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**AMENDMENT TO THE
DECLARATION OF
CONDOMINIUM
OWNERSHIP AND
EASEMENTS,
RESTRICTIONS AND
COVENANTS FOR THE
KATHADOR
CONDOMINIUMS**



Doc# 1708629049 Fee \$70.00

RHSP FEE: \$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 03/27/2017 12:04 PM PG: 1 OF 17

For Use by Recorder's Office Only

This document is recorded for the purpose of amending the Declaration of Condominium Ownership and Easements, Restrictions and Covenants (hereafter the "Declaration") for The Kathador Condominiums (hereafter the "Association") which Declaration was recorded on October 22, 1997 as Document Number 97785292 in the Office of the Recorder of Deeds of Cook County, Illinois, as amended from time to time, and covers the property (hereafter the "Property") legally described in Exhibit A, which is attached hereto and made a part hereof.

WHEREAS, pursuant to Article XII, Section 12.05 of the Declaration, the Declaration may be altered, amended or repealed by the affirmative vote of no less than seventy-five percent (75%) of the members in the Association at a meeting called for such purpose. Article XI, Section 11.05(a)(iv) also provides that any Amendment concerning leasing shall be mailed to all First Mortgagees of the individual Units, and no less than 51% of said First Mortgages must consent to such Amendment.

RECITALS

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been subjected to the easements, restrictions and covenants contained therein; and

WHEREAS, the Owners desire to amend the Declaration in order to provide for the orderly operation of the Property; and

WHEREAS, the following amendment has been approved by

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

KERRY T. BARTELL, Attorney at Law
Kovitz Shifrin Nesbit
175 North Archer Avenue
Mundelein, IL 60060 — (847) 537-0500

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the Unit Owners having no less than seventy-five percent (75%) of the total ownership at a meeting called for such purpose on December 17, 2016, which approvals are attached hereto and made a part hereof; and

WHEREAS, an officer of the Association has attested to said Owner approval by execution of Exhibit B attached hereto and made a part hereof; and

WHEREAS, a copy of the Amendment has been mailed to all First Mortgagees by Certified Mail, and no less than 51% of Said First Mortgagees have approved this Amendment, as evidenced by Exhibit C, attached hereto.

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

1. Article VII. Section 7.09 of the Declaration is hereby deleted and replaced with the following:

Leasing of Units. Effective as of the recording date of this Amendment, and notwithstanding anything to the contrary contained in this Declaration, the rental or leasing of Units is limited to a total of three (3) of the Units, and all other units shall be owner occupied, subject to the following provisions:

1. Any lease shall be in writing and shall provide that such lease shall be subject to the terms of the declaration and rules and regulations of the condominium and that any failure of the lessee to comply with the terms of the declaration and the rules and regulations shall be a default under the lease. The lessee shall be bound by the provisions of the Declaration, regardless of whether the lease specifically refers to the declaration. The term "leasing of units" includes a transaction wherein the title holder of a unit, who does not reside therein, permits its occupancy by persons not on title regardless of whether a formal written lease exists or if consideration is paid therefore. Additionally, the term "leasing of units" shall include any transaction wherein possession of a unit is provided prior to transfer of title.

2. Unit owners with leases in effect as of the recording date of this Amendment (hereinafter referred to as pre-amendment lessors) may continue to lease their units until the current owner sells or otherwise transfers ownership of the Unit. All such pre-amendment lessors must have been given prior written notice of said existing leases to the Association and have a copy of the Lease on file with the Association. With respect to all other Owners, including Owners not currently leasing and those Owners who purchase, or otherwise receive ownership of, Units after the effective date of this Amendment, the following provisions shall apply:

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(a) Any Unit Owner who desires to lease out their Unit must notify the Board, of their intent to lease and their name will be added to a waiting list to be maintained by the Board.

(b) Whenever three (3) or more of the Units at the Association are being leased, no other Units may be leased except as set forth below.

(c) At such time as three (3) of the Units in the Association are being leased, the name on the waiting list for the longest amount of time shall have the first opportunity to lease their Unit. Upon notice from the Association that they have a right to lease their Unit, said Unit Owner will be given thirty (30) days from the date of the notice to indicate whether they intend to lease out their Unit. That Unit Owner will then have an additional sixty (60) days to present a signed lease to the Board, otherwise the right to lease shall pass to the next Unit Owner on the waiting list. A majority of the owners shall promptly review the proposed lease agreement in order to verify that it complies with the standards as set forth herein.

