

# UNOFFICIAL COPY

## AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR 1111 MADISON CONDOMINIUMS



Doc#: 1518944042 Fee: \$80.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 07/08/2015 02:27 PM Pg: 1 of 22

For Use By R

This document is recorded for the purpose of amending the Declaration of Condominium Ownership (hereafter the "Declaration") for the 1111 Madison Condominiums (hereafter the "Association"), which Declaration was recorded on January 19, 2001 as Document Number 0010048784 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, the Board of Directors and Unit Owners desire to adopt an Amendment to restrict ownership and leasing of a Parking Unit to Owners of a Residential Unit; and

WHEREAS, pursuant to Article XII, Section 5 of the Declaration, the Declaration may be changed, modified or rescinded by an instrument in writing setting forth such change, modification or rescission, signed and acknowledged by all of the members of the Board, and certifying that the Owners having 100% of the total ownership have approved such amendment, and containing an affidavit by an officer of the Board certifying that a copy of the change, modification or rescission has been mailed by certified mail to all First Mortgagees, no less than ten (10) days prior to the date of such affidavit.

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

KERRY T BARTELL  
Kovitz Shifrin Nesbit  
750 Lake Cook Road, Suite 350  
Buffalo Grove, IL 60089 — (847) 537-0500

WHEREAS, Section 27(a)(1) of the Illinois Condominium Property Act provides that, condominium instruments shall be amended only upon the affirmative vote of two-thirds (2/3) of those voting or upon the majority specified by the condominium

CCRD REVIEWER

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instruments, provided that in no event shall the condominium instruments require more than a three-quarters (3/4) vote of Unit Owners; and

In addition, Article XII, Section 5(k) of the Declaration provides that an Amendment to the Declaration regarding the restriction of leasing requires the written approval of fifty-one percent (51%) of the First Mortgagees. Approval may be implied when a First Mortgagee fails to submit a written response within 30 days after it receives notice of said proposal, if the notice was delivered by certified mail, return receipt requested.

WHEREAS, said instrument has been signed and acknowledged by the members of the Board of the Association;

WHEREAS, an Affidavit signed by an officer of the Association is attached hereto as Exhibit B certifying that said instrument has been approved by the Unit Owners having, in the aggregate, at least two-thirds (2/3) of the total percentage, as evidenced by the Affidavit and the attached ballots of said owners; and

WHEREAS, an Affidavit signed by an officer of the Association is attached hereto as Exhibit C certifying that a complete copy of the Amendment, including the consent form attached hereto as Exhibit D, has been mailed to all First Mortgagees having bona fide liens of record against any Unit, not less than ten days prior to the date of such Affidavit.

NOW, THEREFORE, pursuant to Section 27(a)(1) of the Act, two-thirds (2/3) approval of the Unit Owners is necessary to amend the Declaration, and the Association hereby declares that Article I, Article III and Article V of the Declaration be and are hereby amended as follows (additions in text are indicated by underline and deletions are indicated by ~~strike-out~~):

**1. Article I of the Declaration:**

w. Parking Unit. – A unit designated for parking of vehicles, as designated by the letter “P” as shown on the Plat.

x. Residential Unit - unit other than a Parking Unit, which is occupied by a person for residential purposes.

**2. Article III, Section 1(a) of the Declaration:**

a. The Units consist of Commercial Units, Residential Units and Parking Units located within the Building located on the Parcel and are delineated on the Plats of Survey and made a part of this Declaration. Notwithstanding any provisions of this Declaration to the contrary, for the purpose of safety and security to the Building and its Owners and Occupants, the ownership of a Parking Unit is restricted to Owners of a Residential Unit or Commercial Unit. After the Effective Date of this Amendment (the

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date in which the Amendment is recorded), a Parking Unit may only be sold, transferred, or conveyed to an Owner of a Residential Unit or Commercial Unit in the Association. On the Effective Date of this Amendment, any owner of a Parking Unit who does not also own a Residential Unit or Commercial Unit shall be considered a "Grandfathered Parking Unit Owner", and shall be permitted to continue to own such Parking Unit, but shall only sell, transfer or convey the Parking Unit to a non-Resident if also as part of a conveyance of their residence and shall not be sold independent thereof, and only after first offering the Parking Unit for sale to the Owners for a minimum period of time of forty-five (45) days at fair market value.

