

# UNOFFICIAL COPY

## FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS

Doc#: 1312934038 Fee: \$116.00  
RHSP Fee: \$10.00 Affidavit Fee:  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 05/09/2013 09:02 AM Pg: 1 of 16



This document is recorded for the purpose of Amending the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants (hereafter the "Declaration") for the Condominium Association (hereafter the "Association") commonly known as Innisbrook Condominium Association Number Five, which Declaration was recorded on July 29, 1977 as Document Number 24 035 130 in the Office of the Recorder of Deeds of Cook County, Illinois, and covers the property (hereafter the "Property") legally described in Exhibit "A", which is attached hereto and made a part hereof.

WITNESSETH:

WHEREAS, pursuant to Article XIII (7) of the Declaration, the Declaration may be changed, modified or amended by an instrument in writing setting forth such change, modification or amendment, signed by the President and acknowledged by the Secretary of the Association Board of Directors and containing affidavits by the Secretary of the board certifying (i) that Unit Owners representing at least three-fourths (3/4) of the total ownership of common elements of the association have approved such amendment at a meeting of the Association duly called for such purpose; and (ii) that all the holders of the first mortgages of record have been notified by certified mail of such change or modification; and

WHEREAS, said instrument has been signed by the President and acknowledged by the Secretary of the board, and

WHEREAS, an affidavit signed by the Secretary of the Association is attached as Exhibit B certifying that said instrument has been approved by the Unit Owners representing at least three-fourths (3/4) of the total ownership of the common elements of the association; and

WHEREAS, all holders of the first mortgages of record have been notified by certified mail of such change and modification and an affidavit confirming same is hereby attached hereto and made a part hereof as Exhibit "C"; and

WHEREAS, the effective date of the Amendment shall be the date of recordation; and

NOW THEREFORE, the required majority of unit owners voting in favor of said Amendment, DECLARES AND AMENDS THE DECLARATION AS FOLLOWS:

1. **Article V 1. Administration of Property**--- shall be amended to declare that the direction and administration of the property shall be vested in a board of managers, hereafter referred to as the "Board" consisting of five (5) persons

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from one of the following addresses, 8509, 8511, 8513, 8515, 8517, 8519, 8521, 8523, and 8525 West Catherine Avenue, Chicago, Illinois, who shall be elected in the manner hereinafter provided. Each member of the Board shall be one of the unit owners; provided however, that in the event a unit owner is a corporation, partnership, trust, or other legal entity other than a natural person or persons, then any director of such corporation, partner of such partnership, beneficiary or individual trustee of such trust, or manager or member of such other legal entity or LLC, shall be eligible to serve as a member of the Board. In the event the five (5) persons to be elected to the Board cannot each be from one (1) of the nine (9) addresses identified above, then more than one (1) person from the same address may be eligible to serve as a member of the Board.

2. **Article V 5 (a). Board of Managers---** shall be amended to declare (a) At each annual meeting, the voting members shall, by a majority of the total votes present at such meeting, elect a Board of Managers for the forthcoming year, consisting of five (5) owners who are not in arrears on the unit owner's regular or separate assessments. Voting members seeking to be elected to the Board of Managers need not reside at the property but those seeking to be elected who reside at the property shall have priority over non-resident unit owners. Three (3) members shall constitute a quorum. Members of the Board shall serve, without compensation for a term of one (1) year or until their successors are elected. Vacancies in the Board may be filled by unanimous vote of the remaining members thereof. Except as otherwise provided in this Declaration, the property shall be managed by the board and the board shall act by majority vote of those present at its meetings when a quorum exists. Meetings of the Board may be called, held and conducted in accordance with such regulations as the Board may adopt.
3. **Article V 5 (c)** shall also provide that if a Board member is removed from office under the provisions of said Article, then such person shall be barred for a period of one (1) year from the date of the upcoming election to be eligible to become a candidate to be elected to the Board.
4. **Article VIII Sale or Lease---**All owners of record as of October 1, 2011 shall be governed by Article V111 (1) as written in the Declaration. All owners of record after October 1, 2011 shall also be governed by Article VIII (1) except that the rental of a unit shall not be approved by the Board, notwithstanding the Board's failure to respond within thirty (30) days of written notice from the unit owner desiring to lease, if the total number of rented units at the time of written notice to the Board exceeds eleven (11) units.

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

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APPROVED THIS 27 DAY OF APRIL, 2013.

By: *Mike Kaelo*  
President

By: *Shanda Sydack*  
Secretary

Property of Cook County Clerk's Office

This instrument prepared by and mail to  
Thomas J. Tartaglia, Esq.  
Maggio & Tartaglia P.C.  
7819 W. Lawrence Ave.  
Norridge, IL 60706  
708-453-7700

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EXHIBIT "A"

LEGAL DESCRIPTION

Property of Cook County Clerk's Office

A large, stylized handwritten signature in black ink is centered on the page. The signature is highly cursive and difficult to decipher, appearing to consist of several overlapping loops and vertical strokes. It is positioned over the diagonal watermark text.

