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THIRD AMENDMENT TO

DECLARATION OF CONDOMINIUM OWNERSHIP
AND EASEMENTS, RESTRICTIONS, COVENANTS
AND BYLAWS FOR

THE PARK PLAZA AT BELMONT HARBOR
CONDOMINIUM ASSOCIATION

[Recorded June 3, 2003 as
Document No. 031543214]



Doc# 1825034045 Fee \$46.00

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

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 09/07/2018 01:40 PM PG: 1 OF 5

RECITALS

WHEREAS, on June 3, 2003, Belmont Harbor Home Development, L.L.C. (the "Developer-Declarant") caused a Declaration of Condominium Ownership and Easements, Restrictions, Covenants and Bylaws for the Park Plaza Condominiums (the "Declaration") to be recorded by the Cook County (Illinois) Recorder of Deeds as Document No. 0315432141 thereby creating "The Park Plaza Condominiums" (the "Association"); and

WHEREAS, attached as Exhibit "B" to the Declaration are plats (the "Original Plats") depicting the Association's units ("Units"), limited common elements ("Limited Elements"), and common elements ("Common Elements") all located at 508 W. Melrose in Chicago, Illinois (the "Premises"); and

WHEREAS, subsequent to the recording of the Declaration, the Developer-Declarant transferred responsibility for management of the Association to the Association's initial board of managers (the "Board"); and

WHEREAS, subsequent to the transfer from the Developer-Declarant, responsibility for management of the Association has been continually exercised by the Board in accordance with the provisions of the Illinois Condominium Property Act, 765 ILCS 605/1 *et seq*

WHEREAS, on February 23, 2006, a First Amendment (the "First Amendment") to the Declaration was executed and recorded by the Developer-Declarant as Document No. 0605445089 in an attempt to: (1) designate seven (7) parking spaces (the "Additional Spaces") from areas previously designated in the Original Plats as "Proposed Parking"; and (2) subdivide Unit 2B as depicted in the Plats into two separate units to be designated as Units 2B and 2C (the "Subdivided Units"); and

WHEREAS, on April 16, 2006, a Second Amendment (the "Second Amendment") to the Declaration was executed and recorded by the Developer-Declarant as Document No. 0610831037 in an attempt to correctly delineate the new percentage ownership interest of each Unit in the Association's Common Elements following the creation of the Additional Spaces and Subdivided Units; and

WHEREAS, the First Amendment and Second Amendment each erroneously reflect that the street address of the Premises is 505 W. Melrose in Chicago, Illinois; and

WHEREAS, a dispute subsequently arose between, among others, the Association and the Developer-Declarant regarding the efficacy of the First Amendment in creating the Additional Spaces

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prompting the commencement of an action in the Circuit Court of Cook County, Illinois, captioned: *The Park Plaza at Belmont Harbor Condominium Association v. John B. McCauley, Demi McCauley, Lert Simboon, Belmont Harbor Home Development, L.L.C., et al.*, Case No. 08 CH 05805 (the "Action"); and

WHEREAS, the Parties to the Action reached a settlement (the "Settlement") in principle providing for, among other things, the recording of this Third Amendment (the "Third Amendment") to the Declaration; and

WHEREAS, pursuant to Section 5.05 of the Declaration, proper notice of a special meeting (the "Meeting") to approve the Settlement and the recording of this Third Amendment was provided to all Voting Members of the Association; and

WHEREAS, at the Meeting, one-hundred (100%) percent of the Voting Members by written proxy or in person voted to approve the Settlement and the adoption of this Third Amendment; and

WHEREAS, pursuant to Section 27 of the Illinois Condominium Property Act, 765 ILCS 605/27, notice was also provided to all mortgagees (the "Mortgagees") possessing a lien interest in a Unit, the Limited Common Elements or the Common Elements. Without exception, all Mortgagees entitled to approve this Amendment either approved of the recording of this Third Amendment or more than 60 days have elapsed from the date of the mailing of a request for approval or consent; and

WHEREAS, in consideration of the consummation of the Settlement and other good and valuable consideration, the receipt and sufficiency of which is hereby expressly acknowledged, the President and Secretary of the Association have duly executed this Third Amendment as of the date set forth below.