### 3. Article V, Section (p) of the Declaration:

p. Notwithstanding any provisions of this Declaration to the contrary, rental, leasing or subleasing of Parking Units to non-Occupants is prohibited, except as hereinafter provided:

(1) Those Parking Units which are being leased on the effective date of this Amendment by a non-Occupant may continue to be leased by the current Tenant ("Grandfathered Non-Occupant") until such Grandfathered Non-Occupant vacates the Parking Unit. Once the Grandfathered Non-Occupant is no longer leasing the Parking Unit, the Owner must either take possession of the Parking Unit, maintain the Parking Unit as a vacant Parking Unit, or lease the Parking Unit to an on-site Occupant, subject to the provisions below. A copy of all current leases must be on file with the Board of Managers no later than fourteen days after the effective date of this Amendment. Thereafter, all new Parking Unit leases must be submitted to the Board of Directors or management, not later than the date of occupancy or ten (10) days after the lease is signed, whichever occurs first.

(A) Unit Owners shall be entitled to lease their Parking Unit to the employee(s) of the Commercial Owner, but only for such period of time as the employee is employed by the Commercial Owner. Once the employee's employment with the Commercial Owner terminates, the lease shall expire.

(B) To meet special situations and to void undue hardship or practical difficulties, the Board may, but is not required to, grant permission to an Owner to lease his Parking Unit to a specified lessee for a period of not more than one (1) year on such reasonable terms as the Board may establish. Such permission may be granted by the Board only upon written application by the Owner to the Board. The Board shall respond to each application in writing within thirty (30) days of the submission thereof. All requests for extension of the original lease must also be submitted to the Board in the same manner as set forth for the original application. The Board has sole and complete discretion to

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approve or disapprove any Owner's application for a lease or extension of a lease. The Board's decision shall be final and binding.

(2) Any Parking Unit being leased out in violation of this provision may be subject to a flat or daily fine to be determined by the Board of Directors upon notice and an opportunity to be heard. Violation of this provision may subject the Owner to a fine not to exceed \$1000.00.

(3) In addition to the authority to levy fines against the 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 Owner and/or their tenant, under 735 ILCS 5/9-111, an action for injunctive and other equitable relief, or an action at law for damages. Any action brought on behalf of the Association and/or the Board of Directors to enforce this Amendment shall subject the Owner to the payment of all costs and attorneys' fees at the time they are incurred by the Association.

**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.**

APPROVED THIS 18 DAY OF JUNE, 2015.

1111 MADISON CONDOMINIUMS

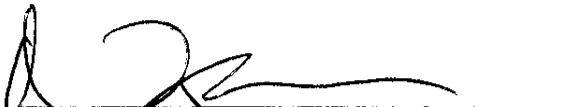
*CA Sharr*

*Bradley J. Kelly*

*[Signature]*

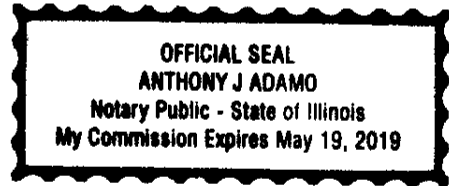
*Serry Finlayson*

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Being all of the members of the Board

Subscribed and Sworn to before me  
this 18 day of JUNE, 2015.

  
Notary Public



Property of Cook County Clerk's Office

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## EXHIBIT A

### LEGAL DESCRIPTION

#### Legal Description of Units:

Units C1, C2, 2A, 2B, 2C, 2D, 2E, 2F, 3A, 3B, 3C, 3D, 3E, 3F, 4A, 4B, 4C, 4D, 4E, 4F, 5B, 5C, 5D, P-1, P-2, P-3, P-4, P-5, P-6, P-7, P-8, P-9, P-10, P-11, P-12, P-13, P-14, P-15, P-16, P-17, P-18, P-19, P-20, P-21, P-22, P-23 and P-24 in 1111 Madison Condominiums, as delineated on a Plat of Survey of 1111 Madison Condominiums, which Plat of Survey is attached as Exhibit D to the Declaration of Condominium recorded January 19, 2001, in the office of the Recorder of Deeds of Cook County, Illinois as Document Number 0010048784 and more fully described as follows:

Lots 1, 2, 3, 4, 5 and 6 in Block 2 in Hayes Subdivision of Block 2 in Canal Trustees Subdivision of the West ½ of the Northeast ¼ of Section 17, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Common Address: 1111 W. Madison Street, Chicago, IL 60607

PIN: 17-17-200-017-0000  
17-17-200-018-0000  
17-17-200-019-0000  
17-17-200-020-0000  
17-17-200-021-0000  
17-17-200-022-0000


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## EXHIBIT B


### CERTIFICATION AS TO UNIT OWNER APPROVAL

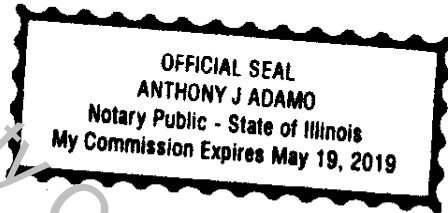
I, Brian Frost, do hereby certify that I am the duly elected and qualified Secretary for the 1111 Madison Condominiums, and as such Secretary, I am the keeper of the books and records of the Association.

