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Doc#: 1213534056 Fee: \$78.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 05/14/2012 02:58 PM Pg: 1 of 21

**AMENDMENT TO THE
DECLARATION OF
CONDOMINIUM
OWNERSHIP AND OF
EASEMENTS,
RESTRICTIONS AND
COVENANTS FOR FULTON
STREET LOFTS
CONDOMINIUM**

This document is recorded for the purpose of amending the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants (hereafter the "Declaration") for Fulton Street Lofts Condominium (hereafter the "Association") which Declaration was recorded on October 21, 1998 as Document Number 98946531 in the Office of the Recorder of Deeds of Cook County, Illinois, as amended from time to time, and covers the property (hereafter the "Property") legally described in Exhibit A, which is attached hereto and made a part hereof.

This Amendment is adopted pursuant to Section 17 of the Illinois Condominium Property Act ("Act") and Section 12.4 of the Declaration. Said Section provides that the provisions of the Declaration may be amended by an instrument in writing setting forth such amendment, signed and acknowledged by at least 2/3 of the owners, or that is approved by the majority of votes cast by the owners, in person or by proxy, at a duly convened general or special meeting of members and is executed by the President or such other officer authorized by the Board.

RECITALS

**This document prepared by and after
recording to be returned to:**

MICHAEL J. SHIFRIN
Kovitz Shifrin Nesbit
750 Lake Cook Road, Suite 350
Buffalo Grove, IL 60089 — (847) 537-0500

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been subjected to the easements, restrictions and covenants contained therein; and

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WHEREAS, the following amendment has been approved by a majority vote of the Board and the Unit Owners having no less than 2/3 of the total vote, which approvals are attached hereto and made a part hereof; and

WHEREAS, the President or such other officer authorized by the Board has signed and acknowledged this Amendment in accordance with Section 17 of the Illinois Condominium Property Act; and

WHEREAS, an officer of the Association has attested to said Owner approval by execution of Exhibit B attached hereto and made a part hereof;

NOW, THEREFORE, the Association hereby declares that Article 5 of the Declaration be and is hereby amended with the following language (additions in text are indicated by underline and deletions are indicated by ~~strike-out~~):

5.3 Effective as of the recording date of this Amendment, and notwithstanding anything to the contrary contained in the Declaration, the rental or leasing of Units is limited to a total of five (5) Units. Those Owners leasing Units in the Association as of the effective date of this Amendment may continue to lease their units until the current tenant vacates the unit. Such "grandfathered owners" must abide by all of the terms of the Declaration, and automatically become subject to this amendment when the current tenant vacates the Unit. With respect to all other Owners, including Owners not currently leasing and those Owners who purchase, or otherwise receive ownership of, Units after the effective date of this Amendment, the following provisions shall apply:

(a) Any Unit Owner who desires to lease their Unit must notify the Board prior to entering into a lease agreement and their name will be added to a waiting list to be maintained by the Board or the managing agent. The initial waiting list order shall be compiled utilizing a random selection of names of Unit Owners interested in leasing. Thereafter, said waiting list shall be prioritized based upon a first come, first serve basis. If less than five (5) units are being leased when a Unit Owner submits their notice, the Board will notify the Unit Owner that they may rent the Unit.

(b) Whenever five (5) of the Units at the Association are being leased, no other Units may be leased except as set forth below.

(c) The name that has been on the waiting list the longest shall have the first opportunity to lease their Unit. That Unit Owner will be given sixty (60) days to present a signed lease to the Board, otherwise that Unit Owner forfeits his right to lease, drops to the bottom of the waiting list, and the right to lease passes to the next Unit Owner name on the

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waiting list. The Board shall promptly review any proposed lease agreement in order to verify that it complies with the standards as set forth herein.

(d) Unit Owners may not execute leases for less than six (6) months or more than one (1) year in length. Unit Owners must inform the Board at least sixty (60) days before the expiration of the then current lease term whether their tenant desires to re-lease the Unit.

i. If the tenant desires to re-lease the Unit, the Unit Owner shall have the right to execute another lease agreement for no less than six (6) months and no more than one (1) year in length.

ii. If a lease is terminated by the tenant or the Owner prior to the expiration of the lease term, or if the tenant does not desire to re-lease the Unit, the Unit Owner must stop leasing the Unit and their name shall be placed at the bottom of the waiting list. If no names appear on the waiting list, the Unit Owner may immediately seek a new tenant.

(e) The Board of the Association shall have the right to lease any Association owned Units or any Unit which the Association has possession, pursuant to any court order, and said Units shall not be subject to this Amendment.