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

1. Address Correction. The common address of the Premises referenced on Page 5 of the First Amendment and on Page 5 of the Second Amendment is, in each instance, amended to 508 W. Melrose, Chicago, Illinois 60657.

2. Ratification. (a) The First Amendment is hereby ratified to the extent the areas described as LL 1, LL 7, LL 8, LL 9, LL 10, LL 11, and LL 12 and designated as Proposed Parking in the Original Plats, are hereby deemed Units bearing the same letter/number designations as depicted in the Plat of Survey attached as Page 6 of the First Amendment; (b) Unit 2B as depicted in the Original Plats is deemed to be subdivided into two separate units designated as Units 2B and 2C as depicted in the Plat of Survey attached as Page 7 of the First Amendment; and (c) the schedule of Percentage Ownership in the Common Elements as set forth in the Second Amendment is hereby ratified.

3. Non-Modification. Except as provided herein, all terms and provisions of the Declaration shall remain in full force and effect.

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LEGAL DESCRIPTION

Units 2A, 2B, 2C, 2D, 3A, 3B,3C, 3D, 4A, 4B,4C,4D, 5A, 5B, 5C, 5D, 6A, 6B ,6C, 6D, PH-E, PH-W, L-1, L-2, L-3, L-4, L-5, L-6, L-7, L-8, L-9, L-10, L-11, L-12, L-13, L-14, L-15, L-16, L-17, LL-1, LL-2, LL-3, LL-4, LL-5, LL-6, LL-7, LL-8, LL-9, LL-10, LL-11, LL-12,,LL-13, LL-14, LL-15,LL-16, LL-17 as delineated on Plat of survey of the following described parcel of real estate:

Parcel 1: The East 18 feet of Lot 22 and the West 14 feet of Lot 23 in Block 1 in Lake Shore Subdivision of Lots 24, 25 and 26 in Pine Grove, a Subdivision of Section 21, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois; and

Parcel 2: Lot 21 and the West 7 feet of Lot 22 in Block 1 in Lake Shore Subdivision of Lots 24, 25 and 26 in Pine Grove Subdivision of Section 21, Township 40 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois;

which Plat of Survey is attached as Exhibit B to Declaration of Condominium recorded in the Office of Recorder of Deeds of Cook County, Illinois as Document Number 0315432141 and amended by Document numbers 0605445089 and 06108331037

Street Address: 508 W.Melrose Chicago IL 60614

P.I.N.:

14-21-312-055-1001; 14-21-312-055-1002; 14-21-312-055-1049; 14-21-312-055-1003
 14-21-312-055-1004; 14-21-312-055-1005; 14-21-312-055-1006; 14-21-312-055-1007;
 14-21-312-055-1008; 14-21-312-055-1009; 14-21-312-055-1010; 14-21-312-055-1011;
 14-21-312-055-1012; 14-21-312-055-1013; 14-21-312-055-1014; 14-21-312-055-1015;
 14-21-312-055-1016; 14-21-312-055-1017; 14-21-312-055-1018; 14-21-312-055-1019;
 14-21-312-055-1020; 14-21-312-055-1021; 14-21-312-055-1022; 14-21-312-055-1023;
 14-21-312-055-1024; 14-21-312-055-1025; 14-21-312-055-1026; 14-21-312-055-1027;
 14-21-312-055-1028; 14-21-312-055-1029; 14-21-312-055-1030; 14-21-312-055-1031;
 14-21-312-055-1032; 14-21-312-055-1033; 14-21-312-055-1034; 14-21-312-055-1035;
 14-21-312-055-1036; 14-21-312-055-1037; 14-21-312-055-1039; 14-21-312-055-1040;
 14-21-312-055-1041; 14-21-312-055-1042; 14-21-312-055-1043; 14-21-312-055-1044;
 14-21-312-055-1045; 14-21-312-055-1046; 14-21-312-055-1047; 14-21-312-055-1048;
 14-21-312-055-1050; 14-21-312-055-1051; 14-21-312-055-1052; 14-21-312-055-1053;
 14-21-312-055-1054; 14-21-312-055-1055; 14-21-312-055-1056; 14-21-312-055-1058