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Cook County Recorder of Deeds
Date: 07/21/2009 12:28 PM Pg: 1 of 7

THE GIRARD LAW GROUP, P.C.
2851 N. Lincoln Avenue
Chicago, Illinois 60657
Attn: Andrew A. Girard, Esq.

**FIRST AMENDMENT TO
THE DECLARATION OF CONDOMINIUM OWNERSHIP
AND BY-LAWS
EASEMENTS, RESTRICTIONS AND COVENANTS FOR
THE PHOENIX AT UPTOWN HOMEOWNERS ASSOCIATION**

This document is recorded for the purpose of amending the Declaration of Condominium Ownership and By-Laws Easements, Restrictions and Covenants (hereinafter the "Declaration") for the Phoenix At Uptown Homeowners Association (hereinafter the "Association"), which Declaration was recorded on February 11, 2004, as Document No. 0404244126 in the Office of the Recorder of Deeds of Cook County, Illinois, and covers the property (hereinafter the "Property") legally described in Exhibit 'A', which is attached hereto and made a part thereof.

This amendment is adopted pursuant to the provisions of Article XX, Section 6 of the aforesaid Declaration and Section 17 of the Illinois Condominium Property Act (the "Act"). Said provisions provide that this amendment, the text of which is set forth below, shall become effective upon a recordation in the Office of the Recorder of Deeds of Cook County, Illinois, of an instrument in writing setting forth the change, provided the same is executed by the President of the Association or such other officer authorized by the Board of Managers of the Association (the "Board"), signed and acknowledged by at least three-fourths of the members of the Board, and by at least three-fourths of the unit owners, and provided further that if required by law it contains an affidavit by an officer of the board, certifying that a copy of the change has been sent by certified mail to all mortgagees, having liens of record against any unit ownership, not less than ten (10) days prior to the date of such affidavit.

RECITALS

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been submitted to the provisions of the Act; and

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WHEREAS, the Board and Owners desire to amend the Declaration so as to delete the Association's first right of refusal as to all units; and

WHEREAS, the amendment has been executed by the President of the Association or such other officer authorized by the Board, signed and acknowledged by at least three-fourths Board members and by at least three-fourths of the Owners, and if required by law, due notice having been provided to all mortgagees holding liens of record against any unit ownership, all in compliance with Article XX, Section 6 of the Declaration and Section 17 of the Act.

NOW THEREFORE, Article IX, Sections 1-7 of the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for The Phoenix at Uptown Homeowners Association are hereby rescinded and deleted in their entirety, rendering the Board without any right or option to purchase a Unit upon the sale or other alienation thereof.

Except to the extent expressly set forth hereinabove, the remaining provisions of the Declaration shall continue in effect without change.

END OF TEXT OF AMENDMENT

(THIS SPACE INTENTIONALLY LEFT BLANK)
(SIGNATURE PAGES TO FOLLOW)

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I Carlos Hurtado, am the president of the Board of Managers of The Phoenix at Uptown Homeowners Association, an Illinois condominium established by the aforesaid Declaration, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Section 17 of the Illinois Condominium Property Act.

EXECUTED this 10 day of April, 2009

BY: 

President

Property of Cook County Clerk's Office

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

We, the undersigned, are all of the members of The Phoenix at Uptown Homeowners Association, an Illinois condominium established by the aforesaid Declaration, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XX, Section 6 of the Declaration. This document may be executed in counterparts for the convenience of the parties.

EXECUTED this 10 day of April, 2009

Printed Name: Carlos Hurtado, president

Printed Name: Mark Harrison, treasurer

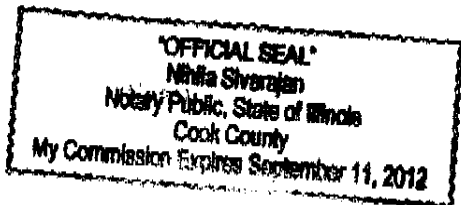
Printed Name: Michael Goldberg, secretary

Printed Name: _____

Printed Name: _____

Being at least 3/4 of the members of the Board of Mangers of The Phoenix at Uptown Homeowners Association

I, NIHILA SWARAJAN, a Notary Public, hereby certify that on July, 09, 2009 the above members of the Board of Mangers of Wil-Bryant Condominium Association, which Board members are personally known to me, appeared before me and acknowledged that, as such Board members, they signed this instrument as their free and voluntary act and as the free and voluntary act of said Board for the uses and purposes therein set forth.



nihila swarajan
Notary Public

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CERTIFICATION AS TO UNIT OWNER APPROVAL

STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I Carlos Hurtado, state that I am the ^{President} ~~Secretary~~ of the Board of Managers of The Phoenix at Uptown Homeowners Association, an Illinois condominium, and as such Secretary and the keeper and custodian of the books and records of said condominium, I hereby certify that the persons whose names are subscribed to the foregoing instruments represents at least three-fourths unit owners of the Condominium.

C.H.
 Secretary
 President



DATE: April 10, 2009

Query of Cook County Clerk's Office

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AFFIDAVIT OF NOTICE TO MORTGAGEES

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Carlos Hurtado, being first duly sworn on oath, depose and state that I am the ^{President} ~~Secretary~~ of the Board of Managers of The Phoenix at Uptown Homeowners Association, an Illinois condominium, and that pursuant to Article XX, Section 6 of the Declaration of Condominium Ownership for said condominium, written notice of the foregoing amendment has been sent by certified mail to all mortgagees of record against any unit in the aforesaid condominium, not less than ten (10) days prior to the date of this affidavit.

CH
Secretary President



SUBSCRIBED AND SWORN to
before me this 31st day
of 04, 2009

Nisha Shrivastava
NOTARY PUBLIC

Secretary of Cook County Clerk's Office

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EXHIBIT A **Legal Description**

All Units in The Phoenix at Uptown Condominium as delineated on a Survey of the following described land: Parts of Lots 228 to 238 both inclusive, taken as a single Tract of land in William Deering Surrenden Subdivision in the West half of the Northeast quarter of Section 17, Township 40 North, Range 14, East of the Third Principal Meridian, which Survey is attached Exhibit A to the Declaration of Condominium recorded as Document No. 0404244128 together with its undivided percentage interest in the common elements, all in Cook County, Illinois.

Commonly Known As: 4715 North Racine, Chicago, Illinois 60640

Permanent Index Number: 14-17-204-005-1002
through and including: 14-17-204-005-1074

Property of Cook County Clerk's Office