3. Unit Owners are permitted to lease their unit to an Immediate Family Member, defined as a parent, grandparent, child, grandchild, or sibling of a unit owner, regardless of whether or not there is a written memorandum. However, the Association must be provided with a written lease or statement of terms with regard to the occupancy of the Unit by an Immediate Family Member, and a majority of the owners shall have the right to approve said arrangement to make sure that it complies with the obligations contained herein. The owners shall also have the authority to require proof of familial relationship from the unit owner, to include a birth certificate or other official documentation.

4. No dwelling unit shall be leased for a term of other than twelve (12) months. No unit owner shall have the right to lease less than the entire dwelling unit. At no time may any dwelling unit be leased for hotel or transient purposes. Subleasing is not permitted.

5. Owners shall be responsible for paying a move in/ move out fee to the Association in the amount of \$200 for every move in and/or move out of their Unit, or such other amount as may be established in the rules and regulations.

6. The Board of the Association shall have the right to lease any Association owned Units or any Unit of which the Association has

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possession, pursuant to any court order, and said Units shall not be subject to this Amendment.

7. Any Unit being leased out in violation of this Amendment or any Unit Owner found to be in violation of the Rules and Regulations adopted by the Board may be subject to a flat or daily fine to be determined by a majority of the owners upon notice and an opportunity to be heard.

8. In addition to the authority to levy fines against the Unit 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 Unit Owner and/or tenant, under 735 ILCS 5/9 et seq., an action for injunctive and other equitable relief, or an action at law for damages.

9. Any action brought on behalf of the Association and/or the Board to enforce this Amendment shall subject the Unit Owner to the payment of all costs and attorneys' fees at the time they are incurred by the Association.

10. All unpaid charges as a result of the foregoing shall be deemed to be a lien against the Unit and collectible as any other unpaid regular or special assessment, including late fees and interest on the unpaid balance.

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.

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EXHIBIT A

Legal Description

Kathador Condominium Association

ALL UNITS AND THEIR UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN THE KATHADOR CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 108 IN SHERIDAN DRIVE SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT FROM SAID LOT 108 SO MUCH THEREFORE, IF ANY, AS INCLUDED IN SUNNYSIDE AVENUE) IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 97785292 ALL IN COOK COUNTY, ILLINOIS.

Common Address: 4500-02 N. Magnolia Avenue and 1244-46 W. Sunnyside Avenue
Chicago, IL

Permanent Index No.: 14-17-117-020-1001
Through and including: 14-17-117-020-1011

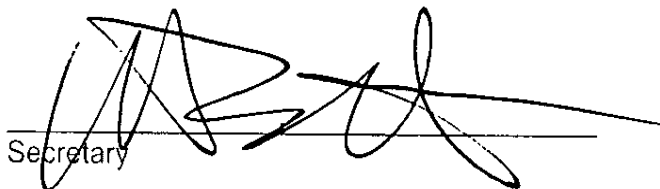
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EXHIBIT B

CERTIFICATION AS TO OWNER APPROVAL

I, Colin Bullock, do hereby certify that I am the duly elected and qualified Secretary for The Kathador 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 Kathador Condominiums was duly approved by the Unit Owners having, in the aggregate, at least seventy-five percent (75%) of the total ownership at a meeting held on Dec. 17th, 2016 in accordance with the provisions of Article XII, Section 12.05 of the Declaration.


Secretary

Subscribed and Sworn to before me this

22nd day of February, 2017.

Karen M. Ewing
Notary Public

My Commission Expires: 09/08/2019



Notary Public of Cook County, Ill. Office

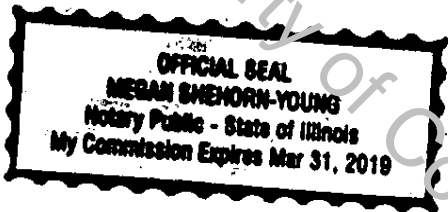
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EXHIBIT C

AFFIDAVIT AS TO CONSENT OF MORTGAGEE

I, Colin Bullace, do hereby certify that I am the duly elected and qualified Secretary for The Kathador 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 Kathador Condominiums was mailed to all Mortgagees having bona fide liens of record no less than ten (10) days prior to the date of this affidavit, and that no less than 51% of the said Mortgagees have consented to this Amendment



[Signature]
Secretary

Subscribed and Sworn to before me this

10 day of MARCH, 2017

[Signature]
Notary Public

My Commission Expires: 3-31-2019

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THE KATHADOR CONDOMINIUMS BALLOT

Regarding the proposed Amendment to the Declaration for The Kathador Condominiums:

<input checked="" type="checkbox"/>	Yes, I approve of the amendment regarding leasing.
<input type="checkbox"/>	No, I do not approve of the amendment regarding leasing.

