

UNOFFICIAL COPY

**SECOND
AMENDMENT TO THE
DECLARATION OF
CONDOMINIUM
OWNERSHIP AND OF
EASEMENTS,
RESTRICTIONS,
COVENANTS AND BY-
LAWS FOR 1310
MAPLE
CONDOMINIUM
ASSOCIATION**



Doc#: 1312118048 Fee: \$84.00
RHSP Fee: \$10.00 Affidavit Fee:
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 05/01/2013 02:50 PM Pg: 1 of 24

For Use By Recorder's Office Only

This document is recorded for the purpose of amending the Declaration of Condominium Ownership (hereafter the "Declaration") for 1310 Maple Condominium Association (hereafter the "Association") which Declaration was recorded on April 8, 1974 as Document Number 22679030 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 Article XII, Section 8 of the Declaration. Said Section provides that the provisions of the Declaration may be changed, modified or rescinded by the affirmative vote of Unit Owners having not less than three-fourths (3/4) of the total vote in person or by proxy, at a meeting called for that purpose and signed and acknowledged by the Board. Pursuant to Article XVI, Section 6(a) of the Declaration, a copy of the Amendment has been mailed, by Certified Mail, to all First Mortgagees of the individual Units, as evidenced by the certification attached hereto as Exhibit C.

RECITALS

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

Kerry T. Bartell, Attorney at Law
Kovitz Shifrin Nesbit
750 W. Lake Cook Rd., #350
Buffalo Grove, IL 60089

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

UNOFFICIAL COPY

WHEREAS, the Board of Directors and the Owners desire to amend the Declaration in order to provide for the orderly operation of the Property; and

WHEREAS, the following Amendment has been signed and acknowledged by the Board; and

WHEREAS, the following amendment has been approved by the Unit Owners having no less than three-fourths (3/4) of the total vote, at a meeting called for purpose held on April 3, 2012, which approvals are attached hereto and made a part hereof; 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;

WHEREAS, on April 16, 2013, every holder of a recorded mortgage or trust deed encumbering any one or more Units in the Property was given notice, by certified mail, of the amendment to the Declaration set forth hereinbelow as evidenced by Exhibit "C", attached hereto.

NOW, THEREFORE, the Declaration is hereby amended as follows:

Article VIII of the Declaration is amended by adding the following as Section 11:

11. Effective as of the recording date of this Amendment, and notwithstanding anything to the contrary contained in this Declaration, the rental or leasing of Units is limited to a total of six (6) of the Units.

(a) Any Owner leasing a Unit in the Association as of the effective date of this Amendment may continue to lease his or her Unit until such time as the Unit is either owner occupied or ownership of the Unit is transferred, at which point the Owner is subject to the terms below in this Section (a). Such grandfathered Owners must abide by all of the terms of the Declaration, including this Amendment. 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:

(i) Owners may not rent their Units and the Units must be owner occupied except as provided below. Only those grandfathered Owners or Owners who have resided on the property for 2 years are authorized to rent their Units.

(ii) Any Unit Owner who meets the requirements of Section (i) above and who desires to lease out his or her Unit must notify the Board no less than thirty (30) days prior to entering into a lease agreement, and his or her name will be added to a waiting list to be maintained by the Board or the managing agent.

UNOFFICIAL COPY

(iii) Whenever six (6) or more of the Units at the Association are being leased, no other Units may be leased.

(iv) At such time as six (6) of the Units in the Association are being leased, when one or more of these leased Units become either owner occupied or ownership of the Units is transferred, the Owner whose name has been on the waiting list for the longest amount of time shall have the first opportunity to lease his or her Unit. That Unit Owner will be given thirty (30) days to indicate whether he or she intends to lease out the Unit. That Unit Owner will then have an additional sixty (60) days to present a signed lease to the Board; otherwise, the right to lease shall pass to the next Unit Owner on the waiting list. The Board shall promptly review the proposed lease agreement in order to verify that it complies with the standards as set forth herein.

(b) The term of a lease may be ONLY one year (no more and no less). Successive leases are permitted, but only for the term of one year each. Subletting is prohibited.

(c) 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.

(d) 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.

(e) 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.

(f) Any action brought on behalf of the Association and/or the Board to enforce this Amendment or the Rules and Regulations shall subject the Unit Owner to the payment of all costs and attorneys' fees at the time they are incurred by the Association.

(g) 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

UNOFFICIAL COPY

regular or special assessment, including late fees and interest on the unpaid balance.

This Amendment shall be effective upon 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.

Signed and Acknowledged this 26 day of April, 2013.

