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Cook County Recorder of Deeds  
Date: 05/19/2009 08:44 AM Pg: 1 of 4

Property of Cook County Clerk's Office

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## FOURTEENTH AMENDMENT

TO

## DECLARATION OF CONDOMINIUM FOR THE OPTIMA VIEWS CONDOMINIUM

Prepared by and after  
recording, mail to:  
Engelman & Smith  
1603 Orrington Ave., Ste. 800  
Evanston, IL 60201

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FOURTEENTH AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM FOR  
THE OPTIMA VIEWS CONDOMINIUM

THIS FOURTEENTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR THE OPTIMA VIEW CONDOMINIUM is made and entered into this 15<sup>th</sup> day of May, 2009, by and between MAPLERES, LLC an Illinois limited liability company and MICHAEL G. PIERCE (hereinafter sometimes referred to as Michael) and IRENE T. PIERCE (hereinafter sometimes referred to as Irene), who are husband and wife.

- WITNESSETH -

WHEREAS, by a Declaration of Condominium (the "Declaration") recorded in the office of the Recorder of Deeds of Cook County, Illinois as Document Number 0310527246, on April 15, 2003, OPTIMA MAPLE EVANSTON, L.P. an Illinois limited partnership by OPTIMA MAPLE EVANSTON DEVELOPMENT, LLC, an Illinois limited liability company, its general partner, by David C. Hovey, its manager (the Declarant) submitted certain real estate, legally described as:

**Lot 1 in Optima Views Resubdivision, in the Northwest quarter of Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois**

commonly known as: 1720 Maple Street, Evanston, IL. 60201  
affects P.I.N.s: 11-18-117-014-1072 and 11-18-117-014-1153.

to the provisions of the Illinois Condominium Property Act, 765 ILCS 605/1 *et. seq.* (the "Act"); and

WHEREAS, said Declaration has been amended from time to time by the recording of thirteen (13) prior amendments thereto, the Thirteenth Amendment having been recorded February 14, 2008 as document number 0804556040, and

WHEREAS, by the Tenth Amendment, the Declarant allocated certain parking and storage spaces in the condominium building as limited common elements assigned to certain units therein for the exclusive use of the owners of said units and appurtenant thereto, and

WHEREAS, Article 3, Section 4 (a) of the Declaration describes the limited common elements to include at subparagraphs (iv) and (v) "the parking spaces assigned to a unit by the developer as set forth in Exhibit (D) attached thereto; and (v) the storage spaces assigned to a unit by the developer as set forth in Exhibit (D) attached thereto..."; and

WHEREAS, Article 3, Section 4 (b) of the Declaration states that "the use of limited common elements may be transferred between owners at their expense in accordance with the provisions of the (Illinois Condominium) Act;" and

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WHEREAS, Article 3, Section 4 (d) (ii) of the Declaration states that “unit owners may exchange (upon recording of an amendment of this Declaration in accordance with the Act)...parking spaces appurtenant to their units. Any unit owner who has a parking space appurtenant to his unit has the right sell his parking space to another unit owner and, upon the recording of an amendment to this Declaration in accordance with section 26 of the (Illinois Condominium) Act, the parking space shall become appurtenant to the unit of the purchaser.”; and

WHEREAS, Section 26 of the Act provides that “the use of limited common elements may be transferred between unit owners at their expense, provided that the transfer may be made only in accordance with the condominium instruments and the provisions of the Act. Each transfer shall be made by an amendment to the Declaration executed by all unit owners who are parties to the transfer and consented to by all other unit owners who have any right to use the limited common elements affected. This Amendment shall contain a certificate showing that a copy of the amendment has been delivered to the board of managers. This Amendment shall contain a statement from the parties involved in the transfer which sets forth any changes in the parties proportionate shares.”; and

WHEREAS, the Eleventh, Twelfth and Thirteenth Amendments to the Declaration reallocated certain of the parking and storage spaces among the owners of certain units, which owners were parties to said Eleventh, Twelfth and Thirteenth Amendments, and

WHEREAS, Mapleres, LLC. is the owner of unit 1110 and has heretofore been allocated and has the exclusive right to use the limited common element parking spaces designated P11, P130 and P20; and

WHEREAS, Michael and Irene are the owners of unit 2140 and have heretofore been allocated and has the exclusive right to use the limited common element parking spaces designated P 175, and

WHEREAS, Mapleres, LLC. desires to reassign parking space P20 to be allocated to Unit 2140 for the exclusive use of said Unit’s owners as a limited common element appurtenant thereto, and in which the Michael and Irene and only Michael and Irene, or their successors and assigns shall have the exclusive use thereof.

NOW THEREFORE, the undersigned do hereby amend the Declaration as follows:

1. Exhibit D of the Declaration, as amended, is hereby further amended by reallocating, conveying and reassigning parking space P20 from Unit 1110 to Unit 2140, for the exclusive use of the owners of Unit 2140 as a limited common element appurtenant to said Unit 2140.
2. There shall be no change in the parties’ proportionate share of the common elements of the Condominium.

A copy of this Fourteenth Amendment has been delivered to the Board of Managers of the Optima Views Condominium Association.

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

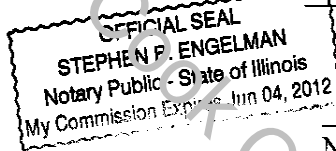
IN WITNESS WHEREOF, Mapleres, LLC., an Illinois limited liability company and Michael G. Pierce and Irene T. Pierce, as owners of the respective units with the exclusive right to use the limited common element affected, have executed this Fourteenth Amendment as of the day and date first above written.

  
Michael G. Pierce

  
Irene T. Pierce

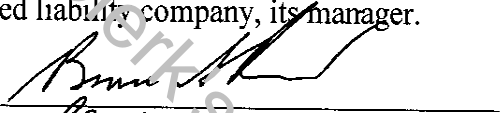
I, STEPHEN B. ENGELMAN, a Notary Public in and for the County of Lake and State of Illinois, do hereby certify that Michael G. Pierce and Irene T. Pierce (husband and wife), appeared before me this day in person and acknowledged that they signed, sealed and delivered this instrument as their free and voluntary act and deed, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 15<sup>th</sup> day of May, 2009.



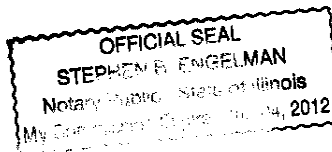
  
Notary Public

MAPLERES, LLC, an Illinois limited liability company  
By AHC MANAGEMENT, LLC., an Illinois limited liability company, its manager.

By:   
Its AHC

I, STEPHEN B. ENGELMAN, a Notary Public in and for the County of Cook and State of Illinois, do hereby certify that BRUCE REID of AHC Management, Inc., manager of Mapleres, LLC, as officer of said corporation, appeared before me this day in person and acknowledged that he signed, sealed and delivered this instrument as his free and voluntary act and as the free and voluntary act of said Corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 15<sup>th</sup> day of May, 2009.



  
Notary Public