(f) Any Unit being leased out in violation of this Amendment or any Unit Owner found to be in violation of the Rules and Regulations adopted by the Board may be subject to a flat or daily fine to be determined by the Board upon notice and an opportunity to be heard.

(g) In addition to the authority to levy fines against the Unit Owner for violation of this Amendment or any other provision of the Declaration, By-Laws or Rules and Regulations, the Board shall have all rights and remedies, including but not limited to the right to maintain an action for possession against the Unit Owner and/or tenant, under 735 ILCS 5/9 et. seq., an action for injunctive and other equitable relief, or an action at law for damages.

(h) Any action brought on behalf of the Association and/or the Board to enforce this Amendment shall subject the Unit Owner to the

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payment of all costs and attorneys' fees at the time they are incurred by the Association.

(i) All unpaid charges as a result of the foregoing shall be deemed to be a lien against the Unit and collectible as any other unpaid regular or special assessment, including late fees and interest on the unpaid balance.

This Amendment shall become effective upon its recordation in the Office of the Recorder of Deeds of Cook County, Illinois.

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

APPROVED THIS 2 DAY OF MAY, 2012.

FULTON STREET LOFTS CONDOMINIUM ASSOCIATION,

By: [Signature]
Its Board President

Property of Cook County Clerk's Office

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EXHIBIT A

Legal Description, Pins and Percentage of Ownership

LOTS 15 TO 17 IN STEPHEN F. GALE'S SUBDIVISION IN BLOCK 12 IN CARPENTER'S ADDITION TO CHICAGO IN SECTION 8, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Property Address: 1118-24 West Fulton Street, Chicago, Illinois

**Permanent Index Numbers: 17-08-409-002-0000
17-08-409-003-0000**

Unit	PIN No.	Percentage of Ownership
RU-201	17-08-409-010-1001	2.916%
RU-202	17-08-409-010-1002	2.916%
RU-203	17-08-409-010-1003	2.718%
RU-204	17-08-409-010-1004	2.718%
RU-205	17-08-409-010-1005	5.122%
RU-206	17-08-409-010-1006	4.273%
RU-207	17-08-409-010-1007	5.351%
RU-306	17-08-409-010-1008	4.512%
RU-308	17-08-409-010-1009	5.082%
RU-309	17-08-409-010-1010	5.051%
RU-401	17-08-409-010-1011	5.677%
RU-402	17-08-409-010-1012	5.630%
RU-403	17-08-409-010-1013	5.772%
RU-404	17-08-409-010-1014	5.237%
RU-501	17-08-409-010-1015	6.177%
RU-502	17-08-409-010-1039	6.177%
RU-503	17-08-409-010-1040	5.934%
RU-504	17-08-409-010-1017	5.934%
CU-1	17-08-409-010-1018	4.166%
CU-2	17-08-409-010-1019	2.975%
PU-1	17-08-409-010-1020	0.298%
PU-2	17-08-409-010-1021	0.298%
PU-3	17-08-409-010-1022	0.298%
PU-4	17-08-409-010-1023	0.298%
PU-5	17-08-409-010-1024	0.298%
PU-6	17-08-409-010-1025	0.298%
PU-7	17-08-409-010-1026	0.298%
PU-8	17-08-409-010-1027	0.298%

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PU-9	17-08-409-010-1028	0.298%
PU-10	17-08-409-010-1029	0.298%
PU-11	17-08-409-010-1030	0.298%
PU-12	17-08-409-010-1031	0.298%
PU-13	17-08-409-010-1032	0.298%
PU-14	17-08-409-010-1033	0.298%
PU-17	17-08-409-010-1036	0.298%
PU-18	17-08-409-010-1037	0.298%
PU-19	17-08-409-010-1038	0.298%
CS-1	17-08-409-010-1041	0.596%
	TOTAL	100.00%

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EXHIBIT B

CERTIFICATION AS TO UNIT OWNER APPROVAL

I, Michael McDermott, do hereby certify that I am the duly elected and qualified Secretary for Fulton Street Lofts Condominium Association, and as such Secretary, I am the keeper of the books and records of the Association.

I further certify that the attached Amendment to the Declaration for Fulton Street Lofts Condominium Association was duly approved by the Unit Owners having, in the aggregate, at least sixty-seven (67%) of the total votes in accordance with the requirements of Section 12.4 of the Association's Declaration pertaining to amendments.

Signature: Michael McDermott

Printed Name: Michael McDermott


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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for Fulton Street Lofts Condominium Association, specifically regarding leasing:

<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.


