

# UNOFFICIAL COPY

THIS INSTRUMENT PREPARED BY AND  
AFTER RECORDING RETURN TO:

PATRICIA A. O'CONNOR, ESQ.  
LEVENFELD PEARLSTEIN, LLC  
2 NORTH LASALLE STREET, 13<sup>TH</sup> FLOOR  
CHICAGO, ILLINOIS 60602



Doc#: 1600613027 Fee: \$66.0  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 01/06/2016 11:02 AM Pg: 1 of 1

(This Space for Recorder's Use Only)

## SECOND AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS FOR THE 2120 LINCOLN PARK WEST CONDOMINIUM ASSOCIATION

This Second Amendment to the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for the 2120 Lincoln Park West Condominium Association is made and entered into this 12<sup>th</sup> day of AUGUST, 2015, by the Board of Directors of the 2120 Lincoln Park West Condominium Association (the "Board").

### WITNESSETH:

The Board administers the Condominium property located in the City of Chicago, County of Cook, State of Illinois, legally described on Exhibit A attached hereto and made a part hereof;

The property was submitted to the provisions of the Illinois Condominium Property Act (the "Act") pursuant to the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for the 2120 Lincoln Park West Condominium Association (the "Declaration"), recorded on February 7, 2000 with the Cook County Recorder of Deeds as Document No. 00096188; subsequently amended by the First Amendment to Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for the 2120 Lincoln Park West Condominium Association recorded on July 5, 2003 with the Cook County Recorder of Deeds as Document No. 0320619064.

The Board and the Unit Owners desire to further amend the Declaration in order to eliminate language which dictates how the Board must allocate annual operating account and reserve account surpluses and deficiencies, allowing the Board to use its discretion in addressing any such surpluses or deficiencies.

PIN Nos.: 14-33-206-061-1001 through 14-33-206-061-1011

CCRD REVIEWER Ru

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Pursuant to Article XIX, Section 6 of the Declaration, the Declaration may be amended, changed or modified by an instrument in writing setting forth such amendment, change, or modification, signed and acknowledged by all the members of the Board, at least three-fourths (3/4) of all Unit Owners, and containing an affidavit by an officer of the Board certifying that a copy of the amendment, change or modification has been mailed by certified mail to all mortgagees having bona fide liens of record against any Unit, not less than ten (10) days prior to the date of such affidavit; and,

The Second Amendment set forth below has been signed and acknowledged by all of the members of the Board and by three-fourths (3/4) of Owners pursuant to Exhibit B attached hereto. An affidavit by an officer of the Board certifying that a copy of this Second Amendment has been mailed by certified mail to all mortgagees having bonafide liens of record against any Unit, not less than ten (10) days prior to the date as evidenced by Exhibit C.

NOW, THEREFORE, the Declaration is hereby amended as follows:

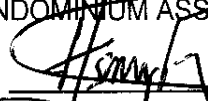
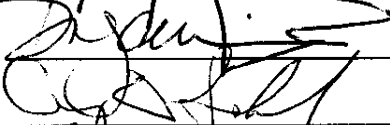
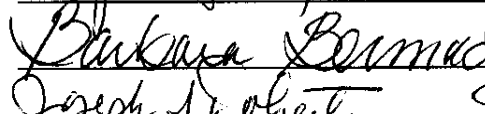
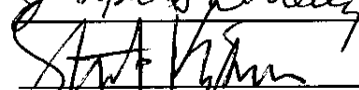

1. Article XVIII, Section 1(b) is modified to delete the following language:

“Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting.”

2. Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the Board and Approving Unit Owners have duly executed this Second Amendment on the day and year first above written.

