



Doc#: 0928818026 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/15/2009 12:17 PM Pg: 1 of 6

This instrument prepared by and to be mailed to:

Mark R. Rosenbaum
Fischel & Kahn, Ltd.
190 S. LaSalle St., Ste 2850
Chicago, Illinois 60603
Recorder's Box 345

Above Space for Recorder's Use Only

FOURTH AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP AND EASEMENTS, RESTRICTIONS
AND COVENANTS FOR
222 EAST CHESTNUT CONDOMINIUM ASSOCIATION

This Fourth Amendment ("Amendment") made and entered into as of August 25, 2009, by 222 East Chestnut Condominium Association, an Illinois not-for-profit corporation (the "Association").

Recitals:

- A. By the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws, recorded in the Office of the Recorder of Cook County, Illinois, as document no. 34933769 (the "Original Declaration"), the Declarant submitted certain real estate to the Illinois Condominium Property Act (the "Act"), said condominium being known as 222 East Chestnut Condominium (the "Condominium"); and
- B. The Declaration was subsequently amended by documents recorded in the Office of the Recorder of Cook County, IL as document numbers 88212352, 96279811 and 00495765 (together, the "Amendments"). The Amendments and the Original Declaration are hereinafter referred to together as the "Declaration"); and
- C. The legal description of the Units and Property now subject to the Declaration is attached hereto as Exhibit "1" and incorporated by reference herein; and
- D. The Board of Managers of the Association has determined that Fannie May and Freddie Mac have issued guidelines that discourage the use of condominium association rights of first refusal for sales and leases; and
- E. The continued presence in the Association's Declaration of provisions relating to the Association's rights of first refusal for sales and leases are therefore now acting as a limitation on the ability of new unit buyers to obtain mortgage financing; and

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- F. The Board believes that it is in the best interests of the Association to eliminate, as much as possible, the Association's rights of first refusal.
- G. That the Board has approved this Fourth Amendment set forth below, and that Unit Owners owning in excess of 75% of the undivided percentage interests in the common elements have voted, in person or by proxy, to approve this Fourth Amendment, as evidenced by the affidavit of the Secretary of the Association attached as Exhibit "A"; and
- H. Due notice has been given to mortgagees with bona fide liens of record, as required by the terms of the Declaration. The affidavit of the Secretary of the Association to said notice is attached as Exhibit "A".

Now Therefore, the Association, for the uses and purposes set forth above, hereby declares that the Declaration be and hereby is, amended as follows:

1. The above-stated Recitals are incorporated by this reference.
2. Article VIII of the Declaration is hereby amended as follows:
 - a. Section 8.01 of the Declaration is hereby deleted in its entirety.
 - b. Section 8.02(a) of the Declaration is hereby deleted in its entirety.
 - c. The first sentence of Section 8.03 is deleted and the following substituted in its place: "The Board may purchase, lease or sublease any Unit or interest therein upon the prior written consent of the voting members having two-thirds (2/3) of the total votes."
 - d. Section 8.04 of the Declaration is hereby deleted in its entirety.
 - e. Section 8.05 of the Declaration is hereby deleted in its entirety.
 - f. The title of Section 8.06 is hereby deleted in its entirety and the following substituted in its place: "8.06. *Financing of Purchases or Leases*"
 - g. The second sentence of Section 8.07 of the Declaration is amended by placing a period after the words "...as the Board shall determine." and deleting all the words of the sentence after the word "determine".
 - h. Section 8.08 (and all subparts of that Section) of the Declaration is/are deleted in its/their entirety.
 - i. A new Section 8.09 is added to the Declaration to state as follows:
 "8.09 *Priority in the Event of Conflict*. In the event of any reference any place in the Declaration to rights of first refusal or any reference in the Declaration to any former provision of Article VIII now deleted, such reference shall be of no force or effect, it being the intent to remove all such provisions and for the Association to have no rights of first refusal."
3. FURTHER RESOLVED, that except as specifically amended by this Fourth Amendment, the Declaration, as previously amended, remains in full force and effect.

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In Witness Whereof, the Association, by its duly elected and authorized officers and directors, has caused this Fourth Amendment to be executed as of the date and year first set forth above.

