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RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 02/26/2015 02:11 PM Pg: 1 of 7

212487

**First Amendment to
Declaration of Condominium
Ownership and of
Easements, Restrictions,
Covenants and By-Laws for
"3215 N. ELSTON
CONDOMINIUMS"**

(3213-15 N. ELSTON AVE., CHICAGO, IL 60618)

(TO CORRECT PET WEIGHT LIMIT AND RE-
ASSIGN PARKING SPACES AS PER SURVEY)

Above space for Recorder's use only.

PROPERTY OF Cook County Clerk's Office

**THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:**

Christian Bremmer
Chitown Law, LLC
2207 W. Chicago Ave.
Chicago, Illinois 60622

**PERMANENT REAL ESTATE
NUMBERS:**

13-24-324-006-0000
13-24-324-007-0000



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**FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM
PURSUANT TO THE CONDOMINIUM PROPERTY ACT
3215 N. ELSTON CONDOMINIUMS**

THIS AMENDMENT TO THE DECLARATION of Condominium Ownership for 3215 N. ELSTON CONDOMINIUMS TO CORRECT AND AMEND THE PET WEIGHT RESTRICTION AND RE-ASSIGN THE PARKING SPACES AS PER SURVEY is made this 28th day of January, 2015 by 1622 W. NELSON, LLC ("Developer").

WITNESSETH

WHEREAS, Developer is the legal title hold of certain real estate, hereinafter described on Exhibit "A" attached hereto, located in the City of Chicago, Cook County, Illinois; and

WHEREAS, Developer has the authority to amend the Condominium Declaration which was recorded in the Office of the Recorder of Deeds of Cook County, Illinois on NOVEMBER 20, 2014 and as Document No. 1432418072, and

WHEREAS, Developer desires to amend the Declaration to correct and amend the Pet Weight Restriction found in Article 7, Section 7.1 (e); and

WHEREAS, Developer desires to amend and re-record the Survey to reflect a re-arrangement of the parking spaces pursuant to the buyers' choices, as indicated on the Survey attached hereto as Exhibit "B"; and

WHEREAS, the Declarant desires and intends that the several owners, mortgagees, occupants, and other persons acquiring any interest in the Property shall at all times enjoy the benefits of, and shall at all times hold their interests subject to, the rights, easements, privileges, and restrictions hereinafter set forth, all of which are declared to be in furtherance of a plan to promote and protect the cooperative aspect of ownership and to facilitate the proper administration of such Property and are established for the purpose of enhancing and perfecting the value, desirability and attractiveness of the Property.

NOW, THEREFORE, 1622 W. NELSON, LLC, the developer, as the legal title holder and for the purposes above set forth, **DECLARE AS FOLLOWS:**

- 1. Article 7, Section 7.1 (e) of the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for "3215 N. ELSTON CONDOMINIUMS" shall be replaced by the following section:**

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(e) No animals or reptiles of any kind shall be raised, bred or kept in any Unit, except, with respect to Residential Units, for dogs, cats, small birds and fish of a Unit Owner or an Occupant, but not to exceed two such pets per Unit (or such greater number as the Board shall approve in writing), provided that any such animals are of a breed or variety commonly kept as household pets in high-rise buildings, are not kept or bred for any commercial purpose, are not allowed to run loose on the Property, and do not, in the judgment of the Board constitute a nuisance to others. Except as provided in a rule or regulation adopted by the Board, no pet shall be allowed in the Common Elements of the Building, except for ingress and egress and then only via the service elevators of the Building. Any pet causing or creating an unreasonable disturbance, nuisance or noise shall be permanently removed from the Building upon ten (10) days' written notice from the Board. The Board shall have the sole discretion to determine whether such a disturbance, nuisance or noise exists. Each Unit Owner and each Occupant shall be responsible for picking up after any animal kept in such Unit Owner's or Occupant's Unit, including, without limitation, removing any waste deposited by such animal anywhere on the Common Elements or anywhere on the Property. The Board may from time to time adopt rules and regulations governing the keeping of pets in the Units. Such rules and regulations may prohibit certain species of pets or pets (including certain breeds of dogs, cats, small birds, and fish) of more than a specified weight from being kept in the Units. Unless otherwise provided in a rule or regulation adopted by the Board, no pet weighing more than seventy-five (75) pounds shall be permitted on the Property (except seeing eye dogs used to assist a disabled Unit Owner or Occupant).

