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This document prepared by
and to be mailed to:

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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 07/28/2014 09:52 AM Pg: 1 of 10

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FOURTH AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS,
RESTRICTIONS, COVENANTS AND BY-LAWS FOR
CARL SANDBURG VILLAGE CONDOMINIUM ASSOCIATION NO. 3

This Fourth Amendment ("Amendment") made and entered into as of May 1, 2014, by Carl Sandburg Village Condominium Association No. 3, an Illinois not-for-profit corporation (the "Association").

Recitals:

- A. By the Declaration of Condominium Ownership recorded in the Office of the Recorder of Cook County, Illinois, as document no. 25032910 (the "Original Declaration"), the Declarant submitted certain real estate to the Illinois Condominium Property Act (the "Act"); and
- B. The Declaration was subsequently amended by documents recorded in the Office of the Recorder of Cook County, IL as document numbers 25298324, 25382048 and 25489309 (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 Declaration of the Association, at various places, requires the Board act only with the approval of not less than 2/3rds of the persons on the Board; and
- E. The Association has always been comprised of multiple, noncontiguous Parcels of land

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within the Carl Sandburg Village development (the “Development”); and

- F. The Association currently comprises 5 such separate Parcels. None of the Parcels is adjacent to any of the others. The improvements on each Parcel are low-rise buildings, not more than 3 stories tall. None of the Parcels has any structures or improvements that are used by a Unit Owner residing in any of the other Parcels; and
- G. The Development consists primarily of individual high-rise buildings, most of which are separate condominium associations. Each of said associations is governed by a substantially similar condominium declaration, there being a clearly identifiable form declaration for the Development; and
- H. It has been apparent to the Association from its beginning that the developers of the Development simply combined the Parcels comprising the Association into one association and provided a form high-rise form declaration as its governing instrument, without, in the Board’s opinion, any consideration of the obvious physical differences between it and the other associations in the Development; and
- I. This lack of a declaration specifically tailored to the unique circumstances of the Association has, over time, contributed to various administrative difficulties in the operation of the Association, which difficulties the Association has, up to now, decided, for reasons of its own, to live with; and
- J. The current Board, however, now believes the time is ripe to clarify various uncertainties in the Association’s Declaration so as to make the Association more easily governable in a manner consistent with the expectations of the Unit Owners of Units in each Parcel; and
- K. The Board, by these resolutions and the amendment contemplated, does not intend to alter or change any now-existing Common Elements (“CEs”) to Limited Common Elements (“LCEs”). Rather, it intends to clarify which parts of the Parcels are, and have always been, CE’s and which are, and have always been, LCE’s, and to more clearly identify certain effects resulting from such clarification; and
- L. In addition, the Board wishes to amend its Declaration to take advantage of changes in technology to allow the Association to use more modern, electronic means of communication with regard to the delivery of both legally-required communications to (and from) itself and its Association membership and other persons, and also delivery of informal communications as needed the intention being to utilize such technology to reduce costs to the Association and to improve both the speed and efficiency of communications between the Association and its members.
- M. That the Board has approved the Amendment set forth below, and that Unit Owners owning in excess of 66 2/3% of the undivided percentage interests in the common

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elements have voted, in person or by proxy, to approve said Amendment. The affidavit of the Secretary of the Association evidencing said vote is attached hereto Exhibit "A" and

- N. Due notice has been given to first mortgagees 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 herein.
2. The Declaration is amended as follows:
 - A. Section 1.02 of the Declaration is deleted and the following substituted in its place:

"1.02 Parcel. The Property is comprised of five non-contiguous areas of real estate, each of which is legally described in the Declaration (as amended) and each of which shall be deemed a "Parcel".

- B. Section 1.07 of the Declaration is amended by adding the following additional language at the end of that Section

"(a) The Parcel comprising 1310-32 N. LaSalle (legally described in the Declaration) includes contains various Units on that Parcel (the "1310-32 Units"). All portions of that Parcel (other than the 1310-32 Units) are Common Elements which, by their nature or location are clearly intended to serve exclusively the 1310-32 Units. All such portions of the Common Elements of that Parcel are therefore identified as at all times prior to this date having been, and are to be deemed, Limited Commons Elements of the 1310-32 Units.

