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THIS INSTRUMENT PREPARED BY AND AFTER RECORDING RETURN TO:

PATRICIA A. O'CONNOR LEVENFELD PEARLSTEIN, LLC 2 NORTH LASALLE, SUITE 1300 CHICAGO, ILLINOIS 60602



Doc#: 1622344042 Fee: \$48.00
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Karen A. Yarbrough
(2 Cook County Recorder of Deeds
Date: 08/10/2016 12:00 PM Pg: 1 of 6

# SIXTH AMENDMENT TO TH'L DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR LINCOLN PARK 2550, A PARKING CONDOMINIUM

This Sixth Amendment ("Amendment") to the Declaration of Condominium Ownership for the Lincoln Park 2550, a Parking Condominium, is made and entered into this Que day of Condominium, which consists of certain property (Exhibit A) that has previously been submitted to the provisions of the Illinois Condominium Property Act (the "Property").

### WITNESSETH:

This Sixth Amendment amends that certain Declaration of Concominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Lincoln Park 2520 Parking Condominium recorded on December 29, 2011 in the Office of the Recorder of Deeds of Cock County, Illinois (the "Recorder") as Document No. 1136318008, as amended by that certain First Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Lincoln Park 2520, a Parking Condominium recorded on April 19, 2012 in the Office of the Recorder as Document No. 1211031051; that certain Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Lincoln Park 2550, a Parking Condominium (f/k/a Lincoln Park 2520, a Parking Condominium) dated June 19, 2012 and recorded June 20, 2012 in the Office of the Recorder as Document Number 1217222015; that certain Third Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Lincoln Park 2550, a Parking Condominium dated October 8, 2012 and recorded October 9, 2012 in the Office of the Recorder as Document Number 1228331012; and that Fourth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Lincoln Park 2550, a Parking Condominium, dated August 26, 2013 and recorded September 17, 2013 in the Office of the Recorder as Document No. 1326015034 and that Fifth Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Lincoln Park 2550, a Parking Condominium, dated and recorded June 16, 2014 in the Office of the Recorder as Document No. 1416722064 (the "Declaration");



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The Property is also subject to the Lincoln Park 2550 Declaration of Covenants, Conditions, Restrictions and Easements recorded on October 27, 2011 with the Recorder's Office as Document No. 1130029045 and amended from time to time thereafter (the "CCRs");

The Board and the Unit Owners, recognizing certain design, construction and location deficiencies impact only Unit 207, making Unit 207 impractical for parking of an automobile, therefore desire to amend the Declaration to exempt Unit 207 from certain restrictions imposed by Article 7 which limit the use of any Unit to parking for an automobile and specifically preclude the use of any Unit for storage purposes; and

A nel 14, Section 14.07 of the Declaration provides that the provisions of the Declaration may be changed, modified or rescinded by (a) a written instrument signed by the President or a Vice-President of the Board and approved by Unit Owners having, in the aggregate, at least seventy-five percent (75%) of the total vote at a meeting called for that purpose; (b) provided, however, that all First Mortgagees have been notified by certified mail of any change, modification or rescission; (c) including an affidavit of the Secretary of the Association certifying to such mailing; and (d) recording the Amendment in the Office of the Recorder of Deeds of Cook County, Illinois.

The Amendment set forth oeld whas been approved by the affirmative vote of Unit Owners (either in person or by proxy) representing at least seventy-five percent (75%) of the total vote at a Special Meeting of Owners held on \_\_\_\_\_\_\_, 2016, and a copy of the Amendment has been sent via certified mail, return receipt requested to all First Mortgagees, as set forth in Exhibit B

NOW, THEREFORE, the Declaration is amended as follows:

- 1. Article 7, Section 7.1(n) is added to the Declaration as follows:
  - "7.1(n) Notwithstanding anything else to the contrary contained in this Declaration and recognizing that certain design, construction and location issues render Unit 207 impractical for parking an automobile, any restrictions verich purport to limit the use of a Unit for parking of an automobile only and preclude the use of Units for storage shall not be deemed to apply to Unit 207."
- 2. Except as expressly set forth herein, the Declaration shall remain in till force and effect. All capitalized terms used herein shall have the meaning afforded them in the Declaration unless otherwise specified.

IN WITNESS WHEREOF, the Board has duly executed this Sixth Amendment on the day and year first above written.

| BOARD OF DIRECTORS OF THE                |
|--|
| LINCOLN PARK 2550, A PARKING CONDOMINIUM |
| SEE COLLEGE DOCK                         |

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# RESOLUTION of THE BOARD OF DIRECTORS of LINCOLN PARK 2550, A PARKING CONDOMINIUM ASSOCIATION

The undersigned, being at least a majority of the Board of Directors (the "Board") of the Lincoln Park 2550, a Parking Condominium Association ("Association"), hereby resolve and consent to the following actions at a properly called Board meeting:

WHEREAS, the Board and the Owner of Unit 207, recognizing certain design, construction and location deficiencies which impact only Unit 207, making Unit 207 impractical for parking of an automobile, therefore desire to another the Declaration to exempt Unit 207 from certain restrictions imposed by Article 7 which limit the use of any Unit to parking for an automobile and specifically preclude the use of any Unit for storage purposes; and