BOARD OF DIRECTORS OF  
2120 LINCOLN PARK WEST  
CONDOMINIUM ASSOCIATION

By:   
  
  
  
  
 Its Board

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## EXHIBIT "A"

### LEGAL DESCRIPTION

UNITS 5, 7, 8, 9, 10, 11, 12, 14, 15, 17 AN DH IN THE 2120 LINCOLN PARK WEST CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED LAND: SUBLOTS 3, 4 AND 5 IN MCNALLY'S SUBDIVISION OF PART OF LOT "A" IN THE SUBDIVISION OF LOTS 30 TO 44, INCLUSIVE, AND THAT PART OF LOT 29 SOUTH OF NEW ALLEY ALSO FORMER ALLEY EAST OF AND ADJOINING LOT 29 TO 35, INCLUSIVE IN ROBINSON'S SUBDIVISION OF BLOCK 19 IN CANAL TRUSTEES' SUBDIVISION OF SECTION 33, TOWNSHIP 40 NORTH; RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

ALSO

THAT PART OF THE 18 FOOT PUBLIC ALLEY IN BLOCK 19 IN CANAL TRUSTEE SUBDIVISION IN SECTION 33, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF LOT 3 IN MCNALLY SUBDIVISION OF PART OF LOT "A" IN THE SUBDIVISION OF LOTS 30 AND 44, BOTH INCLUSIVE, IN THAT PART OF LOT 29, SOUTH OF NEW ALLEY, ALSO FORMER ALLEY EAST OF AND ADJOINING LOTS 29 AND 35, BOTH INCLUSIVE, IN ROBINSON'S SUBDIVISION OF BLOCK 19 AFORESAID; THENCE SOUTH 22° 55' 50" EAST 58.77 FEET ALONG THE NORTHEASTERLY LINE OF SAID 18 FOOT PUBLIC ALLEY TO A BEND THEREIN, THENCE SOUTH 67° 03' 38" WEST 12.00 FEET ALONG THE SOUTHEASTERLY LINE OF SAID 18 FOOT PUBLIC ALLEY; THENCE NORTH 24° 23' 33" WEST 4.40 FEET; THENCE NORTH 18° 55' 41" EAST 15.67 FEET; THENCE NORTH 22° 55' 50" WEST 43.41 FEET TO THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 3 AFORESAID; THENCE SOUTH 89° 44' 00" EAST 1.80 FEET ALONG SAID WESTERLY EXTENSION TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 00096188 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PERMANENT INDEX NUMBERS: 14-33-206-061-1001 THROUGH 14-33-206-061-1011

COMMON ADDRESS: 2120 NORTH LINCOLN PARK WEST, CHICAGO, IL 60614

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## EXHIBIT B

### UNIT OWNER CONSENT

Property of Cook County Clerk's Office

A handwritten signature in black ink, consisting of several stylized, overlapping loops and lines, is written over the diagonal watermark text.

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11/28/15

## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

The undersigned Unit Owner(s) of the 2120 Lincoln Park West Condominium Association, an Illinois Corporation, do hereby constitute and appoint as my Proxy HENRY FEINBERG, with full power of substitution to act, and to vote all of my unit's interest in the Association, upon each and all such matters which may properly come before the Annual Meeting of the Unit Owners to be held at 6:30 p.m. on August 12, 2015 in the lobby of the building, and any adjournments of such meeting, with full force and effect as if the undersigned were present in person.

To modify and delete the following language in Article XVIII, Section 1(b):

**"Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting."**

I hereby instruct my Proxy to cast my votes for:

Approve the Second Amendment (Delete the above language in Declaration).

Reject the Second Amendment (No change to the Declaration).

Unit # \_\_\_\_\_ Date Signed 8/11/2015

Signed Stuart Kipnes

Print Name STUART KIPNES

Mortgagee Name \_\_\_\_\_

Mortgagee Address \_\_\_\_\_

#### Proxy Instructions to Unit Owners of Record

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.

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## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

The undersigned Unit Owner(s) of the 2120 Lincoln Park West Condominium Association, an Illinois Corporation, do hereby constitute and appoint as my Proxy Henry Feinberg, with full power of substitution to act, and to vote all of my unit's interest in the Association, upon each and all such matters which may properly come before the Annual Meeting of the Unit Owners to be held at 6:30 p.m. on August 12, 2015 in the lobby of the building, and any adjournments of such meeting, with full force and effect as if the undersigned were present in person.

To modify and delete the following language in Article XVIII, Section 1(b):

**"Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting."**

I hereby instruct my Proxy to cast my votes for:

- Approve the Second Amendment (Delete the above language in Declaration).
- Reject the Second Amendment (No change to the Declaration).