(b) The Parcel comprising 1400-22 N. LaSalle (legally described in the Declaration) includes contains various Units on that Parcel (the "1400-22 Units"). All portions of that Parcel (other than the 1400-22 Units) are Common Elements which, by their nature or location are clearly intended to serve exclusively the 1400-22 Units. All such portions of the Common Elements of that Parcel are therefore identified as at all times prior to this date having been, and are to be deemed, Limited Commons Elements of the 1400-22 Units.

(c) The Parcel comprising 115-31 W. Goethe (legally described in the First Amendment to the Declaration) includes contains various Units on that Parcel (the

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“115-31 Units”). All portions of that Parcel (other than the 115-31 Units) are Common Elements which, by their nature or location are clearly intended to serve exclusively the 115-31 Units. All such portions of the Common Elements of that Parcel are therefore identified as at all times prior to this date having been, and are to be deemed, Limited Commons Elements of the 115-31 Units.

(d) The Parcel comprising 52-86 W. Schiller (legally described in the First Amendment to the Declaration) includes contains various Units on that Parcel (the “52-86 Units”). All portions of that Parcel (other than the 52-86 Units) are Common Elements which, by their nature or location are clearly intended to serve exclusively the 52-86 Units. All such portions of the Common Elements of that Parcel are therefore identified as at all times prior to this date having been, and are to be deemed, Limited Commons Elements of the 52-86 Units.

(e) The Parcel comprising 1521-37 N. Sandburg Terrace (legally described in the Second Amendment to the Declaration) includes contains various Units on that Parcel (the “1521-37 Units”). All portions of that Parcel (other than the 1521-37 Units) are Common Elements which, by their nature or location are clearly intended to serve exclusively the 1521-37 Units. All such portions of the Common Elements of that Parcel are therefore identified as at all times prior to this date having been, and are to be deemed, Limited Commons Elements of the 1521-37 Units.

- C. Section 3.02 of the Declaration is amended by deleting the period at the end of that Section and adding the following at the end of that Section: “; (j) all the areas identified as Limited Commons Elements as specified in Section 1.07(a) through (e), above.”
- D. Section 4.06(a) of the Declaration is amended by deleting the entire subsection, and substituting the following in its place:
- “(a) Maintenance, repair and replacement of those portions of the Common Elements, if any, which are not Limited Common Elements shall be furnished by the Association acting by and through the Board as part of the Common Expenses, subject to the By-Laws or rules and regulations of the Association.”
- E. Section 4.06(b)(i) is amended by deleting the words: “provided, however, that such maintenance,...as part of the Common Expenses,”
- F. Section 4.06(b) is amended by adding a new subsection (iv) as follows:
- “(iv) To the extent that the Limited Common Elements of a Parcel serve more than one Unit of that Parcel as per Section 1.07(a)-(e), above, the cost of

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maintenance, repair and replacement of such Limited Common Elements shall be borne by the Units of such Parcel prorata based on each such Unit's undivided percentage interest in the Common Elements divided by the total of the undivided percentage interests of all Units in that Parcel.

G. Section 5.07(k) of the Association's Declaration is amended as follows:

a. The first line of said Section is amended by adding the words "Section 4.06(b)(iv)" after the words "Section 4.06(b)(iii)"; and

b. By adding a new subsection 5.07(k)(vii) as follows:

(vii) Notwithstanding the above provisions of this Section 5.07(k), the Board retains the discretion to cause all or any part of the costs, services and/or expenses of subsection (i) through (vi) of this Section 5.07(k) to be deemed allocable as costs, services or expense to either a Parcel or to one or some (but not all) individual Units part of that Parcel, on the basis that such are for the benefit of Limited Common Elements of that Parcel or such Units, and to either pay such amounts out of the Association's maintenance fund and then assess such costs, services and/or expenses back to the relevant Parcel and/or Units, or to cause the costs, services and/or expenses to be paid directly by the relevant Unit Owners."

H. Section 14.03 of the Association's Declaration is amended by adding a new second paragraph to that Section, as follows:

"Any notice or other Association document required or permitted to be given to or served upon a Unit Owner under this Declaration, or the Association's rules or pursuant to law, may be given to or served upon any such Unit Owner by email or other computer-related communication procedure, in lieu of mail or delivery ("Alternative Notice") if the Unit Owner so requests or authorizes, in writing, the Board or Association to give such Unit Owner notices in said Alternative Notice format or procedure. Such request or authorization may be withdrawn by the Unit Owner at any time by written notice to the Association.

