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KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 06/08/2022 02:19 PM PG: 1 OF 6

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**FOURTH AMENDMENT**  
**TO THE DECLARATION OF CONDOMINIUM OWNERSHIP**  
**AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR**  
**1337 WEST WRIGHTWOOD CONDOMINIUMS**

This FOURTH AMENDMENT TO THE DECLARATION ("Declaration") OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS ("By-Laws") FOR 1337 WEST WRIGHTWOOD CONDOMINIUMS ("Association") is made and executed this January 15<sup>th</sup>, 2022 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 98243693.
- B. This is the Fourth amendment to the Declaration to this date. Previous amendments are recorded as Cook County Recorder of Deeds Documents Nos. 99581444, 99701193, and 1014834056.
- C. 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 Jan 15<sup>th</sup>, 2022 as set forth herein.

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- D. Attached hereto as Exhibit B is an affidavit of an officer of the Association as required by the Declaration and By-laws.
- 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:

1. The body text of Declaration, Article XIV ("Board of Directors") Section 1 ("Board of Directors") subsection (c) is deleted in its entirety and replaced with the following:

*"(c) The Board shall elect from among its members a President, Secretary, and Treasurer.*

*The President shall have the power and duty to (i) call, preside over, and conduct all Association related meetings, including, but not limited to, calling meetings to order, acting as forer an, set and discuss the meeting agenda, call for votes, (ii) act for and on behalf of the Association and its members, (iii) appoint any special committees necessary for the operation of the Association business; (iv) act as official spokesperson for the Association; (v) promulgate an agenda for all meetings to all meeting invitees, not less than two (2) weeks before a scheduled meeting unless the meeting is of an emergency nature; and (vi) carry out all functions normally associated with or incidental to the office of a president.*

*The Secretary shall have the power and duty to: (i) manage all non-financial documentation and record-keeping functions within the Association, official or unofficial; (ii) ensure the Association meets its legal requirements re: Association meeting notices, registration within the Illinois Secretary of State, and other similar functions; (iii) keep a permanent record of all Association meetings (including, but not limited to meeting minutes, votes cast, and other similar records), legal documentation, and legal transactions of the association. The Secretary shall disseminate a copy of all Association meeting minutes, except those Board meetings in executive session, related to litigation, or under any other circumstance wherein the Association would have, expect, or require a reasonable expectation of confidentiality, to the Association's members within thirty (30) days of each meeting; and (iv) carry out all functions normally associated with or incidental to the office of a secretary.*

*The Treasurer shall have the power and duty to: (i) keep and maintain all financial documentation and records of the Association, including, but not limited to, receipts, invoices, billing statements, operational costs, books of account, records concerning the collection and allocation of assessments, and all similar records; (ii) create, and submit to the President, an annual financial report reflecting the Association's general financial condition including, but not limited to, its income and expenses, any discrepancies within the Association's financial records, any delinquent unit assessments, and a proposal for the Association's*

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*budget for the following year; (iii) is responsible for ensuring the Unit Owners pay their assessments; and (iv) carry out all functions normally associated with or incidental to the office of a treasurer.*

*In addition to the foregoing, the Board shall have the authority to appoint officers of the Association in the event of a vacancy in any office for the balance of such term."*

2. The body text of Declaration, Article XVII ("Covenants and Restrictions as to Use and Occupancy") Section 7 ("Nuisance") is deleted in its entirety and replaced with the following:

*"No noxious or offensive activity shall be carried on in any Unit or in the Common Elements, nor shall anything be done therein, either willfully or negligently, which may be or become an annoyance or nuisance to the other Unit Owners or Occupants. Determined of whether conduct constitutes the foregoing shall be determined by the Board in its sole discretion. Without limiting the Board's authority to make such determinations, the Board may, but is not required to, from time to time, promulgate rules and regulations laying out standards for the same.*