Unit # 7 Date Signed 8/8/15

Signed [Signature]

Print Name Michael Streicher

Mortgagee Name Goldman Sachs

Mortgagee Address \_\_\_\_\_

- Proxy Instructions to Unit Owners of Record**
1. Appoint a Proxy that will attend the meeting.
  2. Fill in your unit number where indicated.
  3. You must sign your name and date your completed Proxy!
  4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.

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**2120 Lincoln Park West Condominium Association  
Annual Meeting  
August 12, 2015**

**PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION**

The undersigned Unit Owner(s) of the 2120 Lincoln Park West Condominium Association, an Illinois Corporation, do hereby constitute and appoint as my Proxy Henry Feinberg, with full power of substitution to act, and to vote all of my unit's interest in the Association, upon each and all such matters which may properly come before the Annual Meeting of the Unit Owners to be held at 6:30 p.m. on August 12, 2015 in the lobby of the building, and any adjournments of such meeting, with full force and effect as if the undersigned were present in person.

To modify and delete the following language in Article XVIII, Section 1(b):

**"Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting."**

I hereby instruct my Proxy to cast my votes for:

Approve the Second Amendment (Delete the above language in Declaration).

Reject the Second Amendment (No change to the Declaration).

Unit # 8 Date Signed 8/10/15

Signed Michael J. Small

Print Name Michael J. Small

Mortgagee Name ~~Bank~~ Astoria Federal

Mortgagee Address NY

**Proxy Instructions to Unit Owners of Record**

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.



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## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

The undersigned Unit Owner(s) of the 2120 Lincoln Park West Condominium Association, an Illinois Corporation, do hereby constitute and appoint as my Proxy \_\_\_\_\_, with full power of substitution to act, and to vote all of my unit's interest in the Association, upon each and all such matters which may properly come before the Annual Meeting of the Unit Owners to be held at 6:30 p.m. on August 12, 2015 in the lobby of the building, and any adjournments of such meeting, with full force and effect as if the undersigned were present in person.

To modify and delete the following language in Article XVIII, Section 1(b):

**"Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting."**

I hereby instruct my Proxy to cast my votes for:

- Approve the Second Amendment (Delete the above language in Declaration).  
 Reject the Second Amendment (No change to the Declaration).

Unit # 9 Date Signed 8/12/15

Signed Barbara Bermudez

Print Name BARBARA BERMUDEZ

Mortgagee Name Northern Trust

Mortgagee Address 20 S. LaSalle

#### Proxy Instructions to Unit Owners of Record

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.



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## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

The undersigned Unit Owner(s) of the 2120 Lincoln Park West Condominium Association, an Illinois Corporation, do hereby constitute and appoint as my Proxy Henry Feinberg, with full power of substitution to act, and to vote all of my unit's interest in the Association, upon each and all such matters which may properly come before the Annual Meeting of the Unit Owners to be held at 6:30 p.m. on August 12, 2015 in the lobby of the building, and any adjournments of such meeting, with full force and effect as if the undersigned were present in person.

To modify and delete the following language in Article XVIII, Section 1(b):

**"Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting."**

I hereby instruct my Proxy to cast my votes for:

- Approve the Second Amendment (Delete the above language in Declaration).
- Reject the Second Amendment (No change to the Declaration).

Unit # 10 Date Signed 7/31/15

Signed Ann H. Feinberg

Print Name Ann H. Feinberg

Mortgagee Name \_\_\_\_\_

Mortgagee Address \_\_\_\_\_

#### Proxy Instructions to Unit Owners of Record

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.

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## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

The undersigned Unit Owner(s) of the 2120 Lincoln Park West Condominium Association, an Illinois Corporation, do hereby constitute and appoint as my Proxy \_\_\_\_\_, with full power of substitution to act, and to vote all of my unit's interest in the Association, upon each and all such matters which may properly come before the Annual Meeting of the Unit Owners to be held at 6:30 p.m. on August 12, 2015 in the lobby of the building, and any adjournments of such meeting, with full force and effect as if the undersigned were present in person.

To modify and delete the following language in Article XVIII, Section 1(b):

**"Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting."**

I hereby instruct my Proxy to cast my votes for:

- Approve the Second Amendment (Delete the above language in Declaration).  
 Reject the Second Amendment (No change to the Declaration).

