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**SPECIAL AMENDMENT TO
DECLARATION OF CONDOMINIUM FOR
CATALPA GARDENS CONDOMINIUMS**

PROPERTY INDEX NUMBERS:
SEE ATTACHED

LEGAL DESCRIPTION: **SEE ATTACHED**

COMMON ADDRESS:
**1122 W. CATALPA AVE.,
CHICAGO, ILLINOIS 60640**

PREPARED BY:
**Gael Morris, Esquire
2835 N. SHEFFIELD AVE., SUITE 232
CHICAGO IL 60657**



Doc#: 0922539067 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/13/2009 03:15 PM Pg: 1 of 6

(Above Space for Recorder's Use Only)

This **SPECIAL AMENDMENT TO DECLARATION OF CONDOMINIUM FOR CATALPA GARDENS CONDOMINIUMS** made and entered into this 12th day of August, 2009 by **CATALPA PARTNERS, LLC**, an Illinois limited liability company, (hereinafter referred to as "Declarant").

WHEREAS, by a Declaration of Condominium ("Declaration") recorded in the Recorder's Office of Cook County, Illinois, as Document number 0721103098, the Declarant submitted certain real estate to the provisions of the Illinois Condominium Property Act ("Act"); and

WHEREAS, the Declarant is not required to obtain any consent from Unit Owners (as defined in the Declaration) for amendments made to the Declaration as set forth in Paragraph 23 of the Declaration.

NOW THEREFORE, the Declarant does hereby amend the Declaration as follows:

1. Section 7 of the Declaration is deleted in its entirety, and the following Section 7 is substituted in its stead:

"7. Sale or Lease of Units or Sublease of Assignment of Lease Thereof. The sale or lease of any Unit, whether a Residential Unit or a Parking Unit, shall be governed by the following:

(a) Sale of a Unit. The Owner of a Unit may sell a Unit to any person, and the Association shall have no right of first refusal.

(b) Lease of a Unit. Any Unit Owner shall have the right to lease, or permit a subsequent sublease or assignment of all (but not less than all) of his Unit upon which terms and conditions as the Unit Owner may deem acceptable,

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except that no Unit shall be leased, subleased or assigned for a period of less than thirty (30) days. Any such lease, sublease or assignment shall be in writing, a copy of which must be delivered to the Association not later than the date of use and/or occupancy or 10 days after the lease is signed, whichever occurs first, and shall provide that the lease, sublease or assignment shall be subject to the terms of this Declaration and that any failure of the lessee, sublessee or assignee to comply with the terms of the Declaration, the By-Laws, the Act, or any rule or regulation adopted by the Board shall be a default under the lease, sublease or assignment. The Unit Owner making any such lease, or permitting such sublease or assignment shall not be relieved thereby from any of his obligations under the Declaration. In addition to any other remedies, by filing an action jointly against the Unit Owner and the lessee, sublessee or assignee, the Association may seek to enjoin a lessee, sublessee or assignee from occupying a Unit or seek to evict a lessee, sublessee or assignee under the provisions of Article IX of the Code of Civil Procedure for failure of the lessor-Unit Owner to comply with the leasing requirements prescribed by this Section or by the Declaration, By-Laws, and rules and regulations.”

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

SIGNATURE PAGE FOLLOWS – REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

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IN WITNESS WHEREOF, Declarant has caused its seal to be affixed hereunto and has caused its name to be signed to these presents on the day and year first above written.

CATALPA PARTNERS, LLC

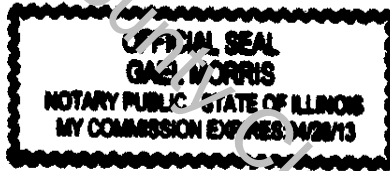
By: *Charles L. Cornelius, Jr.*
CHARLES L. CORNELIUS, JR.
Member of Catalpa Developers, LLC, its Manager

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, GAEL MORRIS, a Notary Public in and for said County and State, do hereby certify that **CHARLES L. CORNELIUS, JR., Member of Catalpa Developers, LLC, Manager of Catalpa Partners, LLC, an Illinois limited liability company**, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Member, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said companies, for the uses and purposes therein set forth.