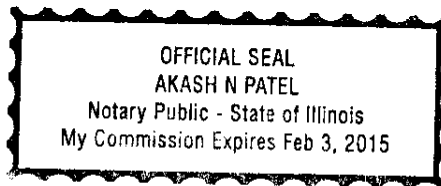
Dorothy Riehlman

Title: Secretary

Subscribed and Sworn to before me this 26th day of April, 2013.

Akash Patel
Notary Public

My Commission Expires: Feb 3, 2015



UNOFFICIAL COPY**EXHIBIT A****LEGAL DESCRIPTION****1310 Maple Condominium Association**

Lots 3, 4, and 5 in the Subdivision of Lot 1 (except the South 33 feet thereof) and Lots 2 and 3 and the South 3 feet of Lot 4 in Block 42 of Evanston, in fractional section 18, Township 41 North, Range 14 East of the Third Principal Meridian, in Cook County Illinois

Address	Unit	PIN No.
1310 Maple Ave., Evanston	2-A	11-18-327-022-1001
1310 Maple Ave., Evanston	3-A	11-18-327-022-1002
1310 Maple Ave., Evanston	4-A	11-18-327-022-1003
1310 Maple Ave., Evanston	5-A	11-18-327-022-1004
1310 Maple Ave., Evanston	2-B	11-18-327-022-1005
1310 Maple Ave., Evanston	3-B	11-18-327-022-1006
1310 Maple Ave., Evanston	4-B	11-18-327-022-1007
1310 Maple Ave., Evanston	5-B	11-18-327-022-1008
1310 Maple Ave., Evanston	2-C	11-18-327-022-1009
1310 Maple Ave., Evanston	3-C	11-18-327-022-1010
1310 Maple Ave., Evanston	4-C	11-18-327-022-1011
1310 Maple Ave., Evanston	5-C	11-18-327-022-1012
1310 Maple Ave., Evanston	2-D	11-18-327-022-1013
1310 Maple Ave., Evanston	3-D	11-18-327-022-1014
1310 Maple Ave., Evanston	4-D	11-18-327-022-1015
1310 Maple Ave., Evanston	5-D	11-18-327-022-1016
1310 Maple Ave., Evanston	2-E	11-18-327-022-1017
1310 Maple Ave., Evanston	3-E	11-18-327-022-1018
1310 Maple Ave., Evanston	4-E	11-18-327-022-1019
1310 Maple Ave., Evanston	5-E	11-18-327-022-1020

UNOFFICIAL COPY

EXHIBIT B

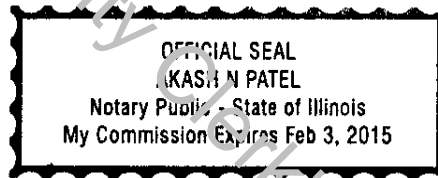
CERTIFICATION AS TO OWNER APPROVAL

I, Stacey Richlman, do hereby certify that I am the duly elected and qualified Secretary for 1310 Maple 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 1310 Maple Condominium Association, was duly approved by the Unit Owners having, in the aggregate, at least three-fourths (3/4) of the total vote at a meeting held on April 3, 2013, in accordance with the provisions of Article XII, Section 8 of the Declaration.

Stacey Richlman
Secretary

Subscribed and Sworn to before me this 26th day of April, 2013.



Alex Patel
Notary Public

My Commission Expires: Feb 3 2015

UNOFFICIAL COPY

EXHIBIT C

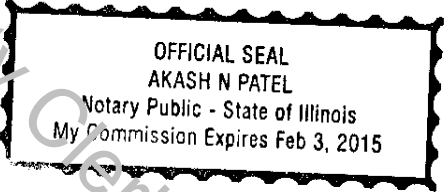
AFFIDAVIT AS TO MORTGAGEE NOTIFICATION

I, Stacey Richman do hereby certify that I am the duly elected and qualified Secretary for the 1310 Maple 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 the 1310 Maple Condominium Association was mailed to all mortgagees having bona fide liens of records no less than ten (10) days prior to the date of this affidavit.

Stacey Richman
Secretary

Subscribed and Sworn to before me this 26th day of April, 2013.