I further certify that the attached Amendment to the Declaration for the 1111 Madison Condominiums, was duly approved by two-thirds (2/3) of the Owners, in accordance with the provisions of Article XII, Section 5 of the Declaration and 27(a)(1) of the Illinois Condominium Property Act.

  
Secretary

Subscribed and Sworn to before me  
this 18 day of JUNE, 2015.

  
Notary Public



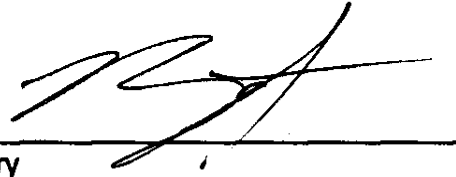
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## EXHIBIT C

### AFFIDAVIT AS TO MORTGAGEE NOTIFICATION AND APPROVAL

I, Brian Frost, do hereby certify that I am the duly elected and qualified Secretary for the 1111 Madison Condominiums, and as such Secretary, I am the keeper of the books and records of the Association.

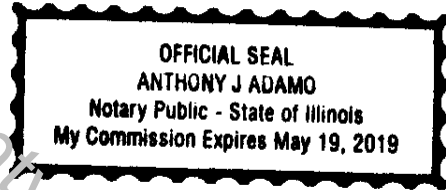
I further certify that the attached Amendment to the Declaration for the 1111 Madison Condominiums was mailed to all mortgagees having bona fide liens of records no less than ten (10) days prior to the date of this Affidavit and approved by at least 51% approval of all First Mortgagees.



Secretary

Subscribed and Sworn to before me:  
this 18 day of JUNE, 2015.

Anthony J. Adamo  
Notary Public





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## 1111 MADISON CONDOMINIUMS

### BALLOT

Regarding the proposed Amendment to the Declaration for the 1111 Madison Condominiums, specifically to restrict ownership and leasing of a Parking Unit to Owners of a Residential Unit or Commercial Unit:

I AGREE THE AMENDMENT TO RESTRICT OWNERSHIP AND LEASING OF A PARKING UNIT TO OWNERS OF A RESIDENTIAL UNIT OR COMMERCIAL UNIT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT TO RESTRICT OWNERSHIP AND LEASING OF A PARKING UNIT TO OWNERS OF A RESIDENTIAL UNIT OR COMMERCIAL UNIT SHOULD BE PASSED.

OWNER:

*Georgia Hiotis* (signature)

Georgia Hiotis (print name)

DATE: May 1, 2014

Property Address: 1111 W. Madison #4A, Chicago, IL 60607  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

\*\*\* This information is required in order to notify all lenders of any amendments pursuant to the terms of the Association's Declaration.

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OWNER:

*Rich Cooper* (signature)

Rich Cooper (print name)

DATE: 5/1/, 2014

Property Address: 1111 W. Madison St C-1  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

Itasca Bank and trust

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

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I DO NOT AGREE THE AMENDMENT TO RESTRICT OWNERSHIP AND LEASING OF A PARKING UNIT TO OWNERS OF A RESIDENTIAL UNIT OR COMMERCIAL UNIT SHOULD BE PASSED.

OWNER:

Kaitlin McInerney Digitally signed by Kaitlin McInerney  
DN: cn=Kaitlin McInerney, o=ou,  
email=kaitlin.mcinerney@gmail.com, c=US  
Date: 2015.06.10 15:22:23 -0500 (signature)

Kaitlin McInerney (print name)

DATE: June 6th, 2015

Property Address: 1111 W Madison Apt 2D  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

JPMorgan Chase Bank, NA.

P.O. Box 78420

Phoenix, Arizona 85062-8420

Loan No. \_\_\_\_\_

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I DO NOT AGREE THE AMENDMENT TO RESTRICT OWNERSHIP AND LEASING OF A PARKING UNIT TO OWNERS OF A RESIDENTIAL UNIT OR COMMERCIAL UNIT SHOULD BE PASSED.

OWNER:

Norman L Finlayson (signature)  
Norman L Finlayson (print name)

DATE: June 11, 2015, 2<sup>E</sup>

Property Address: 1111 W Madison #2E  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

None  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

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I DO NOT AGREE THE AMENDMENT TO RESTRICT OWNERSHIP AND LEASING OF A PARKING UNIT TO OWNERS OF A RESIDENTIAL UNIT OR COMMERCIAL UNIT SHOULD BE PASSED.

OWNER:

Norman L. & Terry L. Finlayson (signature)

Norman L. & Terry L. Finlayson (print name)

DATE: 5-5, 2014

Property Address: 1111 W. Madison, Unit 2F  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

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OWNER:

Ann Mace (signature)

Ann Mace (print name)

DATE: May 7, 2014

Property Address: 1111 W. Madison, 3A  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

Citibank

P.O. Box 6243

Sioux Falls, SD 57117-6243

Loan No. 0651291887-8

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I DO NOT AGREE THE AMENDMENT TO RESTRICT OWNERSHIP AND LEASING OF A PARKING UNIT TO OWNERS OF A RESIDENTIAL UNIT OR COMMERCIAL UNIT SHOULD BE PASSED.

