE WEST HALF OF SAID NORTHWEST QUARTER OF SECTION 17 WHICH LIES NORTH OF THE SOUTH 800 FEET THEREOF AND EAST OF GREEN BAY ROAD IN COOK COUNTY, ILLINOIS.

PERM. INDEX NUMBER: #14-17-108-009-0000 (underlying)
COMMONLY KNOWN AS: 4601-4617 N. Dover and 1360-1364 W. Wilson Ave., Chicago, IL 60640.

OK
Done

UNOFFICIAL COPY

WHEREAS, the capitalized terms used in this Special Amendment shall have the same meanings as those in the Declaration;

WHEREAS, the Declarant wishes to amend certain provisions of the Declaration, namely those in Article 13 and Sections 14.01, 15.03 and 15.04 to conform with the requirements of the Federal National Mortgage Association, Federal Housing Administration, the Government National Mortgage Association and other governmental agencies that customarily insure or guarantee first mortgages covering unit ownership;

WHEREAS, Section 17.05 of the Declaration provides that the Declarant may by Special Amendment amend the Declaration to induce any government agency that customarily insures or guarantees first mortgages covering unit ownership to make, purchase, sell, insure or guarantee first mortgages covering unit ownership.

NOW THEREFORE, IT IS HEREBY RESOLVED that the following Sections of the Declaration are hereby amended as follows:

1. The words and percentage: "sixty six and two-thirds percent (66 2/3%)" appearing in the first line of Article 13 is hereby deleted and in place thereof is substituted the following: "sixty-seven percent (67%)".

2. The words and percentage: "sixty six and two-thirds percent (66 2/3%)" appearing in the third line of Section 14.01 is hereby deleted and in place thereof is substituted the following: "sixty-seven percent (67%)".

3. The following new Section 14.03 is hereby added to Article 14:

"14.03 Amendment Restrictions. Notwithstanding the provisions of Section 14.01 above and except for Special Amendments as permitted under the provisions of Section 17.05, the consent of Owners of Units to which at least 67 percent of the votes of the Association are allocated and the approval of eligible holders of first mortgages on Units to which 51 percent of the votes of Units subject to a mortgage appertain, shall be required to materially amend any provisions of the Declaration, By-laws or equivalent documents of the Condominium, or to add any material provisions thereto, which establish, provide for, govern or regulate any of the following:

- a. Voting;
- b. Assessments, assessment liens or subordination of such liens;
- c. Reserves for maintenance, repair and replacement of the Common Elements;

UNOFFICIAL COPY

- d. Insurance or Fidelity Bonds;
 - e. Rights to use the Common Elements;
 - f. Responsibility for maintenance and repair of the several portions of the Condominium;
 - g. Expansion or Contraction of the condominium regime or the additions, annexation or withdrawal of property to and from the regime;
 - h. Boundaries of any Unit;
 - i. The interests in the general or Limited Common Elements;
 - j. Convertibility of Units into Common Elements or Common Elements into Units;
 - k. Leasing of Units;
 - l. Imposition of any right of first refusal or similar restriction on the right of a Unit Owner to sell, transfer, or otherwise convey his or her Unit in the Condominium;
 - m. Establishment of self-management by the Association where professional management has been required by any governmental corporation or agency.”
 - n. Any provision for the express benefit of holders or insurers of first mortgages on Units in the Condominium.
4. The words and percentage: “sixty six and two-thirds percent (66 2/3%)” appearing in the fourth line of Section 15.03 is hereby deleted and in place thereof is substituted the following: “sixty-seven percent (67%)”.
5. The words and percentage: “sixty six and two-thirds percent (66 2/3%)” appearing in the third line of Section 15.04 is hereby deleted and in place thereof is substituted the following: “sixty-seven percent (67%)”.
6. The Unit designations and the Percentage of Ownership Interest in the Common Elements for each of the Units as set forth on Exhibit C to the Declaration shall be and remain the same and there shall be no change in the Percentage of Ownership for any other Unit in the Condominium Property.
7. Except as expressly set forth herein, the Declaration shall otherwise remain in full force and effect in accordance with its terms.

UNOFFICIAL COPY

IN WITNESS WHEREOF, the undersigned in his capacity as Manager of 4601 N. Dover, LLC, an Illinois Liability Company as the Declarant has caused this Special Amendment to be signed as of this 4th day of December, 2008.

4601 N. Dover, LLC ("Declarant"),

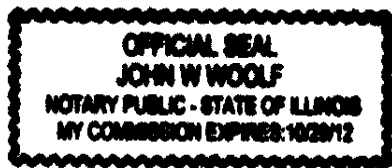
By: *Shawn Clark*
Shawn Clark, Manager

STATE OF ILLINOIS)
)
COUNTY OF COOK)

I, JOHN N. WOLF, a Notary Public in and for the County and State aforesaid, do hereby certify that Shawn Clark, personally known to me to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he signed and delivered the said Special Amendment as his own free and voluntary act, and as the free and voluntary act of said 4601 N. Dover, LLC, for the purposes therein set forth.

Given under my hand and Notarial Seal this 14 day of December, 2008.

John N. Wolf
Notary Public



UNOFFICIAL COPY

CONSENT BY MORTGAGEE

CenTrust Bank, N.A. (the "Bank") as holder of a Mortgage on the Property dated December 14, 2007 and recorded on December 19, 2007 as Document No. 0735350014 hereby consents to the execution and recording of the within Special Amendment to Declaration of Condominium Ownership and Easements, Restrictions, Covenants and By-Laws for Dover Court Condominium and agrees that said Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois. A facsimile counterpart of this Consent shall be given the same legal effect as an original.

IN WITNESS WHEREOF, the undersigned officer of the said Bank has caused this Consent of Mortgagee to be signed on its behalf, all done at Northbrook, Illinois on this 18th day of December, 2008.

CenTrust Bank, N.A.

By Andrew A. Hommon
Its: E.V.P.

STATE OF ILLINOIS)
) ss.
COUNTY OF Cook)

I, ~~the undersigned~~ Notary Public in and for said County and State, do hereby certify that Andrew A. Hommon appeared before me this day in person and acknowledged that he/she signed, sealed and delivered said instrument as his/her free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 18th day of December, 2008.

Maddie A. Meskovich
Notary Public