Akash Patel
Notary Public

My Commission Expires: Feb 3, 2015

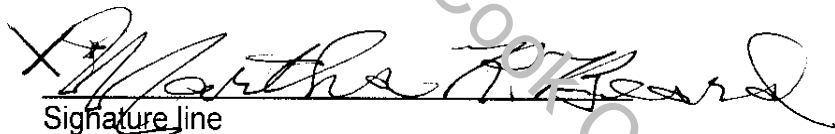
UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple Condominium Association, specifically regarding leasing:

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



Signature Line

Martha R. Beard
Printed Name

Property Address: 1310 Maple Avenue, Unit # 2E
Evanston, Illinois

Percentage of Ownership: 4.155 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Below

Signature line

Printed Name

Property Address: 1310 Maple Avenue, Unit # 3C
Evanston, Illinois

Percentage of Ownership: 5.620 %

FOR 1310 Maple Ave 3C LLC

Mark T Gadbois 30% owner
MARK T. GADBOIS

Siri S Gadbois 30% owner
Siri S. GADBOIS

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Mary Anne McKeon 3/15/13

Signature line

MARY ANNE MCKEON

Printed Name

Property Address: 1310 Maple Avenue, Unit # 4A
Evanston, Illinois

Percentage of Ownership: 4.972 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Gary A. Brown
 Signature line

GARY A. BROWN
 Printed Name

Property Address: 1310 Maple Avenue, Unit # 5E
 Evanston, Illinois

Percentage of Ownership: 4,324 ~~100~~ %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Sharon Lieberman

Signature line

SHARON LIEBERMAN

Printed Name

Property Address: 1310 Maple Avenue, Unit # 501
Evanston, Illinois

Percentage of Ownership: 5.732%

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Elizabeth A. Gillies
Signature line

Elizabeth A. Gillies
Printed Name

Property Address: 1310 Maple Avenue, Unit # 517
Evanston, Illinois

Percentage of Ownership: 5.028 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Ellen J. Fendrich
 Signature line

ELLEN J. FENDRICH
 Printed Name

Property Address: 1310 Maple Avenue, Unit # 3A
 Evanston, Illinois

Percentage of Ownership: 4.916 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Constance A. Berry
 Signature line

Constance A. Berry
 Printed Name

Property Address: 1310 Maple Avenue, Unit # 212
 Evanston, Illinois

Percentage of Ownership: 5.704 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Sara Soederstrom
 Signature line

Sara Soederstrom *Tom Schwane*
 Printed Name

Property Address: 1310 Maple Avenue, Unit # 3D
 Evanston, Illinois

Percentage of Ownership: 4.352 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Marilee S. Bass
Signature line

Marilee S. Bass
Printed Name

Property Address: 1310 Maple Avenue, Unit # 212
Evanston, Illinois

Percentage of Ownership: 4.859 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Cynthia Schultz, Tara Hughes

Signature line

CYNTHIA SCHULTZ, TARA HUGHES

Printed Name

Property Address: 1310 Maple Avenue, Unit # _____
Evanston, Illinois

Percentage of Ownership: 4.268 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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

PENG YOOT ALLY CHAN

Printed Name

NEIL T BRAZIL

Property Address: 1310 Maple Avenue, Unit # _____
Evanston, Illinois

Percentage of Ownership: 5.676 %

Property of Cook County Clerk's Office

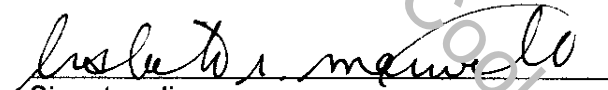
UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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

Lisbeth R. Maxwell
Printed Name

Property Address: 1310 Maple Avenue, Unit # 3E
Evanston, Illinois

Percentage of Ownership: 4.211 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Phyllis Sommers Akos
Signature line

PHYLLIS SOMMERS AKOS
Printed Name

Property Address: 1310 Maple Avenue, Unit # 3B
Evanston, Illinois

Percentage of Ownership: 5.761 %

Property of Cook County Clerk's Office

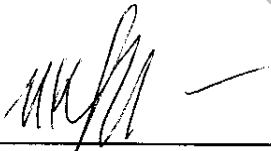
UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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
 Natalia Kuyper

 Printed Name

Property Address: 1310 Maple Avenue, Unit # 5B
Evanston, Illinois

Percentage of Ownership: 5.873 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Maureen A Walsh
 Signature line

Maureen A. Walsh
 Printed Name

Property Address: 1310 Maple Avenue, Unit # _____
 Evanston, Illinois

Percentage of Ownership: 4.408 %

Property of Cook County Clerk's Office

UNOFFICIAL COPY

1310 MAPLE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed Amendment to the Declaration for 1310 Maple 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.

Amy Gregozeski
Signature line

Amy Gregozeski
Printed Name

Property Address: 1310 Maple Avenue, Unit # 5D
Evanston, Illinois

Percentage of Ownership: 4.465 %

Property of Cook County Clerk's Office