

# UNOFFICIAL COPY

**FIRST AMENDMENT TO  
DECLARATION OF  
CONDOMINIUM  
OWNERSHIP FOR THE  
MENNING CONDOMINIUMS  
OF LAKEVIEW  
ASSOCIATION**



Doc#: 1319844110 Fee: \$46.00  
RHSP Fee:\$9.00 RPRF Fee: \$1.00  
Karen A.Yarbrough  
Cook County Recorder of Deeds  
Date: 07/17/2013 04:11 PM Pg: 1 of 5

This First Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for The Menning Condominiums of Lakeview Association made and entered into this 17<sup>th</sup> day of July, 2013:

**WITNESSETH:**

WHEREAS, the real estate described on Exhibit 1 was submitted to the Condominium Property Act of the State of Illinois (the "Act") pursuant to a Declaration of Condominium recorded in the Office of the Cook County Recorder of Deeds on March 19, 1999 as Document No. 99269108 (the "Declaration");

WHEREAS, Section 9.01(a) of the Association's Declaration provides that the Declaration may be changed, modified or rescinded by an instrument in writing setting forth such change, modification or rescission, signed and acknowledged by the Board, and containing an affidavit signed by the Secretary or other appropriate officer of the Board certifying that the Unit Owners having at least two-thirds (2/3) of the total votes have approved such amendment at a meeting of Unit Owners duly called for such purpose; provided, however, that all lien holders of record have been given notice of such change, modification or rescission, and that an affidavit by said Secretary certifying to such mailing not less than 10 days prior to the date of such affidavit is a part of such instrument.

WHEREAS, the amendment to the Declaration set forth hereinbelow was approved by a majority of the Board and by Unit Owners holding 90.48% of the total votes in the Association at a meeting of Unit Owners called for that purpose and held on May 21, 2013.

WHEREAS, all lien holders of record against any Unit have been notified by certified mail of the modification to the Declaration set forth hereinbelow more than 10 days prior to the date hereof.

NOW, THEREFORE, the undersigned President of the Association, with the approval of the Board and the approval of Unit Owners holding more than 2/3rds of the total votes, does hereby amend the Declaration as follows:

THIS INSTRUMENT WAS PREPARED BY AND  
AFTER RECORDING RETURN TO:

DAVID SUGAR  
ARNSTEIN & LEHR LLP  
120 S. RIVERSIDE PLAZA., STE 1200  
CHICAGO, IL 60606

COMMON ADDRESS:

3835-37 N. Ashland  
Chicago, Illinois 60613

PINs: 14-20-105-044-1001 through  
14-20-105-044-1009

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1. TERMS. Terms used herein if not otherwise defined shall have the same meaning as set forth in the Declaration.

2. MODIFICATION. The Declaration is hereby amended to add the following as a new Section 3.09(a-1) between Section 3.09(a) and Section 3.09(b):

**3.09 (a-1). Limitations on Unit Leasing. Effective June 1, 2013, all Unit leases are subject to the following further limitations and restrictions:**

i. No Unit may be leased for a term of more than one year, and no lease may include an automatic renewal clause.

ii. No Unit may be leased (and no Unit lease may be extended or renewed) without the Board's prior written approval.

iii. The Board will approve a proposed lease only if (a) no other Units are being leased at that time, and (b) the Unit has not been leased during the twelve months prior the commencement of the proposed lease.

iv. When one Unit is already leased, the Board may, in its sole discretion, approve not more than one additional proposed Unit lease if (a) the pre-existing Unit lease will expire within six months of the commencement of the additional proposed Unit lease, or (b) the Unit Owner proposing the additional Unit lease has demonstrated to the satisfaction of the Board that the inability to lease would subject the Unit Owner to a substantial financial hardship.

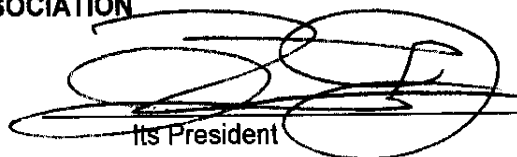
v. In no event shall the Board approve an additional proposed Unit lease if such approval would result in more than two Units being leased at any given time.

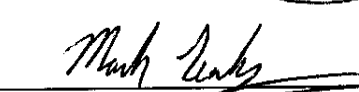
vi. In the event that one Unit is already leased and the Board receives more than one request to approve an additional proposed Unit lease, the Board shall determine which of the additional proposed Unit Leases may be approved by flipping a coin or, in the case of more than two requests to lease, by drawing lots.

3. CONTINUATION. All other provisions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Association has caused this First Amendment to Declaration to be executed and delivered as of this 4th day of July, 2013.

**THE MENNING CONDOMINIUMS OF LAKEVIEW ASSOCIATION**

By:   
Its President

Attest:   
Its Secretary



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**Exhibit 1**  
**(LEGAL DESCRIPTION)**

LOT 19 (EXCEPT THAT PART OF LOT 19 LYING EAST OF A LINE 50 FEET EAST OF AND PARALLEL WITH WEST LINE OF SAID SECTION 20 TAKEN FOR STREET) IN BLOCK 6 IN LAKE VIEW HIGH SCHOOL SUBDIVISION OF NORTH WEST 1/4 OF NORTH WEST 1/4 OF SECTION 20, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PINs: 14-20-105-044-1001 through 14-20-105-044-1009

COMMONLY KNOWN AS: 3835-37 N. ASHLAND, CHICAGO, IL 60613

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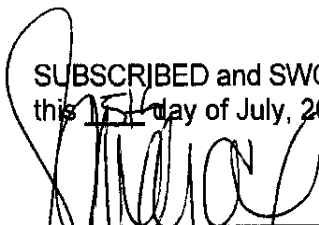
STATE OF ILLINOIS )  
 ) SS  
 COUNTY OF COOK )

### SECRETARY'S AFFIDAVIT

I, Mark Leahy, being first on oath duly sworn, depose and state that I am the duly elected Secretary of the Board of The Menning Condominiums of Lakeview Association, and I hereby certify: that the amendment to the Declaration set forth hereinabove was approved by a majority of the Board, and by Unit Owners holding 90.48% of the total votes in the Association at a meeting of Unit Owners called for that purpose and held on May 21, 2013, and that all lien holders of record against any Unit were notified by certified mail of the modification to the Declaration set forth hereinabove more than 10 days prior to the date hereof.

Mark Leahy

SUBSCRIBED and SWORN to before me  
 this 15<sup>th</sup> day of July, 2013



Notary Public

