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Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 11/01/2016 01:01 PM Pg: 1 of 6

**SECOND FENCE
COMPLIANCE
RESOLUTION
FOR THE
WESTERFIELD
SQUARE
TOWNHOMES
ASSOCIATION**

This document prepared by and after recording return to:

Richard P. Sora
Law Office of Richard P. Sora
350 S. Northwest Highway
Suite 102
Park Ridge, Illinois 60068

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WESTERFIELD SQUARE TOWNHOMES ASSOCIATION SECOND RESOLUTION

WHEREAS, Westerfield Square Townhomes Association ("Association") is an Illinois not-for-profit corporation, organized and operating for the purpose of administering and maintaining the property of the Association; and

WHEREAS, the Association is administered by a duly elected Board of Directors in accordance with a certain Consolidated and Restated Declaration of Covenants for Westerfield Square ("Declaration"); and

WHEREAS, the Board of Directors is charged with the responsibility of enforcing the covenants and obligations of the Association; and

WHEREAS, pursuant to Paragraph 4 of Article I of the Declaration, the Board is authorized to adopt reasonable rules and regulations as it may deem advisable for the maintenance, conservation, repair and beautification of the Project and the entire Project shall be maintained at all times subject to such rules and regulations as are from time to time enacted by the Board or the Association; and

WHEREAS, Paragraph 25 of Article IX of the Declaration provides: "No Owner or Occupant shall make or erect a fence of any kind"; and

WHEREAS, it was brought to the Board's attention that there are currently three (3) lots – (1) 1429 Sheridan; (2) 1427 Sheridan; and (3) 1431 Sheridan, all located in Wilmette, Illinois 60091 as described by Property Index Number in Exhibit A attached hereto and made a part hereof (hereafter each individually referred to as a "Lot" collectively referred to as the "Lots") – that are in direct violation of this Paragraph 25 above; and

WHEREAS, on June 14, 2016, the Board of Directors passed the following resolution (the "First Fence Resolution") which was recorded with the Cook County Recorder of Deeds on August 22, 2006 as document no. 0623422094:

"1. The Board finds that the three (3) non-compliant Lot fences have been in existence for 1 to 5 years and at this point, removal of same would result in undue hardship and cost to the Lot owners and the Association.

2. The three (3) non-compliant fences need not be removed at this time and can remain so long as the fence is removed prior to the sale of a Lot and the Lot is brought into full compliance with the Association's Declaration, and specifically, Paragraph 25 of Article IX, including but not limited to restoring and repairing any damage caused to the Lot as a result of removal of such fence at the sole expense of the Lot Owner."

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and;

WHEREAS, the Board of Directors finds that even the removal of the Lot fences upon the sale of a Lot would result in undue hardship and cost to the Lot owners and the Association.

NOW, THEREFORE, be it resolved, the Board of Directors of Westerfield Square Townhomes Association does hereby resolve as follows:

1. The Board finds that the three (3) non-compliant Lot fences have been in existence for 1 to 5 years and removal of same, whether prior to or after the sale of a Lot, would result in undue hardship and cost to the Lot owners and the Association.

2. The three (3) non-compliant fences, therefore, need not be removed and may remain on the respective Lots.

3. Any other non-compliant fences erected prior to the date of this Second Fence Resolution need not be removed and may remain on the respective lots.

4. In the event a Lot owner chooses to remove the fence, removal must be conducted in full compliance with the Association's Declaration, and specifically, Paragraph 28 of Article IX, including but not limited to restoring and repairing any damage caused to the Lot as a result of removal of such fence at the sole expense of the Lot Owner.

5. Notwithstanding the foregoing, as per the terms of Paragraph 25 of Article IX of the Declaration, no Owner or Occupant shall make or erect a fence of any kind after the date of this Second Fence Resolution.

6. The terms of this Second Fence Resolution shall supersede any conflicting or inconsistent terms contained in the First Fence Resolution.

BE IT FURTHER RESOLVED, that no further action be taken

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Approved by a majority of the members of the Board of Directors on this 18 day of October, 2016.

Westerfield Square Townhomes Association

By: [Signature]
Vice President

ATTEST:

[Signature]
Secretary

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EXHIBIT A

PINS:

05-27-400-099-0000
05-27-400-100-0000
05-27-400-098-0000

Property Address:

1429 Sheridan Road, Wilmette, Illinois 60091
1427 Sheridan Road, Wilmette, Illinois 60091
1431 Sheridan Road, Wilmette, Illinois 60091

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CHICAGO TITLE
COMPANY

LEGAL DESCRIPTION

Order No.: 16PNW307019OK

For APN/Parcel ID(s): 05-27-400-098-0000

PARCEL 1:

LOTS 8-"D" AND P-8D IN WESTERFIELD SQUARE BEING A RESUBDIVISION OF PART OF THE EAST 1/2 OF FRACTIONAL SECTION 27, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON JANUARY 26, 1966 AS DOCUMENT NUMBER 2253372 AND RECORDED WITH THE RECORDER OF DEEDS AS DOCUMENT NUMBER 19722379, AND CERTIFICATE OF CORRECTION THEREOF REGISTERED ON FEBRUARY 17, 1966 AS DOCUMENT NUMBER 2256817 AND RECORDED ON MARCH 14, 1966 AS DOCUMENT NUMBER 19764951 IN COOK COUNTY, ILLINOIS

PARCEL 2:

EASEMENTS AS SET FORTH IN THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR WESTERFIELD SQUARE DATED FEBRUARY 16, 1966 AND RECORDED MARCH 21, 1966 AS DOCUMENT NUMBER 19771628 AND FILED AS DOCUMENT LR 2261568 MADE BY HARRIS TRUST AND SAVINGS BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 16, 1964 AND KNOWN AS TRUST NUMBER 31683 AND PLAT OF SUBDIVISION OF WESTERFIELD SQUARE RECORDED JANUARY 26, 1966 AS DOCUMENT NUMBER 19722379 AND FILED JANUARY 26, 1966 AS DOCUMENT LR 2253372 AND AS CREATED BY THE DEED FROM HARRIS TRUST AND SAVINGS BANK AS TRUSTEE UNDER TRUST AGREEMENT DATED OCTOBER 14, 1964 AND KNOWN AS TRUST NUMBER 31653 TO MRS. BETTY ANN FERGUSSON DATED MARCH 12, 1967 AND RECORDED MARCH 27, 1967 AS DOCUMENT NUMBER 20092339 FOR THE BENEFIT OF PARCEL 1 AFORESAID FOR INGRESS AND EGRESS OVER AND ACROSS THAT PART OF THE "COMMON AREA" SHOWN ON THE PLAT OVER LOTS 6, 7 AND 8 IN WESTERFIELD SQUARE AFORESAID IN COOK COUNTY, ILLINOIS.