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(a) The legal description of said property is as follows:

That part of Lot 3 in Albert Schorsch Sons' Catherine Courts Tract No. 1, in the North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 11, Township 40 North, Range 12 East of the Third Principal Meridian, described as follows: commencing at the Northeast Corner of Lot 1 in said Albert Schorsch Sons' Catherine Courts Tract No. 1; Thence West along the North Line of said Lot 1 and the North Line of said Lot 3 in said subdivision 732.00 feet to the place of Beginning of the land to be described; thence South at right angles to the last described line 313.50 feet; thence West at right angles to the last described line 175.96 feet; thence North at right angles to the last described line 313.50 feet to the north line of said lot 3 thence east along said north line 175.96 feet to the place of beginning in Cook County, Illinois

Commonly known as 8509-25 West Catherine Avenue, Chicago, Illinois.

(b) the legal description of each unit, which consists of an identifying number as shown on the plat filed herein in accordance with the provisions of this Act, is as follows:

Unit 173; Unit 273; Unit 373; Unit 174; Unit 274; Unit 374; Unit 175; Unit 275; Unit 375; Unit 176; Unit 276; Unit 376; Unit 177; Unit 277; Unit 377; Unit 178; Unit 278; Unit 378; Unit 179; Unit 279; Unit 379; Unit 180; Unit 280; Unit 380; Unit 181; Unit 281; Unit 381; Unit 182; Unit 282; Unit 382; Unit 183; Unit 283; Unit 383; Unit 184; Unit 284; Unit 384; Unit 185; Unit 285; Unit 385; Unit 186; Unit 286; Unit 386; Unit 187; Unit 287; Unit 387; Unit 188; Unit 288; Unit 388; Unit 189; Unit 289; Unit 389; Unit 190; Unit 290; Unit 390; as delineated on survey of that part of Lot 3 in Albert Schorsch Sons' Catherine Courts Tract No. 1, in the North  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 11, Township 40 North, Range 12, East of the Third Principal Meridian, described as follows: Commencing at the Northeast corner of Lot 1 in said Albert Schorsch Sons' Catherine Courts Tract No. 1; Thence West along the North line of said Lot 1 and the North line of said Lot 3 in said subdivision 732.00 feet to the place of beginning of the land to be described; thence South at right angles to the last described line 313.50 feet; thence west at right angles to the last described line 175.96 feet; Thence North at right angles to the last described line 313.50 feet to the North Line of said Lot 3; thence East along said North line 175.96 feet to the place of beginning, in Cook County, Illinois.

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12-11-119-026-1001	12-11-119-026-1028
12-11-119-026-1002	12-11-119-026-1029
12-11-119-026-1003	12-11-119-026-1030
12-11-119-026-1004	12-11-119-026-1031
12-11-119-026-1005	12-11-119-026-1032
12-11-119-026-1006	12-11-119-026-1033
12-11-119-026-1007	12-11-119-026-1034
12-11-119-026-1008	12-11-119-026-1035
12-11-119-026-1009	12-11-119-026-1036
12-11-119-026-1010	12-11-119-026-1037
12-11-119-026-1011	12-11-119-026-1038
12-11-119-026-1012	12-11-119-026-1039
12-11-119-026-1013	12-11-119-026-1040
12-11-119-026-1014	12-11-119-026-1041
12-11-119-026-1015	12-11-119-026-1042
12-11-119-026-1016	12-11-119-026-1043
12-11-119-026-1017	12-11-119-026-1044
12-11-119-026-1018	12-11-119-026-1045
12-11-119-026-1019	12-11-119-026-1046
12-11-119-026-1020	12-11-119-026-1047
12-11-119-026-1021	12-11-119-026-1048
12-11-119-026-1022	12-11-119-026-1049
12-11-119-026-1023	12-11-119-026-1050
12-11-119-026-1024	12-11-119-026-1051
12-11-119-026-1025	12-11-119-026-1052
12-11-119-026-1026	12-11-119-026-1053
12-11-119-026-1027	12-11-119-026-1054

Commonly known as: 8509-25 West Catherine Avenue, Chicago, IL

Pins 12-11-119-026-1001 thru 12-11-119-026-1054



OFFICIAL BALLOT

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Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Mark Satera                      173                      [Signature]  
Name of Voting Member                      Unit Number                      Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Joseph Romano                      #174                      [Signature]  
Name of Voting Member                      Unit Number                      Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Leanne Pope                      175                      [Signature]  
Name of Voting Member                      Unit Number                      Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