(a) Any Unit Owner who is a director or officer of the Association may request or authorize, in writing, that all notices to be given or served upon such Owner in the Owner's capacity as director or officer of the Association may be given in said Alternative Notice format or procedure.

(b) The Board may adopt and amend, from time to time, rules governing all matters relating to such Alternative Notice (including using Alternative Notice with regard to matters set forth in Section 14.04). Such rules may, but need not, include:

i. The assessment as a User Charge of a monthly or other administrative fee, as set by the Board by resolution or rule, from

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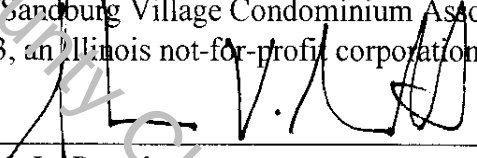
time to time, to any Unit Owner who do not authorize the use of Association's Alternative Notice format or procedure; provided however, the rule may allow the Board discretion to waive such fee, in whole or in part, in appropriate cases.

(c) To the extent that any statute or ordinance or other law or regulation requires that notice of any particular matter or action be given in a certain manner or under a certain procedure (which manner or procedure does not include an Alternative Notice format or procedure), any election by an Owner, either as a Unit Owner or as a director or officer to receive Alternative Notice under this Section 14.03 shall have no force or effect, and such notice shall not be given or served except as set forth in the statute."

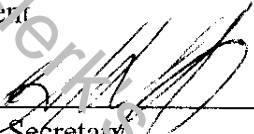
3. The amendment of the Declaration contemplated by Paragraph 2, above, shall be liberally construed so as to fulfill the intent of the Association, as stated in the Recitals.
4. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms. This Fourth Amendment shall be effective as of the date of its recording

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

Carl Sandburg Village Condominium Association
No. 3, an Illinois not-for-profit corporation

By: 

Its President

Attest: 

Its Secretary

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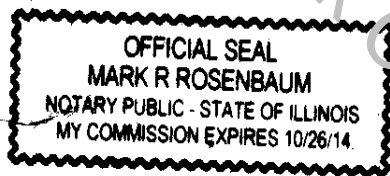
State of Illinois)
) ss
County of Cook)

I, Mark R. Rosenbaum, a Notary Public in and for the State aforesaid, Do Hereby Certify that Stan Smith, personally known to me to be the President and Geoffrey Kelly, personally known to me to be the Secretary of the Carl Sandburg Village Condominium Association No. 3, 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 11th day of July,
2014.

Mark R. Rosenbaum
Notary Public

Seal



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Exhibit "1"

Legal Description

All Units in the Carl Sandburg Village Condominium No. 3, as delineated on surveys of the following real estate:

Parts of Certain Lots in Chicago Land Clearance Commission No. 3, being a consolidation of Lots and Parts of Lots and Vacated Alleys in Bronson's Addition to Chicago and certain resubdivisions, all in the Northeast $\frac{1}{4}$ of Section 4, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois,

Which surveys are attached as exhibits to the Declaration of Condominium recorded as document no. 25032910, and to the various amendments of that Declaration, from time to time, with each Units undivided percentage interest in the Common Elements, in Cook County, Illinois.

Unit No.	Address of Unit (all in Chicago, IL, 60610)	PIN
1310	1310 N. LaSalle St.	17-04-209-044-1001
1312	1312 N. LaSalle St.	17-04-209-044-1002
1314	1314 N. LaSalle St.	17-04-209-044-1003
1316	1316 N. LaSalle St.	17-04-209-044-1004
1318	1318 N. LaSalle St.	17-04-209-044-1005
1320	1320 N. LaSalle St.	17-04-209-044-1006
1322	1322 N. LaSalle St.	17-04-209-044-1007
1324	1324 N. LaSalle St.	17-04-209-044-1008
1326	1326 N. LaSalle St.	17-04-209-044-1009
1328	1328 N. LaSalle St.	17-04-209-044-1010
1330	1330 N. LaSalle St.	17-04-209-044-1011
1332	1332 N. LaSalle St.	17-04-209-044-1012
1400	1400 N. LaSalle St.	17-04-209-044-1013
1402	1402 N. LaSalle St.	17-04-209-044-1014
1404	1404 N. LaSalle St.	17-04-209-044-1015
1406	1406 N. LaSalle St.	17-04-209-044-1016
1408	1408 N. LaSalle St.	17-04-209-044-1017
1410	1410 N. LaSalle St.	17-04-209-044-1018
1412	1412 N. LaSalle St.	17-04-209-044-1019
1414	1414 N. LaSalle St.	17-04-209-044-1020
1416	1416 N. LaSalle St.	17-04-209-044-1021
1418	1418 N. LaSalle St.	17-04-209-044-1022
1420	1420 N. LaSalle St.	17-04-209-044-1023
1422	1422 N. LaSalle St.	17-04-209-044-1024

