

UNOFFICIAL COPY



Doc#: 0924418081 Fee: \$42.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 09/01/2009 05:09 PM Pg: 1 of 4

Document Prepared by and Return To:
Eric Feldman & Associates, P.C.
1455 North Paulina Street
Chicago, Illinois 60622

Permanent Index Numbers:

16-12-200-023-1001
16-12-200-023-1002
16-12-200-023-1003
16-12-200-023-1004
16-12-200-023-1005

SECOND AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS, AND COVENANTS FOR THE 2709 W. CHICAGO CONDOMINIUM

This SECOND Amendment is made and entered into this 11th day of August, 2009, by all the individual Unit Owners of all Units located at 2709 West Chicago Avenue in Chicago, Illinois ("Property") and the 2709 W. Chicago Condominium Association (collectively termed "Declarant").

RECITALS

WHEREAS, the Declaration of Condominium Ownership, By-laws, Easements, Restrictions and Covenants for the 2709 W. Chicago Condominiums ("Declaration") was recorded in the office of the Cook County Recorder of Deeds, August 3, 2004 as document number 0421634017 which submitted the real estate commonly known as 2709 W. Chicago Avenue in Chicago, legally described on Exhibit A attached hereto ("Property"), to the provisions of the Illinois Condominium Property Act (the "Act");

WHEREAS, Declarant desires to amend the Declaration pursuant to Section 6 of Article XIX of the Declaration for the purpose of adding and modifying various provisions of the Declaration in order to comply with current lending guidelines from Fannie Mae and Freddie Mac and the Federal Housing Authority, so current Unit Owners and prospective Unit Owners may have more financing options with respect to their Property;

NOW THEREFOR, Declarant, hereby amends the Declaration as follows:

1. Notwithstanding anything to the contrary contained in the Declaration, Article XIX shall be amended by adding:

Paragraph 18. Any first mortgagee who obtains title to a Unit pursuant to the remedies in the mortgage or through foreclosure will have limited liability for the previous Unit Owner's unpaid regular assessments as set forth in Illinois statute.

Paragraph 19. Except as provided by Illinois statute, in case of condemnation, eminent domain, taking, or a substantial loss, to the Units or the Common Elements, the Association is not entitled to take any of the following actions without the consent of the first mortgagees of Unit Owners who own at least 2/3rds of percentage of Common Elements;

UNOFFICIAL COPY

1. Seek to abandon or terminate the condominium project by act or omission;
2. Modify the pro rata share interest or obligations of any Unit;
3. Partition or subdivide any Unit;
4. Seek to abandon, partition, subdivide, encumber, sell or transfer any of the Common Elements (except standard utility easements);
5. Use insurance proceeds for any other purpose than to repair, replacement or reconstruction of Condominium Property (Units or Common Elements).

Additionally, notice must be given to all first mortgagees within fifteen (15) days of the Board's acknowledgment of a proposed condemnation, eminent domain, taking, or a casualty or substantial loss, or any other proposed action that requires the consent of any percentage of the first mortgagees.

Paragraph 20. Notwithstanding anything contained herein, no provision shall give a Unit Owner or any other party priority over a first mortgagee with respect to any insurance proceeds or condemnation awards related to any Unit or the Common Elements.

IN WITNESS WHEREOF, the Declarant has executed this Second Amendment to the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for the 2709 W. Chicago Condominiums as of the date first above written


2709 W. Chicago Condominium Association, an Illinois not for profit corporation,

By: 
 Name: MARK MASINO
 Its: President


Owner of Unit G

 Name:


Owner of Unit 1F


 Name: ELENA KARINOVA

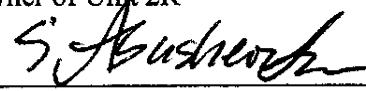
Owner of Unit 2F


 Name: WALTER CLEMENTS

Owner of Unit 1R


 Name: MIL PROPERTY GROUP LLC - MARK MASINO

Owner of Unit 2R


 Name:

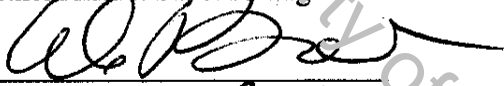
UNOFFICIAL COPY

STATE OF ILLINOIS)
)
 COUNTY OF COOK) SS.

AFFIDAVIT

I, the undersigned, an officer of 2709 W. Chicago Condominium Association, certifies that a copy of the Second Amendment to the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for the 2709 W. Chicago Condominiums has been sent by certified mail to all mortgagees having bona fide liens of record against any unit. Said copy was sent not less than ten (10) days prior to the date of this Affidavit.

Further Affiant Sayeth Naught:



Name: ELNA BARINOVA TRESURER
 Date: 8-19-09
 Title: TRESURER

Clerk of Cook County Clerk's Office

UNOFFICIAL COPY

LEGAL DESCRIPTION

UNIT NUMBER 2709-G, Unit 2709-1R, UNIT 2709-2R, UNIT 2709-1F, UNIT 2709-2F, IN THE 2709-11 WEST CHICAGO AVENUE CONDOMINIUM, AS DELINEATED ON A PLAT OF SURVEY OF THE FOLLOWING DESCRIBED PARCEL OF REAL ESTATE: LOT 4 IN LOUISA GLANZA'S SUBDIVISION OF THAT PART OF BLOCK 4 AND 5, LYING NORTH AND EAST OF GRAND AVENUE IN WRIGHT AND WEBSTER'S SUBDIVISION OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS AN EXHIBIT TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 0421634017, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office