WHEREAS, Article 14, Section 14.07 of the Declaration provides that the provisions of the Declaration may be changed, modified or rescinded by (a) a written instrument signed by the President or a Vice-President of the Board and approved by Unit Owners having, in the aggregate, at least seventy-five percent (75%) of the total vote at a meeting called for that purpose; (b) provided, however, that all First Mortgagees have been notified by certified mail of any change, modification or rescission; (c) including an affidavit of the Secretary of the Association certifying we such mailing; and (d) recording the Amendment in the Office of the Recorder of Deeds of Cook County, Elincis; and

WHEREAS, a proposed Sixth Amendment to the Declaration of Condominium Ownership and Of Easements, Restrictions, Covenants and By-Laws for Lincoin Park 2550, a Parking Condominium ("Sixth Amendment") to allow Unit 207 to be used for storage purposes has been approved by the affirmative vote of Unit Owners (either in person or by proxy) representing 81.89% of the total vote at a Meeting on June 7, 2016.

NOW, THEREFORE, BE IT RESOLVED, the Board hereby approves the Sixth Amendment and directs that a copy of such Sixth Amendment be sent to all mortgagees of record and recorded in the office of the Cook County Recorder of Deeds.

Dated as of this Thirtieth (30th) day of June, 2016.

DIRECTORS:

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# LINCOLN PARK 2550 PARKING CONDOMINIUM ASSOCIATION MINUTES OF HOMEOWNERS MEETING June 7, 2016, 6:30 p.m.

### I. Confirmation of Quorum

Robert Herbster, President of the Parking Condominium Association reported that quorum has been established by proxy with 81.89% of owners voting by proxy

### II. Call to Order

Robert Herbsier called the meeting to order at 6:30 p.m.

# III. Purpose of Meeting — Vote on Proposed 6th Amendment to the Parking Declaration which is:

WHEREAS, the Board and the Owner of Unit 207, recognizing certain design, construction and location deficiencies which impact only Unit 207, making Unit 207 impractical for parking of an automobile, therefore desire to amend the Declaration to exempt Unit 207 from certain estrictions imposed by Article 7 which limit the use of any Unit to parking for an automobile and specifically preclude the use of any Unit for storage purposes; and

WHEREAS, a proposed Sixth Amendment to the Declaration of Condominium Ownership and Of Easements, Restrictions, Covenants and By-Laws for Lincoln Park 2550, a Parking Condominium ("Sixth Amendment"), to allow Unit 207 to be used for storage purposes...

## IV. Motion to Close Voting

Robert Herbster called for a motion from the membership to close the voting. Upon motion duly made by Kerry Herbster and seconded by Robert Herbster, and unanimously carried it was,

**RESOLVED** to close voting.

### V. Votes Tallied

Robert Herbster announced that the amendment passes with 79.28% of the unit owners voting in favor of the amendment.

## VI. Adjournment

Upon motion duly made by Kerry Herbster, seconded by Robert Herbster, and unanimously carried, it was,

**RESOLVED** to adjourn the meeting at 6:42 p.m.

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#### **EXHIBIT A**

#### LEGAL DESCRIPTION

ALL UNITS IN THE LINCOLN PARK 2550, A CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND:

CERTAIN LOTS IN LINCOLN PARK 2520 SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST ¼ OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 24, 2011 AS DOCUMENT NUMBER 1129722061, AS RE-RECORDED NOVEMBER 23, 2011 AS DOCUMENT 1132729082; WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED DECEMBER 29, 2011 AS DOCUMENT NUMBER 11363180%, AS AMENDED.

COLLAND CLARTS OFFICE

COMMONLY KNOWN AS: 2550 North Lakeview, Chicago Illinois 60614

PINS: 14-28-319-113-1001 through 1417

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#### **EXHIBIT B**

### **SECRETARY'S CERTIFICATION**

| STATE OF ILLINOIS | )     |
|-------------------|-------|
|                   | ) SS. |
| COUNTY OF COOK    | )     |

I, Hissan M Nogib, being duly sworn on oath, do hereby state that:

- 1. I am the duly elected, qualified and acting Secretary of the Lincoln Park 2550, a Parking Condominium ("Association").
  - 2. I am the keeper of the corporate records of the Association.
- 3. This Sixth Amendment to he Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Lincoln Park 2550, a Parking Condominium, was approved by the affirmative vote of Unit Owners (either in person or by proxy) representing at least <u>\$1.89</u>% of the total vote at a Special Meeting of Unit Owner, held on <u>Tune 7</u>, 2016.
- 4. That all First Mortgagees have been notified by certified mail of the proposed Sixth Amendment on from 2016.

FURTHER AFFIANT SAYETH NAUGHT.

Lincoln Park 2550, a Par'ang Condominium

Signed and sworn to me before me this and day of August, 2016

Notary Public

OFFICIAL SEAL MARIA KIDA Notary Public - State of Illinois My Commission Expires 10/10/2017