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DATE: 4/29/2024 9:16 AM
PAGE: 1 OF 7

This document prepared by:

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H1051-001

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SECOND AMENDMENT TO THE DECLARATION OF EASEMENTS
OF
1846-48 HUDSON ASSOCIATION

This Second Amendment ("Second Amendment") made and entered into as of April 24, 2024, by 1846-48 Hudson Association, an Illinois not-for-profit corporation (the "Association"), by all of the Dwelling Parcel Owners.

Recitals:

- A. By the Declaration of Easements recorded in the Office of the Registrar of Titles of Cook County, Illinois, as document no. 2605430 (the "Original Declaration"), the Trustee under the Original Declaration submitted certain real estate to the terms of the Declaration; and
- B. Upon investigation in 2021, it was discovered that the copy of the Original Declaration maintained in the Office of the Recorder of Cook County, Illinois (which Office was the successor to the Office of the Registrar of Titles) was incomplete as it was missing numerous pages. As a result, a Corrective Recording Affidavit was recorded on September 22, 2021, as document no. 2126515002 in the Office of the Recorder of Cook County, Illinois. Said Affidavit did not amend or alter the Original Declaration but simply provided the best available copy of the full Original Declaration to the public records; and
- C. The Original Declaration was previously amended by a certain First Amendment, dated Augst 16, 2023, and recorded in the Office of the Cook County Clerk, Cook County, Illinois on August 17, 2023, as document no. 2322915000. The Original Declaration and the First Amendment are hereinafter referred to together as the "Declaration"; and
- D. The legal description of the Parcels and Property now subject to the Declaration is attached hereto as Exhibit "A" and incorporated by reference herein; and

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- E. The Dwelling Parcel Owners of the Association have determined that the Declaration requires an amendment re certain types of leasing; and
- F. The Dwelling Parcel Owners believe that it is in the best interests of the Association to amend Article VII of the Declaration to add a new Section 7.2 to address short-term leasing and other leasing issues; and
- G. The Dwelling Parcel Owners of the Association have now unanimously agreed to this Amendment and their signatures are attached.

Now Therefore, the Association, for the uses and purposes set forth above, hereby declares that the Declaration be and hereby is, amended as follows:

- 1. That the Declaration of this Association be amended by adding a new Section 7.2 to Article VII of the Declaration, as follows:

“7.2 (a) Notwithstanding any other provision of this Declaration or the Bylaws of this Association, no Dwelling Parcel, and no associated Parking Parcel, shall be used for transient purposes. The term “transient purposes” shall mean any lease, rental, license, or other contractual arrangement for the use and/or possession of a Dwelling Parcel and/or its associated Parking Parcel for a period of less than six (6) months.

(b) Notwithstanding the above limitations, the Association, by its Board may, to avoid undue hardship, allow two (2) Dwelling Parcel(s) and its/their associated Parking Parcel, to be used for transient purposes for a period not to exceed 1 year, provided that the request for such use is based upon the undue hardship of the one or more or all of the persons comprising the Dwelling Parcel’s Ownership and that one or more of the Dwelling Parcel’s owners (and/or an owner’s living trust) has been in title to the Dwelling Parcel for not less than 2 consecutive years. The determination of the existence of Dwelling Parcel Owner undue hardship shall be within the sole discretion of the Board, whose decision on the issue shall be final and binding on all persons. The Board may impose such restrictions on such use as the Board deems necessary. No assignment of the allowance of such use, and no sublease of the allowance of such use are permitted.

(i) Requests for any additional renewal or extensions of an undue hardship use may be granted at the sole discretion of the Board.

(c) Rules and regulations, and/or Bylaws provisions, to further interpret and enforce this Section 7.2 are expressly authorized.

