



Doc# 1715313035 Fee \$46.00

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

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 06/02/2017 11:13 AM PG: 1 OF 5

**DECLARATION OF  
CONDOMINIUM OWNERSHIP  
AND BYLAWS, EASEMENTS,  
RESTRICTIONS AND  
COVENANTS FOR "1320 NORTH  
ASTOR E.R.T.A."**

AMENDMENT To the Declaration of Condominium Ownership and Bylaws, Easements, Restrictions and Covenants for 1320 North Astor E.R.T.A. Condominium are made and entered into this 22nd Day of March, 2007.

**WITNESSETH:**

WHEREAS 1320 North Astor E.R.T.A. Condominium Association is a condominium association established pursuant to the Illinois Condominium Property Act, 765 ILCS 605/1 et. seq. (West);

WHEREAS the Declaration was recorded with the Recorder of Deeds of Cook County, Illinois as Document No. 27353176;

WHEREAS, Article XIX Section 6 of the Declaration authorizes Amendments to the Declaration approved by at least two-thirds (2/3) of the unit owners;

Whereas this amendment to Article XIV of the Condominium Declaration is intended provide the type of protection from personal liability almost all other condominium declarations in Illinois provide to unit owners who volunteer to serve as officers and members of condominium boards;

WHEREAS, pursuant to Article XIX, Section 6 of the Declaration two-thirds of the unit owners of the 1320 North Astor E.R.T.A Condominium Association at a meeting of the unit owners duly called for that purpose on October 7, 2015 voted by the requisite majority to amend the condominium instruments to add an exculpatory clause to the Association Declaration, protecting from personal liability unit owners who volunteer to serve as offices and board members of the Association;

WHEREAS, the unit owners present at that meeting and participating in the unit owners deliberations and vote, whether in favor or against, included Gayle Schur, Allan Shoelson, Katalina Groh, and David Kupcinet, and each, therefore, was on notice that the requisite

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majority of unit owners approved the amendment on October 7, 2015 even though the amendment was not recorded until the date of this filing with the Recorder of Deeds of Cook County, Illinois.

NOW, THEREFORE, the Board of Directors of 1320 North Astor Street Condominium Association, for the purposes set forth above, hereby files the following Amendment to the Declaration of Condominium Ownership and bylaws, Easements, Restrictions and Covenants for 1320 North Astor E.R.T.A. Condominium with the Recorder of Deeds of Cook County, Illinois:

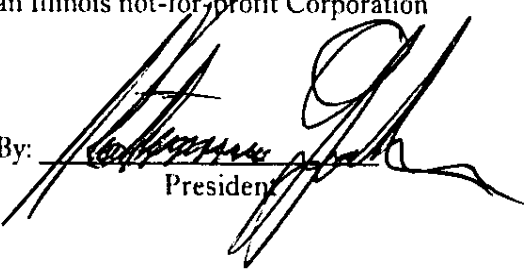
Section 1. A new paragraph 3 is added to Article XIV of the Condominium Declaration, and the new paragraph shall read as follows:

"3. Indemnification. Neither the directors nor officers of the Association shall be personally liable to the Owners for any mistake of judgment or for any other acts or omissions of any nature whatsoever as such directors or officers, except of any acts or omissions found by a court to constitute criminal conduct, gross negligence or fraud (actual rather than constructive). The Association shall indemnify and hold harmless each of the directors and each of the officers, his heirs, executors or administrators against all contractual and other liabilities to others arising out of contracts made by or other acts of the directors and the officers on behalf of the Owner or the Association or arising out of their status as directors or officers unless any such contract or act shall have been made criminally, fraudulently (actual rather than constructive) or with gross negligence. It is intended that the foregoing indemnification shall include indemnification against all costs and expenses (including, but not limited to, counsel fees, amounts of judgments paid and amounts paid in settlement) actually and reasonably incurred in connection with the defense of any claim, action, suit or proceeding, whether civil, administrative, or other, in which a directors or officer may be involved by virtue of such person being or having been a director or officer; provided, however, that such indemnity shall not be operative with respect to (i) any matter as to which such person shall have been finally adjudged in such action, suit or proceeding to be liable for criminal conduct, gross negligence or fraud (actual rather than constructive) in the performance of his duties as a director or officer, (ii) any matter settled or compromised, unless, in the opinion of independent counsel selected by or in a manner determined by the Board, there is not reasonable grounds for such person being adjudged liable for criminal conduct, gross negligence or fraud (actual rather than constructive) in the performance of his duties as a director or officer."

IN WITNESS WHEREOF, the said Association has caused its name to be signed by these presents by its president and attested to by its Treasurer this 27<sup>th</sup> day of May, 2017.

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1320 North Astor E.T.R.A Condominium Association,  
an Illinois not-for-profit Corporation

By:   
President

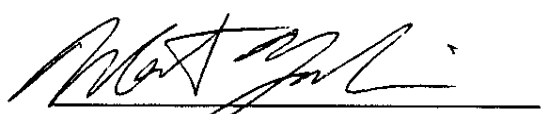
ATTEST:

  
Treasurer

*California*  
STATE OF ILLINOIS  
*Los Angeles* ) SS  
COUNTY OF ~~COOK~~ )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that the above named ~~President and~~ Treasurer of the 1320 North Astor E.T.R.A Condominium Association personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such ~~President and~~ Treasurer of said corporation, appeared before me this day in person and severally acknowledged that as such ~~President and~~ Treasurer, they signed and delivered the said instrument pursuant to authority given by the Board of Directors of said corporation as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 27 day of May, 2017.

  
Notary Public

My Commission Expires: 7/4/17





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## EXHIBIT A

### LEGAL DESCRIPTION FOR 1320 NORTH ASTOR E.T.R.A CONDOMINIUM

As Delineated on Surveys of the following described parcel of real estate in the City of Chicago, County of Cook, and State of Illinois:

That part of Lots 1, 2, and 3 in Block 4 in H.O. Stone's Subdivision of Astor's Addition to Chicago in Section 3, Township 39 North, Range 14 East of the Third Principal Meridian, Described as follows:

Commencing at the North East Corner of Lot 1 Aforesaid, Thence Running Southeasterly along the East Line of Lot 1 63.16 Feet, more or less to a Point of Intersection with a Line 62.40 Feet South of and parallel to the North Line of Lots 1 and 3 for the place of beginning; Thence Running Westerly Along Said Line 62.40 Feet South of and Parallel to Said North Line, and North Line Extended West, to the West Line of the East 9.00 Feet of the Vacated Alley Lying West of and Adjoining Lot 3 aforesaid; Thence running Southerly Along said West Line to a Point of Intersection with a Line 82.87 feet South of and Parallel to the Aforesaid North Line of Lot 3 Extended West; Thence Easterly Along Said Line 82.87 Feet Southerly of Said North Line of Lot 3 to a Point on the East Line of Lot 2 aforesaid; Thence Northwesterly Along the Easterly Line of Lots 1 and 2 to the Place of Beginning in Cook County, Illinois.

Commonly known as 1320 North Astor Street, Chicago, Illinois.

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