2. The Survey for "3215 N. ELSTON CONDOMINIUMS" originally recorded with the Declaration on NOVEMBER 20, 2014 and as Document No. 1432418072 shall be replaced by the Survey attached hereto as Exhibit "B" (changing only the assignment of the garage parking spaces).

IN WITNESS WHEREOF, the Developer of 3215 N. Elston Condominiums, hereby approves and delivers this Amendment.



1622 W. NELSON, LLC

By: KRZYSZTOF DOLIWA as MEMBER OF DOLYVA DEVELOPMENT, LLC
Its: Managing Member

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STATE OF ILLINOIS,
COUNTY OF COOK _____ ss.

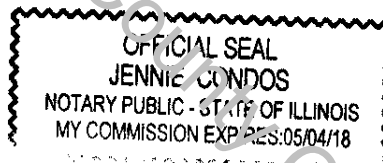
I, the undersigned, a Notary Public in and for said County and State aforesaid, **DO HEREBY CERTIFY**, that **KRZYSZTOF DOLIWA**, personally known to me to be the Member of DOLYVA DEVELOPMENT, LLC, the Managing Member of 1622 W. NELSON, LLC, and personally known to me to be the same person(s) whose name(s) are subscribed to the forgoing instrument, appeared before me this day in person and severally acknowledged that as such Member he signed and delivered the said instrument, pursuant to authority given by the Members of said Limited Liability Company, as their free and voluntary act, and as the free and voluntary act and deed of said company, for the uses and purposes therein set forth.

Given under my hand and official seal, this 28th day of JANUARY, 2015



Notary Public

Seal



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EXHIBIT "A"

ORIGINAL LEGAL DESCRIPTION OF UNDERLYING PROPERTY:

LOTS 50 AND 51 IN BELMONT AND ELSTON AVENUE ADDITION TO CHICAGO A SUBDIVISION OF THE SOUTH 1/2 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN Number(s): 13-24-324-006-0000 & 13-24-324-007-0000

C/K/A 3213-15 N. ELSTON AVE., CHICAGO, ILLINOIS 60618

NEW LEGAL DESCRIPTION FOR EACH OF THE INDIVIDUAL UNITS:

PARCEL 1

UNIT NUMBER 1N, 1S, 2N, 2S, 3N AND 3S IN 3215 N. ELSTON CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: LOTS 50 AND 51 IN BELMONT AND ELSTON AVENUE ADDITION TO CHICAGO A SUBDIVISION OF THE SOUTH 1/2 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED November 20, 2014, 2014 AS DOCUMENT NUMBER 1432418072 AS AMENDED FROM TIME TO TIME, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2

THE EXCLUSIVE RIGHT TO THE USE OF GARAGE PARKING SPACES P-1N, P-1S, P-2N, P-2S, P-3N AND 3S, ROOF RIGHTS R-3N AND R-3S, LIMITED COMMON ELEMENTS AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 1432418072.

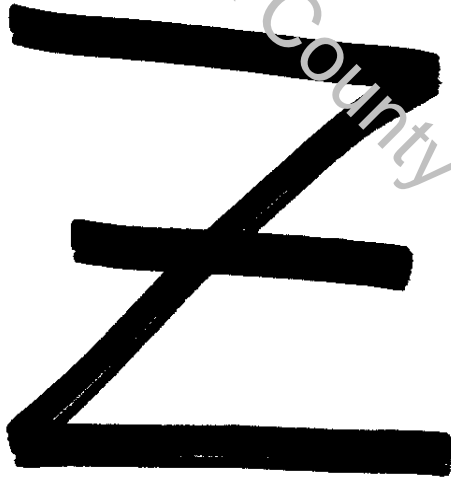
PIN Number(s): To be assigned

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EXHIBIT "B"

SEE PLAT OF SURVEY OF UNITS (ATTACHED HERETO)

Property of Cook County Clerk's Office



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Tel: 815 485-0445
Fax 815 485-0528