222 East Chestnut Condominium Association, an Illinois not-for-profit corporation

By: [Signature]
Its President

Attest: [Signature]
Its Secretary

[Signature]
Director

Being all the Directors of the Association

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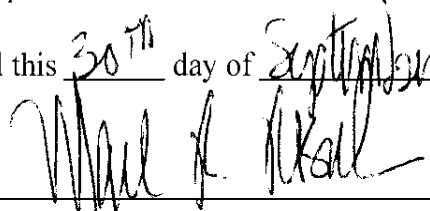
Property of Cook County Clerk's Office

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State of Illinois)
) ss
County of Cook)

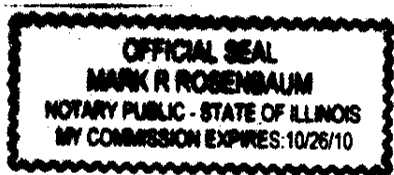
I, Mark R. Rosenbaum, a Notary Public in and for the State aforesaid, Do Hereby Certify that Jay Levine, personally known to me to be the President and R. Norris Orms, personally known to me to be the Secretary, and Anders Hagborg being personally known to me to be a director of 222 East Chestnut Condominium Association, an Illinois not-for-profit corporation, and the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person in the County aforesaid and acknowledged that they signed and delivered this instrument as their own free and voluntary act, and as the free and voluntary act of the said not-for-profit corporation, for the uses and purposes set forth.

Given under my hand and notarial seal this 30th day of September, 2009.



Notary Public

Seal



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Exhibit "A"

Affidavit


_____ The undersigned person, being first duly sworn on oath, deposes and states as follows:

1. The undersigned is the duly elected, and now acting, Secretary of the 222 East Chestnut Condominium Association, an Illinois not-for-profit corporation.
2. The undersigned has been, and now is, duly authorized to make this Affidavit on behalf of the Association.
3. That the above and foregoing Fourth Amendment was duly approved by the vote of Unit Owners of the Association owning in excess of 75% of the undivided percentage interests in the Common Elements at an August 25, 2009 meeting of said Unit Owners duly called and properly noticed.
4. That the undersigned caused a true and correct copy of the above and foregoing Fourth Amendment to be mailed, on October 1, 2009, by certified mail, to all first mortgagees of record against any Unit Ownership, said date being at least ten (10) days prior to the date of this Affidavit.

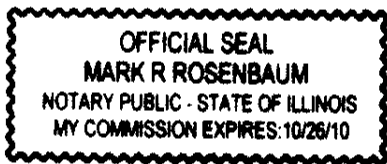
Date: October 15, 2009



Subscribed and sworn to before me
this 15th day of October, 2009



Notary Public



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Exhibit "1"

Legal Description

All Units in 222 East Chestnut Condominium, as delineated on the survey of the following described property:

Lot 33 and the East 15 feet 6 inches of Lot 34 in Lake Shore Drive Addition to Chicago, a subdivision of part of Blocks 14 and 20 in Canal Trustees Subdivision of the South Fractional 1/4 of Section 3, Township 39 North, Range 14, East of the Third Principal Meridian,

which survey is attached as Exhibit "A" to the Declaration of Condominium recorded in the Office of the Recorder of Deeds of Cook County, IL as document no. 24933769, as amended from time to time, together with each Unit's undivided percentage interest in the Common Elements, in Cook County, IL.

Unit No.	PIN	Unit No.	PIN
1C	17-03-221-011-1001	9C	17-03-221-011-1024
2B	17-03-221-011-1002	9D	17-03-221-011-1025
2C	17-03-221-011-1003	10B	17-03-221-011-1026
2D	17-03-221-011-1004	10C	17-03-221-011-1027
3B	17-03-221-011-1005	10D	17-03-221-011-1028
3C	17-03-221-011-1006	11A	17-03-221-011-1029
3D	17-03-221-011-1007	11B	17-03-221-011-1030
4B	17-03-221-011-1008	12A	17-03-221-011-1031
4C	17-03-221-011-1009	12B	17-03-221-011-1032
4D	17-03-221-011-1010	13A	17-03-221-011-1033
5B	17-03-221-011-1011	13B	17-03-221-011-1034
5C	17-03-221-011-1012	14A	17-03-221-011-1035
5D	17-03-221-011-1013	14B	17-03-221-011-1036
6B	17-03-221-011-1014	15A	17-03-221-011-1037
6C	17-03-221-011-1015	15B	17-03-221-011-1038
6D	17-03-221-011-1016	16A	17-03-221-011-1039
7B	17-03-221-011-1017	16B	17-03-221-011-1040
7C	17-03-221-011-1018	17A	17-03-221-011-1041
7D	17-03-221-011-1019	17B	17-03-221-011-1042
8B	17-03-221-011-1020	18A	17-03-221-011-1043
8C	17-03-221-011-1021	18B	17-03-221-011-1044
8D	17-03-221-011-1022	19A	17-03-221-011-1045
9B	17-03-221-011-1023	19B	17-03-221-011-1046

All located at 222 E. Chestnut St.

Chicago, IL 60611

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