 Signature line 4/23/12

Sam Puglize-Kipley
 Printed Name

Property Address: 1118 W. Fulton Market #201 Unit # 201
 Chicago, Illinois

Percentage of Ownership: 3.214 %

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.

[Handwritten Signature]

 Signature line

Gregg Barbakoff

 Printed Name

Property Address: 1118 W. Fulton Mkt Unit # 202
 Chicago, Illinois

Percentage of Ownership: 100 %
3.214

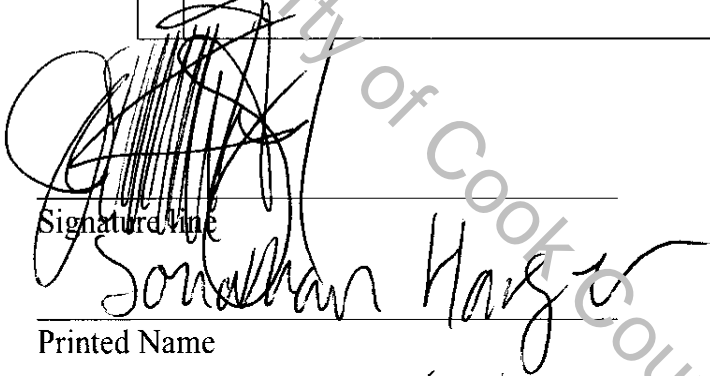
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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.



 Signature

Printed Name

Property Address: 1118 W Fulton Market Unit # 203
 Chicago, Illinois

Percentage of Ownership: 3.016 %

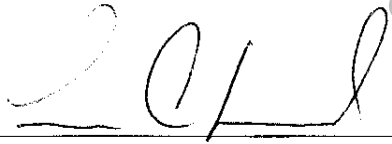
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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for Fulton Street Lofts Condominium Association, specifically regarding leasing:

<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.



Signature line

TERRANCE C KIRKWOOD

Printed Name

Property Address: 1118 W FULTON MARKET Unit # 204
Chicago, Illinois

Percentage of Ownership: 3.016 %

Property of Cook County Clerk's Office


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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for Fulton Street Lofts Condominium Association, specifically regarding leasing:

<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.



 4/21/2012

 Signature line

SEAN O'BRIEN

 Printed Name

Property Address: 1119 W FULTON MARKET Unit # 205
 Chicago, Illinois

Percentage of Ownership: 5.420 %

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.

Michael McDermott

Signature line

Michael McDermott

Printed Name

Property Address: 1118 W. Fulton Market Unit # 206
Chicago, Illinois

Percentage of Ownership: 4.571 %

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.

B. Pohl
 Signature line

B. POHL
 Printed Name

Property Address: 1118 W Fulton Unit # 207
 Chicago, Illinois

Percentage of Ownership: 5.649 %

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.

Paul Kilian
 Signature line

PAUL KILIAN
 Printed Name

Property Address: 1118 W. Fulton Market Unit # 306
 Chicago, Illinois

Percentage of Ownership: .481 %
or 4.810

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.



Signature line

Benjamin Lissacs
Printed Name

Property Address: 112 W Fulton Market St Unit # 308
Chicago, Illinois

Percentage of Ownership: 5.380 %

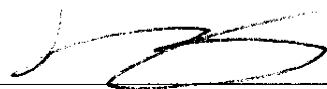
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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.



 Signature line

Enbka Wang

 Printed Name

Property Address: 1118 W. Fulton Mkt Unit # 401
Chicago, Illinois

Percentage of Ownership: 5.975 %

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.

Adam Rosenthal
 Signature line

Adam Rosenthal
 Printed Name

Property Address: 1118 W Fulton Unit # 403
Chicago, Illinois

Percentage of Ownership: 6.070 %

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.

Alex K. Wolfe

Signature line

Alex K. Wolfe

Printed Name

Property Address: 1118 W. Fulton Market Unit # 404
Chicago, Illinois

Percentage of Ownership: 5.535 %

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for Fulton Street Lofts Condominium Association, specifically regarding leasing:

<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.

Signature line

John Balfanz

Printed Name

Property Address:

Chicago, Illinois

Unit #

501

Percentage of Ownership: *6.475* %

Supersedes prior vote.

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FULTON STREET LOFTS CONDOMINIUM ASSOCIATION

BALLOT

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<input checked="" type="checkbox"/>	I approve of the amendment regarding leasing.
<input type="checkbox"/>	I do not approve of the amendment regarding leasing.

Howard Levy

 Signature line

HOWARD LEVY

 Printed Name

Property Address: 1118 W FULTON MARKET Unit # 504
 Chicago, Illinois

Percentage of Ownership: 6.232%