Residential
Commercial
ALTA

PLAT OF SURVEY

Studnicka and Associates, Ltd.
studnicka2000@yahoo.com

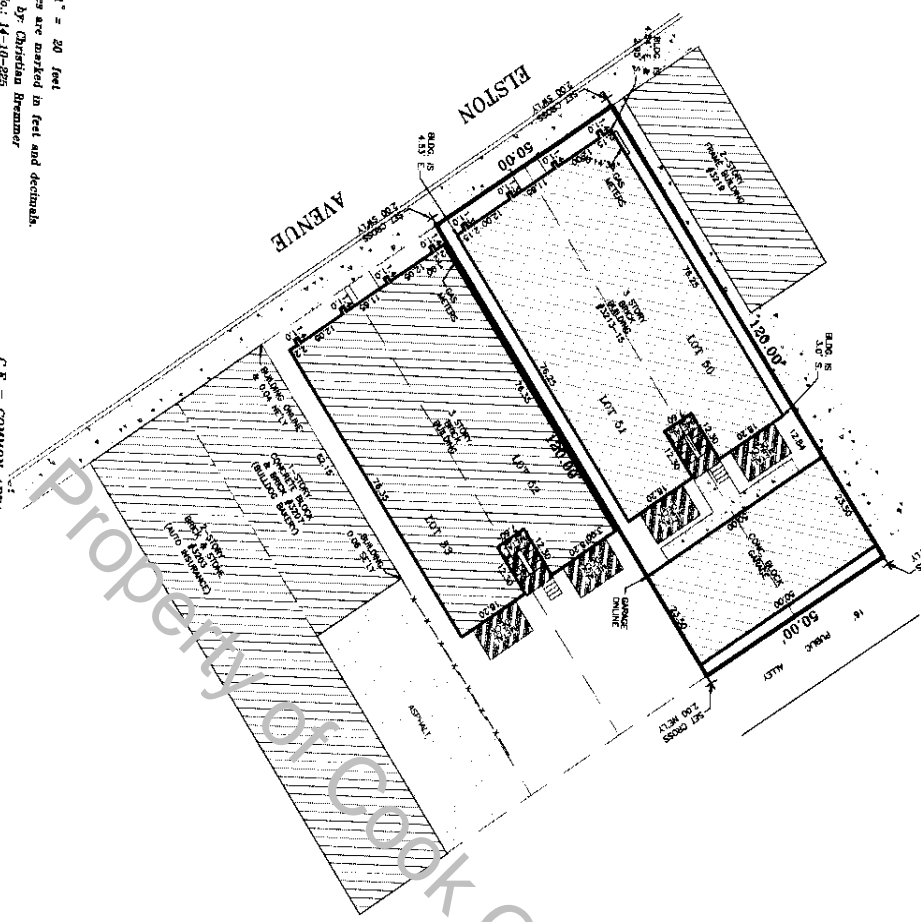
3215 N. ELSTON CONDOMINIUMS

Topographical
Condominium
Site Plan

LOTS 50 AND 51 IN BELMONT AND ELSTON AVENUE ADDITION TO CHICAGO A SUBDIVISION OF THE SOUTH 1/2 OF SECTION 24, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

17901 Heas Road
Mokena, Illinois 60448

EXHIBIT "D"



Scale: 1" = 20 feet
Distances are marked in feet and decimals.
Ordered by: Christian Bremer
Order No.: 14-10-225
Compare all points before building by owner and at once refer to the plat for building lines, restrictions, or easements and show thereon, refer to adjacent, dead or ordinance. Drawn by: J.G.S.
Proofed by: J.S.
Design Firm Registration # 184-002791

C.F. = COMMON AREA
L.C.E. = LIVING AND BATH AREA
F.L. = FLOOR ELEVATION
C.E. = CEILING ELEVATION
S = STAIRS SPACE

HORIZONTAL BOUNDARIES ARE PLANES FORMED BY THE FACE OF INTERIOR FINISHED SURFACES BETWEEN VERTICAL BOUNDARIES ARE PLANES THE FINISHED FLOOR AND THE FINISHED CEILING.

MAIL TO:
CHRISTIAN BREMER
2202 W. CHICAGO AVE.
CHICAGO, ILLINOIS 60622

BENCH MARK
CHICAGO CITY BENCHMARK #39
1 1/2 FEET NORTH OF THE NORTH LINE OF WEST LINE OF 2202 W. CHICAGO STREET
ELEVATION = 11.448

STATE OF ILLINOIS }
COUNTY OF WILL } ss
Studnicka and Associates, Ltd., an Illinois Limited Liability Corporation, hereby certifies that this professional service conforms to the current Illinois standards for boundary survey.
Mokena, IL, November 18, A.D. 2014
by _____
License No. 3304 Expires 11/30/14