Robert J. Bullock

Signature line

ELIZABETH BULLOCK

Printed Name

Property Address: Unit # 3
4500 N. Magnolia
Chicago, IL 60640

Percentage of Ownership: 9.78 %

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

QUICKEN LOANS
P.O. Box 442359
DETROIT MI 48244
Loan No. 3316041653

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

Property of Cook County Clerk's Office

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THE KATHADOR CONDOMINIUMS BALLOT

Regarding the proposed Amendment to the Declaration for The Kathador Condominiums:

<input checked="" type="checkbox"/>	Yes, I approve of the amendment regarding leasing.
<input type="checkbox"/>	No, I do not approve of the amendment regarding leasing.



Signature line

Colin Bullock

Printed Name

Property Address: Unit # 1w
1246 W SUNNYVALE ~~Chicago~~
Chicago, IL 60640

Percentage of Ownership: 5.69 %

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

P.O. Box 619098

DALLAS, TX 75261-9741

Loan No. 627325863

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

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PROXY/BALLOT FOR THE KATHADOR CONDOMINIUMS MEETING OF December 10, 2016

I, (print name) Nicholas G. Butera, owner of the unit listed below at The Kathador Condominiums do hereby constitute and appoint _____, or the Board of Directors if no name is specified, as agent for me, and in my name, place and stead, to vote as my proxy at the Association meeting to be held December 17, 2016, unless sooner revoked, with full power to cast my vote as if I were then personally present, and authorize my agent to act for me and in my name and stead as fully as I could act if I were present.

In addition to the foregoing, I specifically direct my agent to cast my vote as follows:

- I approve of the amendment regarding leasing.
- I do not approve of the amendment regarding leasing.

I understand that if I should attend the meeting, I will be entitled to revoke this Proxy/Ballot and will receive a ballot for that meeting only. This proxy does not expire. The proxy giver's selection(s) will be strictly adhered to as if he or she voted in person.

IN WITNESS WHEREOF, I have executed this proxy on the 10 day of December, 2016.

Nicholas G. Butera (signature)

Date: 12/10, 2016

Nicholas G. Butera (print name)

Property Address: 4502 W Magnolia Av
Chicago, Illinois 60640

Unit # 2A

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

Bank of America
PO Box 31785
Tampa FL 33631

Loan No. 280583199

9% Ownership:
8.28%

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

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THE KATHADOR CONDOMINIUMS BALLOT

Regarding the proposed Amendment to the Declaration for The Kathador Condominiums:

<input checked="" type="checkbox"/>	Yes, I approve of the amendment regarding leasing.
<input type="checkbox"/>	No, I do not approve of the amendment regarding leasing.



Signature line

Lisa Buscari

Printed Name

Property Address: Unit # 2E
1244 N. Magnolia
Chicago, IL 60640

Percentage of Ownership: 5.91 %

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

Suntrust Mortgage LOS
Attn: QWR / Dorey RFT
P.O. Box 26827 / Richmond, VA 23261-6827

Loan No. _____

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

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PROXY/BALLOT FOR THE KATHADOR CONDOMINIUMS MEETING OF December 17, 2016

I, (print name) Melissa Morris, owner of the unit listed below at The Kathador Condominiums do hereby constitute and appoint _____, or the Board of Directors if no name is specified, as agent for me, and in my name, place and stead, to vote as my proxy at the Association meeting to be held December 17, 2016, unless sooner revoked, with full power to cast my vote as if I were then personally present, and authorize my agent to act for me and in my name and stead as fully as I could act if I were present.

In addition to the foregoing, I specifically direct my agent to cast my vote as follows:

- I approve of the amendment regarding leasing.
- I do not approve of the amendment regarding leasing.

I understand that if I should attend the meeting, I will be entitled to revoke this Proxy/Ballot and will receive a ballot for that meeting only. This proxy does not expire. The proxy giver's selection(s) will be strictly adhered to as if he or she voted in person.

IN WITNESS WHEREOF, I have executed this proxy on the 17th day of December, 2016.

Melissa Morris (signature) Date: December 17, 2016

Melissa Morris (print name)

Property Address: 4502 N. Magnolia Ave Unit # 3
Chicago, Illinois 60640

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

Chase
PO Box 78420
Phoenix, AZ 85062-8420

Loan No. 1129683136

90 Ownership :
9.1290

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

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THE KATHADOR CONDOMINIUMS BALLOT

Regarding the proposed Amendment to the Declaration for The Kathador Condominiums:

<input checked="" type="checkbox"/>	Yes, I approve of the amendment regarding leasing.
<input type="checkbox"/>	No, I do not approve of the amendment regarding leasing.