*Without limitation of the foregoing, it shall be considered a nuisance for any person, including, without limitation, Unit Owners, Occupants, or Unit Owners or Occupants' invitees, licensees, guests, contractors, or any other associated parties, to create any noise from inside their Unit or the Common Elements that causes noise in excess of the following: (i) fifty dBC for five or more minutes within a sixty minute period; (ii) fifty-five dBC for one or more minutes within a sixty minute period; or (iii) sixty dBC for any period of time. As used herein, "dBC" means "decibels."*

*A party may be excused from the foregoing restriction upon a party's written request for pre-approval for proposed activity to the Board and the Board granting the same, subject to whatever limitations or restrictions the Board deems necessary, in writing."*

3. An additional subsection "xviii" is hereby inserted into Article XIV ("Board of Directors") Section 2 ("General Powers of the Board") of the Association's Declaration:

*"(xviii) To impose charges for late payments of a Unit Owner's proportionate share of the Common Expenses, or any other expenses lawfully agreed on, and after notice and an opportunity to be heard, levying reasonable fines for violation of the Declaration, Bylaws, and rules and regulations of the Association. Without limiting the Board's authority to determine 'reasonable fines' as it sees fit, the Board shall, from time to time, promulgate rules and regulations laying out a violation and fine schedule for violation of the Declaration, Bylaws, and rules and regulations of the Association."*

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All other provisions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, pursuant to the approval of the Unit Owners, the Board of the Association, through the undersigned, being the duly appointed agent of the Association, has executed this Amendment on the date first above written.

1337 W WRIGHTWOOD CONDO ASSOC

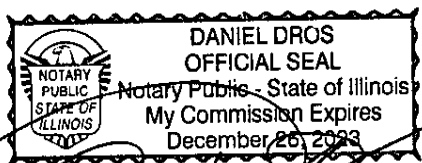
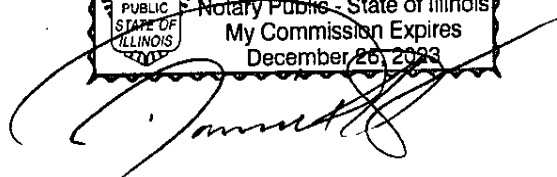
By:   
Metin Carlo DePaolis, President

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK

I, Daniel Dros, a Notary Public in and for the aforesaid County and State, DO HEREBY CERTIFY that Metin Carlo DePaolis, President of 1337 W WRIGHTWOOD CONDO ASSOC, 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 9 day of May, 2022.

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

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## EXHIBIT A

### LEGAL DESCRIPTION:

LOT 2 IN SUBDIVISION OF PART OF BLOCK 43 (LYING WEST OF THE EAST LINE OF WARD STREET) IN SHEFFIELD'S ADDITION TO CHICAGO, IN SECTION 29, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 1884 IN BOOK 19 OF PLATS, PAGE 62 AS DOCUMENT NO. 594481, IN COOK COUNTY, ILLINOIS.

### COMMONLY KNOWN AS:

1337 West Wrightwood, Chicago, Illinois 60614

### Common PIN:

14-29-314-024-0000

### Individual PINs:

14-29-314-024-0001 (Unit 1)

14-29-314-024-0002 (Unit 2)

14-29-314-024-0003 (Unit 3)

14-29-314-024-0004 (Unit 4)

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**EXHIBIT B**

**AFFIDAVIT**

STATE OF ILLINOIS

) SS.

COUNTY OF COOK

Metin Carlo DePaolis, President, being first duly sworn, deposes and states as follows:

- a) They are the person named above and carry the title indicated above within the 1337 W WRIGHTWOOD CONDO ASSOC ("Association").
- b) On 11/01/2021 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.

1337 W WRIGHTWOOD CONDO ASSOC

By: MDP  
Metin Carlo DePaolis, President

Date: 1/15/2022

Subscribed and sworn to before me this 9 day of May, 2022.

[Signature]  
Notary Public