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Unit No.	Address of Unit (all in Chicago, IL, 60610)	PIN
115	115 W. Goethe	17-04-209-044-1025
117	117 W. Goethe	17-04-209-044-1026
119	119 W. Goethe	17-04-209-044-1027
121	121 W. Goethe	17-04-209-044-1028
123	123 W. Goethe	17-04-209-044-1029
125	125 W. Goethe	17-04-209-044-1030
127	127 W. Goethe	17-04-209-044-1031
129	129 W. Goethe	17-04-209-044-1032
131	131 W. Goethe	17-04-209-044-1033
52	52 W. Schiller	17-04-209-044-1034
54	54 W. Schiller	17-04-209-044-1035
56	56 W. Schiller	17-04-209-044-1036
58	58 W. Schiller	17-04-209-044-1037
60	60 W. Schiller	17-04-209-044-1038
62	62 W. Schiller	17-04-209-044-1039
64	64 W. Schiller	17-04-209-044-1040
66	66 W. Schiller	17-04-209-044-1041
68	68 W. Schiller	17-04-209-044-1042
70	70 W. Schiller	17-04-209-044-1043
72	72 W. Schiller	17-04-209-044-1044
74	74 W. Schiller	17-04-209-044-1045
76	76 W. Schiller	17-04-209-044-1046
78	78 W. Schiller	17-04-209-044-1047
80	80 W. Schiller	17-04-209-044-1048
82	82 W. Schiller	17-04-209-044-1049
84	84 W. Schiller	17-04-209-044-1050
86	86 W. Schiller	17-04-209-044-1051
1521	1521 N. Sandburg Terrace	17-04-209-044-1052
1523	1523 N. Sandburg Terrace	17-04-209-044-1053
1525	1525 N. Sandburg Terrace	17-04-209-044-1054
1527	1527 N. Sandburg Terrace	17-04-209-044-1055
1529	1529 N. Sandburg Terrace	17-04-209-044-1056
1531	1531 N. Sandburg Terrace	17-04-209-044-1057
1533	1533 N. Sandburg Terrace	17-04-209-044-1058
1535	1535 N. Sandburg Terrace	17-04-209-044-1059
1537	1537 N. Sandburg Terrace	17-04-209-044-1060

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Exhibit "A"

Affidavit

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

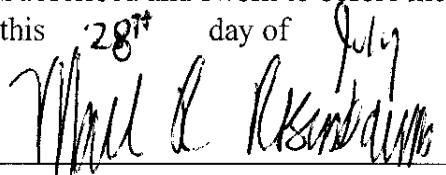
1. The undersigned is the duly elected, and now acting, Secretary of the Carl Sandburg Village Condominium Association No. 3, an Illinois not-for-profit corporation.
2. The undersigned has been, and now is, duly authorized to make this Affidavit on behalf of the Association.
3. That the above and foregoing Fourth Amendment was duly approved by the votes of a majority of the Board of Managers of the Association at duly called and properly noticed open meeting on July 15, 2013.
3. That the above and foregoing Fourth Amendment was duly approved by the vote of Unit Owners of the Association owning in excess of 66 2/3% of the undivided percentage interests in the common elements at a duly called and properly noticed meeting of the Unit Owners held on May 1, 2014.
4. That the undersigned caused a true and correct copy of the above and foregoing Fourth Amendment to be mailed, on July 15, 2014, 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: July 28, 2014



 Geoffrey Kelly

Subscribed and sworn to before me this 28th day of July, 2014



 Notary Public