OWNER:

*Meeta Arora* (signature)  
MEETA ARORA (print name)

DATE: August 4<sup>th</sup>, 2014

Property Address: 111 W Madison 3D  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

Citi Mortgage  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

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OWNER:

[Signature] (signature)

NIVETH CHANDAN (print name)

DATE: 7/15, 2019

Property Address: 1111 W. Madison St  
Chicago, Illinois 60607

Name and Address of Mortgage Lender (if any):\*\*\*

Stearns Lending

Loan No. \_\_\_\_\_

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OWNER:

Yanellu [Signature] (signature)

Ganesh Subramanian / Mrs. Shanti (print name)

DATE: July 16, 2014

Property Address: 1111 West Madison Street #4C  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

Nations star Mortgage  
330 Highland drive, Lewisville, TX 75067

Loan No. ~~252~~ 0613229202

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OWNER:

Terry Regas

Digitally signed by Terry Regas  
DN: cn=Terry Regas, o=Tradetlink L.L.C.,  
ou=Compliance, email=terry@tradetlink.com, c=US  
Date: 2014.05.01 13:46:30 -0500

(signature)

Terry Regas

(print name)

DATE: 05/01, 2014

Property Address: 1111 W. Madison #5C  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

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OWNER:

Chris Schaus (signature)

CHRIS SCHAUS (print name)

DATE:

7/15, 2014

Property Address:

1111 W Madison St, #4F Chgo, IL  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

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OWNER:

Nicole Milanowski (signature)

Nicole Milanowski (print name)

DATE: 5/19/14, 2

Property Address: 1111 W. Madison #3C  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

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OWNER:

Bradley J. McClaw (signature)

Bradley J. McClaw (print name)

DATE: 6/4, 2014

Property Address: 1111 W. Madison St. Apt. 2B  
Chicago, Illinois

Name and Address of Mortgage Lender (if any):\*\*\*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Loan No. \_\_\_\_\_

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## PETITION TO APPROVE AMENDING THE BY-LAWS FOR THE 1111 MADISON CONDOMINIUMS

We, the undersigned, do hereby approve the amendment to the Declaration for the 1111 Madison Condominiums.

Name	Address
<div style="text-align: right; margin-bottom: 5px;"><i>[Signature]</i> (signature)</div> <div style="text-align: right;">DAN LAW (print name)</div>	<div style="text-align: right; margin-bottom: 5px;">1111 W. MADISON, 4E CHICAGO, IL</div> <div style="text-align: right;">Date: <del>4/17</del> 4-17-15</div>
<div style="text-align: right; margin-bottom: 5px;"><i>[Signature]</i> (signature)</div> <div style="text-align: right;">Briselda Bedolla (print name)</div>	<div style="text-align: right; margin-bottom: 5px;">1111 W. Madison Ste. 2 IL</div> <div style="text-align: right;">Date: 4/16/15</div>
<div style="text-align: right; margin-bottom: 5px;"><i>[Signature]</i> (signature)</div> <div style="text-align: right;">HEATHER SWICIS (print name)</div>	<div style="text-align: right; margin-bottom: 5px;"><del>4-16-15</del> 1111 W. Madison St Chicago, IL</div> <div style="text-align: right;">Date: 4.16.15</div>
<div style="text-align: right; margin-bottom: 5px;"><i>[Signature]</i> (signature)</div> <div style="text-align: right;">Joe Carbonara (print name)</div>	<div style="text-align: right; margin-bottom: 5px;">1111 W Madison St 2A Chicago, IL</div> <div style="text-align: right;">Date: 4/17/15</div>
<div style="text-align: right; margin-bottom: 5px;">_____ (signature)</div> <div style="text-align: right;">_____ (print name)</div>	<div style="text-align: right; margin-bottom: 5px;">_____, IL</div> <div style="text-align: right;">Date: _____</div>
<div style="text-align: right; margin-bottom: 5px;">_____ (signature)</div> <div style="text-align: right;">_____ (print name)</div>	<div style="text-align: right; margin-bottom: 5px;">_____, IL</div> <div style="text-align: right;">Date: _____</div>
<div style="text-align: right; margin-bottom: 5px;">_____ (signature)</div> <div style="text-align: right;">_____ (print name)</div>	<div style="text-align: right; margin-bottom: 5px;">_____, IL</div> <div style="text-align: right;">Date: _____</div>

1111 W. Madison St  
2B

COUNTY Clerk's Office