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KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 01/05/2022 03:31 PM PG: 1 OF 5

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**FIRST AMENDMENT**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR**  
**1510 WEST WOLFRAM CONDOMINIUM**

This FIRST AMENDMENT TO THE DECLARATION ("Declaration") OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS ("By-Laws") FOR 1510 WEST WOLFRAM CONDOMINIUM ("Association") is made and executed this December 3, 2021, by the undersigned duly authorized agent of the Association.

- A. The Association was created by the recording of the Declaration with respect to the property legally described on Exhibit A hereof with the Recorder of Deeds of Cook County, Illinois as document number 94765895.
- B. Pursuant to the provisions of the Declaration and the By-laws of the Association, the Declaration and the By-laws have been amended at meetings of the Association and the Board of Managers of the Association held on 4/28/21 as set forth herein.
- C. This is the FIRST amendment to the Declaration to this date.
- D. Attached hereto as Exhibit B is an affidavit of an officer of the Association as required by the Declaration and By-laws.

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- E. The Board of Managers and the Members of the Association find the amendments set forth herein to be in the best interests of the Association and its Members.

NOW THEREFORE, the foregoing recitals are incorporated herein by reference and the Association does hereby declare as follows:

**A new Section 28 titled "Restrictions on Smoking" is inserted into the Declaration with the following text:**

"

## **28. Restrictions on Smoking**

- (a) *Definitions:* (i) "Smoking" means inhaling, exhaling, burning, holding or carrying any lighted cigarette, cigar, cigarillo, pipe or other lighted smoking device for burning tobacco or any other plant product in any manner or in any form. Smoking also includes use of electronic cigarettes (electronic tobacco delivery systems) and hookahs. (ii) "Electronic cigarette" means any electronic device that provides a vapor of liquid nicotine and/or other substances to the user as he/she simulates smoking. The term shall include such devices whether they are manufactured or referred to as e-cigarettes, e-cigars, e-pipes or under any product name. (iii) "Hookah" means glass or metal waterpipes shaped somewhat like a bottle with long, flexible hoses with tips that people put into their mouths to inhale tobacco smoke. (iv) "Plant Product" includes marijuana, medical or otherwise.
- (b) *Smoking is prohibited everywhere on the Property including, but not limited to, the individual Units and all of the Common Elements (or common areas).*
- (c) *Notwithstanding the foregoing prohibition, Smoking is permitted ONLY in each Unit's outdoor Limited Common Elements, if any. Any Smoking conducted within a Unit's outdoor Limited Common Elements shall avoid being a nuisance, annoyance, or interruption of the quiet enjoyment of the other Unit owners or guests on the Property, including, inter alia, limiting smells and vapors to a reasonable non-obtrusive amount.*
- (d) *No owner shall Smoke or permit Smoking by any owner, occupant, agent, tenant, contract worker, household worker, guest, friend or family member in violation of this Section.*
- (e) *Smoking in violation of this policy shall constitute a nuisance, pursuant to the governing documents of the Association. All owners are required to (a) provide to prospective buyers or tenants of their Unit(s) a description of the Association's smoking prohibition and a reference to the smoke free policy; and (b) advise their real estate agents, leasing agents, and prospective buyers of the smoking prohibition prior to the time that a purchase agreement for the unit is entered into.*
- (f) *In compliance with 765 ILCS 605/33, nothing within this Section shall be construed to restrict the consumption of cannabis by methods OTHER than Smoking within a*

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## EXHIBIT B AFFIDAVIT

STATE OF ILLINOIS

) SS.

COUNTY OF COOK

Kathy Tuite, Treasurer, being first duly sworn, deposes and states as follows:

- a) They are the person named above and carry the title indicated above within the 1510 WEST WOLFRAM CONDOMINIUM ("Association").
- b) On 4/23/21 an amendment to the DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS for the Association was adopted in the form to which this Affidavit is attached.
- c) A copy of the foregoing amendment has been mailed by certified mail to all mortgagees having *bona fide* liens of record against any Unit within the Association, not less than ten (10) days before the date of this affidavit.

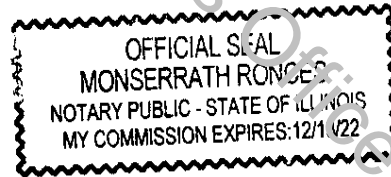
1510 WEST WOLFRAM CONDOMINIUM

By: Kathy Tuite  
Kathy Tuite, Treasurer

Date: 12/29/2021

Subscribed and sworn to before me this 29 day of Dec, 2021.

Monserath Ronges  
Notary Public



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## EXHIBIT A

### Legal Description(s)

Units A, B, & C in the 1510 West Wolfram Condominium as depicted on the Plat of Survey of the following described parcel of real estate:

LOT 43 IN SUBDIVISION OF BLOCK 5 IN WILLIAM LILL AND HEIRS AND MICH DIVERSEY'S DIVISION OF THE SOUTHWEST HALF OF THE NORTHWEST QUARTER OF SECTION 29 TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

which Plat of Survey is attached as Exhibit D to the Declaration of Condominium recorded 8/30/1994 in the Office of the Recorder of Deeds in Cook County, Illinois as Document Number: 94765895.

### PIN(s)

14291240461000, 14291240461001, 14291240461002, 14291240461003

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*unit owner's Unit or the Limited Common Elements associated with their Unit. No form of consumption of cannabis is permitted on the Common Elements.*

*(g) The Board shall have the authority and power to enact rules and regulations which it deems necessary to enforce this Section, including a schedule of fines which may be imposed after notice and a hearing.*

”

IN WITNESS WHEREOF, the undersigned, being the duly appointed agent of the Association, has executed this FIRST Amendment on the date first above written.

1510 WEST WOLFRAM CONDOMINIUM

By: Kathy Tuite  
Kathy Tuite, Treasurer

STATE OF ILLINOIS

), SS.

COUNTY OF COOK

I, MONSERRATH RONCES, a Notary Public in and for the aforesaid County and State, DO HEREBY CERTIFY that Kathy Tuite, Treasurer of 1510 WEST WOLFRAM CONDOMINIUM, personally known to me to be the same person whose name is subscribed to the foregoing instrument in the capacity and title indicated appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Association, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 29 day of Oct, 2021

This document prepared by and after recording return to **Cameron & Kane LLC, 2846A N. Milwaukee Ave., Chicago, IL 60647.**