Unit # 11 Date Signed 7/31/15

Signed Craig D Sokol

Print Name CRAIG D. SOKOL

Mortgagee Name \_\_\_\_\_

Mortgagee Address \_\_\_\_\_

#### Proxy Instructions to Unit Owners of Record

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.

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## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

The undersigned Unit Owner(s) of the 2120 Lincoln Park West Condominium Association, an Illinois Corporation, do hereby constitute and appoint as my Proxy Huy Feung, with full power of substitution to act, and to vote all of my unit's interest in the Association, upon each and all such matters which may properly come before the Annual Meeting of the Unit Owners to be held at 6:30 p.m. on August 12, 2015 in the lobby of the building, and any adjournments of such meeting, with full force and effect as if the undersigned were present in person.

To modify and delete the following language in Article XVIII, Section 1(b):


**"Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting."**

I hereby instruct my Proxy to cast my votes for:

Approve the Second Amendment (Delete the above language in Declaration).

Reject the Second Amendment (No change to the Declaration).

Unit # 12 Date Signed 8/3/15

Signed 

Print Name Michael Osorio

Mortgagee Name Goldman Sachs

Mortgagee Address P.O. Box 0112, Palatine, IL 60055-0112

#### Proxy Instructions to Unit Owners of Record

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.

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## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

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I hereby instruct my Proxy to cast my votes for:

Approve the Second Amendment (Delete the above language in Declaration).

Reject the Second Amendment (No change to the Declaration).

Unit # 15 Date Signed 8/6/15

Signed Irene Pritzker

Print Name Irene Pritzker

Mortgagee Name \_\_\_\_\_

Mortgagee Address \_\_\_\_\_

#### Proxy Instructions to Unit Owners of Record

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.

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## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

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I hereby instruct my Proxy to cast my votes for:

Approve the Second Amendment (Delete the above language in Declaration).

Reject the Second Amendment (No change to the Declaration).

Unit # 17 Date Signed Aug 12, 2015

Signed Joseph S. Doherty

Print Name JOSEPH S. DOHERTY

Mortgagee Name NONE

Mortgagee Address \_\_\_\_\_

#### Proxy Instructions to Unit Owners of Record

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.

# UNOFFICIAL COPY

## 2120 Lincoln Park West Condominium Association Annual Meeting August 12, 2015

### PROXY FOR THE SECOND AMENDMENT TO THE DECLARATION

The undersigned Unit Owner(s) of the 2120 Lincoln Park West Condominium Association, an Illinois Corporation, do hereby constitute and appoint as my Proxy HENRY FEINBERG, with full power of substitution to act, and to vote all of my unit's interest in the Association, upon each and all such matters which may properly come before the Annual Meeting of the Unit Owners to be held at 6:30 p.m. on August 12, 2015 in the lobby of the building, and any adjournments of such meeting, with full force and effect as if the undersigned were present in person.

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**"Any amount accumulated in excess of the amount required for actual expenses and Reserves shall be applied to and transferred to the Reserve, or in the alternative, credited to each Unit Owner in accordance with its percentage ownership interest in the Common Elements to the next monthly installments of assessments due from the Unit Owners under the current year estimate until exhausted, and any net shortage shall be added to the assessments for each Unit Owner according to its percentage ownership interest in the Common Elements and shall be paid in installments over the immediately succeeding six (6) months after rendering of the accounting."**

I hereby instruct my Proxy to cast my votes for:

Approve the Second Amendment (Delete the above language in Declaration).

Reject the Second Amendment (No change to the Declaration).

Unit # 18 Date Signed 8-5-15

Signed Don Yannias

Print Name DON YANNIAS

Mortgagee Name JP MORGAN

Mortgagee Address 1 CHASE PLAZA - CHGO

#### Proxy Instructions to Unit Owners of Record

1. Appoint a Proxy that will attend the meeting.
2. Fill in your unit number where indicated.
3. You must sign your name and date your completed Proxy!
4. Please leave your completed Proxy at the Doorman's station or send it to FirstService Residential, Attn: Scott Oblander, 303 East Wacker Drive, Suite 1900, Chicago, IL 60601.