GIVEN, under my hand and Notarial Seal
this 12th day of August, 2007.

Gael Morris
Notary Public



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CONSENT OF MORTGAGEE

Bank of America, N.A., Successor to LaSalle Bank National Association, ("Lender"), holder of a note secured by a mortgage on the Property dated September 20, 2007 and recorded with the Recorder of Deeds of Cook County, Illinois, on September 24, 2007 as Document No. 0726744089, hereby consents to the execution of and recording of the above and foregoing Special Amendment to Declaration of Condominium for Catalpa Gardens Condominiums, and hereby subordinates said mortgage to the provisions of the foregoing Special Amendment to Declaration of Condominium for Catalpa Gardens Condominiums and the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, said Lender has caused this instrument to be signed by its duly authorized officers on its behalf at Chicago, Illinois, on this 12th day of August, 2009.

Bank of America, N.A., Successor to LaSalle Bank National Association, (lender)

By: [Signature]
Its: SVP

ATTEST:

Its: [Signature]
AVP

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Marianne C. Flanagan, a Notary Public in and for said County and State, do hereby certify that A. Brad Feine and Gregory Larsen the Senior Vice President and Assistant Vice President respectively, of Bank of America, N.A., Successor to LaSalle Bank National Association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Senior Vice President and Assistant Vice President appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act of said Lender, for the uses and purposes therein set forth.

Marianne C. Flanagan
Notary Public



UNOFFICIAL COPY**COMMON ADDRESS:****1122 W. CATALPA AVE., CHICAGO, ILLINOIS 60640****LEGAL DESCRIPTION:**

Units 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 508, 511, 512, 513, 514, 516, 517, 602, 603, 604, 608, 611, 612, 613, 614, 615, 617, 618, 702, 703, 705, 706, 708, 711, 713, 715, 716, 717, 718, 803, 804, 805, 807, 808, 809, 810, 811, 812, 814, 815, 816, 817, 901, 902, 903, 908, 911, 912, 914, 917, 918, 1001, 1002, 1005, 1006, 1007, 1008, 1009, 1011, 1012, 1014, 1015, 1017, 1018, P-103, P-105, P-106, P-107, P-110, P-111, P-112, P-113, P-114, P-115, P-117, P-118, P-130, P-137, P-142, P-146, P-147, P-148, P-149, P-201, P-205, P-206, P-207, P-208, P-210, P-211, P-212, P-213, P-215, P-216, P-218, P-220, P-225, P-226, P-227, P-228, P-229, P-230, P-231, P-232, P-233, P-237, P-240, P-241, P-242, P-243, P-244, P-245, P-246, P-247, P-248, P-249, P-250, P-251, P-253, P-254, P-255, P-258, P-260, P-301, P-303, P-304, P-305, P-306, P-309, P-310, P-311, P-314, P-315, P-317, P-318, P-319, P-321, P-327, P-328, P-329, P-330, P-331, P-333, P-337, P-339, P-340, P-342, P-345, P-349, P-353, P-354, P-355, P-356, P-357, P-360, P-363, P-364 and P-366 in Catalpa Gardens Condominiums, as delineated on a plat of survey of the following described tract of land:

Lots 13 and 14 in Block 3 in John Lewis Cochran's Subdivision; that part of Lot 13 in Conrad Bristle Subdivision of Lot 17 of Block 3 in John Lewis Cochran's Subdivision aforesaid lying south of the north 46 feet thereof; and the vacated alley lying between said Lots 13 and 14 in Block 3 in John Lewis Cochran's Subdivision and that part of Lot 13 in Conrad Bristle Subdivision of Lot 17 of Block 3 in John Lewis Cochran's Subdivision aforesaid lying south of the north 46 feet thereof, in the west half of the northeast quarter of Section 8, Township 40 north, Range 14 east of the Third Principal Meridian, which plat of survey is attached as Exhibit "D" to the declaration of condominium ownership recorded July 30, 2007, as document 0721103098, as amended from time to time, together with its undivided percentage interest in the common elements, all in Cook County, Illinois.

PINS (TAX YEAR 2008): **UNOFFICIAL COPY**
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14-08-200-035- 1005	14-08-200-035- 1055	14-08-200-035- 1105
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