K Wojcik                      176                      [Signature]  
Name of Voting Member                      Unit Number                      Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Annette Cortese                      178                      [Signature]  
Name of Voting Member                      Unit Number                      Signature of Voting Member



OFFICIAL BALLOT

**UNOFFICIAL COPY**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Harry Lucas                      180                      Harry Lucas  
Name of Voting Member              Unit Number              Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

FRANK PALISI                      181                      Francesco Palisi  
Name of Voting Member              Unit Number              Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Kotrech                      182                      [Signature]  
Name of Voting Member              Unit Number              Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Barbara Zawistowska              183                      Check reverse  
Name of Voting Member              Unit Number              Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

JOSEPHINE LINKIEWICZ              184                      [Signature]  
Name of Voting Member              Unit Number              Signature of Voting Member

## OFFICIAL BALLOT

**UNOFFICIAL COPY**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

MARIO MARCHESE      188      Mario Marchese  
Name of Voting Member      Unit Number      Signature of Voting Member

## OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Zygmunt Pasznicki      189      Zygmunt Pasznicki  
Name of Voting Member      Unit Number      Signature of Voting Member

## OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Andrzej Pasznicki      190N      Andrzej Pasznicki  
Name of Voting Member      Unit Number      Signature of Voting Member

## OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

RITA SNYDER      #273      Rita Snyder  
Name of Voting Member      Unit Number      Signature of Voting Member

## OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

TASIA DIMARCELLO      APT      274  
Name of Voting Member      Unit Number      Signature of Voting Member

**UNOFFICIAL COPY**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Bozenu Kalish  
Name of Voting Member

276  
Unit Number

Bozenu Kalish  
Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Miroslav Djordjevic  
Name of Voting Member

278  
Unit Number

Miroslav Djordjevic  
Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

ANNA TUKIENDORF  
Name of Voting Member

279  
Unit Number

ANNA TUKIENDORF  
Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

ROZALIA BRYDACKI  
Name of Voting Member

280  
Unit Number

Rozalia Brydacki  
Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

MATTHEW B PAROCELLI #281  
Name of Voting Member

Unit Number

MATTHEW B PAROCELLI  
Signature of Voting Member

OFFICIAL BALLOT

# UNOFFICIAL COPY

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

<u>Kathy Nadia</u>	<u>283</u>	<u>[Signature]</u>
Name of Voting Member	Unit Number	Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

<u>Ramona Osuni</u>	<u>284</u>	<u>Ramona Osuni</u>
Name of Voting Member	Unit Number	Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

<u>James Bernadette Padla</u>	<u>285</u>	<u>[Signature]</u>
Name of Voting Member	Unit Number	Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

<u>May Strager</u>	<u>286</u>	<u>Empherial Strager</u>
Name of Voting Member	Unit Number	Signature of Voting Member

**OFFICIAL BALLOT**

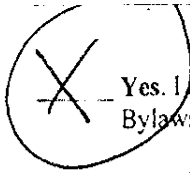
Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

<u>Mae Balsamo</u>	<u>287</u>	<u>Mae Balsamo</u>
Name of Voting Member	Unit Number	Signature of Voting Member

OFFICIAL BALLOT

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Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

ANNA POLLIZZE  
Name of Voting Member

288  
Unit Number

Anna Pollizze  
Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

JASPER POLLIZZE  
Name of Voting Member

289  
Unit Number

Jasper Pollizze  
Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Kathy Thyer  
Name of Voting Member

298  
Unit Number

K. Thyer  
Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Jennifer O'Connell  
Name of Voting Member

313  
Unit Number

Jennifer O'Connell  
Signature of Voting Member

OFFICIAL BALLOT

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Michelle O'Connell  
Name of Voting Member

314  
Unit Number

RL  
Signature of Voting Member

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~~OFFICIAL BALLOT~~

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

DRAGAN NIKIN

Name of Voting Member

# 383

Unit Number

[Signature]

Signature of Voting Member

ANJA NIKIN

[Signature]

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

Krista Liccardi

Name of Voting Member

384

Unit Number

[Signature]

Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

SAHORE S ROKOSZ

Name of Voting Member

388

Unit Number

[Signature]

Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

GEORGIA KOROMILAS

Name of Voting Member

389

Unit Number

[Signature]

Signature of Voting Member

**OFFICIAL BALLOT**

Yes. I agree with the above proposed amendments and vote that they should be included into the Bylaws of Innisbrook Condominium Association Number Five.

No. I disagree with the above proposed amendments and vote that they should not be included into the Bylaws of Innisbrook Condominium Association Number Five.

MEHDI FIROOZ

Name of Voting Member

390

Unit Number

[Signature]

Signature of Voting Member