Karen M. Ewing
 Signature line

Karen M. Ewing
 Printed Name

Property Address: Unit # 1S
4500 N. Magnolia
 Chicago, IL 60640

Percentage of Ownership: 9.78%

Name and Address of Mortgage Lender (if any):***
NationStar Mortgage
P.O. Box 619098
Dallas, TX 75261-9741
 Loan No. 0631336534

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

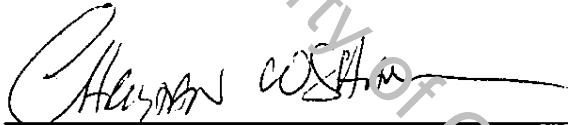
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THE KATHADOR CONDOMINIUMS BALLOT

Regarding the proposed Amendment to the Declaration for The Kathador Condominiums:

<input checked="" type="checkbox"/>	Yes, I approve of the amendment regarding leasing.
<input type="checkbox"/>	No, I do not approve of the amendment regarding leasing.



Signature line

CHRISTIAN W. SCHALLER

Printed Name

Property Address: Unit # I
4502 N. Magnolia
Chicago, IL 60640

Percentage of Ownership: 16.55 %

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

CITI MORTGAGE, INC.
P.O. BOX 6243
SIOUX FALLS SD 57117-6243
Loan No. 1124416765 (SCHALLER)

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

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PROXY/BALLOT FOR THE KATHADOR CONDOMINIUMS MEETING OF _____, 2016

I, (print name) CHRISTIAN W. SCHALLER, owner of the unit listed below at The Kathador Condominiums do hereby constitute and appoint _____, or the Board of Directors if no name is specified, as agent for me, and in my name, place and stead, to vote as my proxy at the Association meeting to be held 12/15, 2016, unless sooner revoked, with full power to cast my vote as if I were then personally present, and authorize my agent to act for me and in my name and stead as fully as I could act if I were present.

In addition to the foregoing, I specifically direct my agent to cast my vote as follows:

I approve of the amendment regarding leasing.

I do not approve of the amendment regarding leasing.

I understand that if I should attend the meeting, I will be entitled to revoke this Proxy/Ballot and will receive a ballot for that meeting only. This proxy does not expire. The proxy giver's selection(s) will be strictly adhered to as if he or she voted in person.

IN WITNESS WHEREOF, I have executed this proxy on the 15 day of DECEMBER, 2016.

CHRISTIAN W. SCHALLER (signature)

Date: 12/15, 2016

CHRISTIAN SCHALLER (print name)

Property Address: 4502 N MAGNOLIA 1
Chicago, Illinois 60640

Unit # 2

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

CITI MORTGAGE, FSC
P.O. BOX 6243
SIOUX FALLS SD. 57117-6243

Loan No. 1124416765 SCHALLER

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

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THE KATHADOR CONDOMINIUMS BALLOT

Regarding the proposed Amendment to the Declaration for The Kathador Condominiums:

<input checked="" type="checkbox"/>	Yes, I approve of the amendment regarding leasing.
<input type="checkbox"/>	No, I do not approve of the amendment regarding leasing.

Andrew M. Stroth
Signature line

Andrew M. Stroth
Printed Name

Property Address: Unit # 3W
1246 N. Magnolia W. Sunnyside
Chicago, IL 60640

Percentage of Ownership: 12.08 %

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

Pitech
P.O. Box 6172
Rapid City, SD 57709-6172
Loan No. 0050944792

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.

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PROXY/BALLOT FOR THE KATHADOR CONDOMINIUMS MEETING OF _____, 2016

I, (print name) Chad S. Loyer, owner of the unit listed below at The Kathador Condominiums do hereby constitute and appoint _____, or the Board of Directors if no name is specified, as agent for me, and in my name, place and stead, to vote as my proxy at the Association meeting to be held _____, 2016, unless sooner revoked, with full power to cast my vote as if I were then personally present, and authorize my agent to act for me and in my name and stead as fully as I could act if I were present.

In addition to the foregoing, I specifically direct my agent to cast my vote as follows:

I approve of the amendment regarding leasing.

I do not approve of the amendment regarding leasing.

I understand that if I should attend the meeting, I will be entitled to revoke this Proxy/Ballot and will receive a ballot for that meeting only. This proxy does not expire. The proxy giver's selection(s) will be strictly adhered to as if he or she voted in person.

IN WITNESS WHEREOF, I have executed this proxy on the _____ day of _____, 2016.

_____ (signature) Date: _____, 2016

_____ (print name)

Property Address: 1246 W. Sunnyside Unit # 2
Chicago, Illinois 60640

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

Regions Mort
PO Box 2453 Dept 2520
Birmingham AL

Loan No. 1995000131

9% ownership:
6.289%

***The Association is required, pursuant to the terms of the Declaration, to send this Amendment to all mortgagees.