(d) The Association may assess such fine or impose such other remedy for violation of this Section 7.2 as the Board shall determine necessary and/or sufficient, in its sole discretion, to stop any then-existing violation from remaining ongoing, and/or to prevent any violation from occurring in the future. In the event a fine is assessed, it shall be deemed assessed jointly and severally on the Dwelling Parcel Owners at issue, and shall be a lien on the Dwelling Parcel and its associated Parking Parcel (and a Notice of such Lien may be recorded against the Dwelling Parcel and/or Parking Parcel). Any such fine shall be deemed due and owing as a separate

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- 2. That except as specifically amended by this Second Amendment, the Declaration remains in full force and effect.
- 3. This Second Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same document.

In Witness Whereof, the Association, by Owners of all the Dwelling Parcels, has caused this Second Amendment to be executed as of the date and year first set forth above.

1846-48 Hudson Association, an Illinois not-for profit corporation

An Owner of each Dwelling Parcel agrees on behalf of all Owners of that Dwelling Parcel as follows:

Dwelling Parcel A Dwelling Parcel B and Parking Parcel B-P
 By: Greg Degnan By: Brian Batchelder

Dwelling Parcel C and Parking Parcel C-P Dwelling Parcel D and Parking Parcel D-P
 By: Matthew Chen By: Benjamin Falloon

Dwelling Parcel E Dwelling Parcel F and Parking Parcel F-P
 By: Alicia Farnos Wilker By: Lisa Hammond

Dwelling Parcel G and Parking Parcel G-P Dwelling Parcel H and Parking Parcel H-P
 By: Craig Crecelius By: Stacey Greco

W:\MROSENBAUM\MRR WORDPERFECT FILES\MRR CLIENT FILES\1846-48 HUDSON ASSOCIATION\DECLARATION AND RULES\AMENDMENT RE SHORT-TERM LEASING\RECORDABLE FORM-UNANIMOUS CONSENT.DOCX
State of Illinois)

) ss
County of Cook)

I, Mark R. Rosenbaum, a Notary Public in and for said the State aforesaid, Do Hereby Certify that Greg Degnan, Brian Batchelder, Caryn Struif, Matthew Chen, Benjamin Falloon, Michael Kafka, Lisa Hammond, Alicia Farnos Wilker, Craig Crecelius, and Stacey Greco all personally known to me to be the same person(s) whose names are subscribed to the foregoing instrument, appeared before me this day in person in the County aforesaid and acknowledged that they signed and delivered this instrument as their own free and voluntary act, for the uses and purposes set forth.

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State of Illinois)
) ss
 County of Cook)

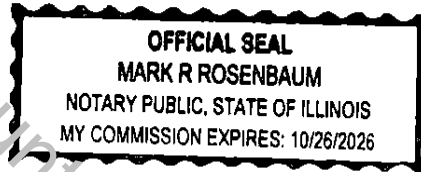
I, Mark R. Rosenbaum, a Notary Public in and for said the State aforesaid, Do Hereby Certify that Greg Degnan, Brian Batchelder, Caryn Struif, Matthew Chen, Benjamin Falloon, Michael Kafka, Lisa Hammond, Alicia Farnos Wilker, Craig Crecelius, and Stacey Greco all personally known to me to be the same person(s) whose names are subscribed to the foregoing instrument, appeared before me this day in person in the County aforesaid and acknowledged that they signed and delivered this instrument as their own free and voluntary act, for the uses and purposes set forth.

Given under my hand and notarial seal this 24th day of April, 2024.

Mark R. Rosenbaum

 Notary Public

Seal



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EXHIBIT "A"

Legal Description for the Property

Lots 55 and 56, in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Legal Description of Individual Dwelling Parcels:

1. PARCEL A: That part of lot 56 lying East of a line drawn from a point on the North line of said lot 56, 31.0 feet West of the North East corner of said lot, to a point on the South line of said lot 56, 30.50 feet West of the South East corner of said lot, all being in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 14-33-310-062-0000

Street Address: 1846 N. Hudson, #A, Chicago, IL 60614

2. PARCEL B: That part of lot 56 lying between a line drawn from a point on the North line of said lot 56, 31.0 feet West of the North East corner of said lot, to a point on the South line of said lot 56, 30.50 feet West of the South East corner of said lot and a line drawn from a point on said North line of lot 56, 53.50 feet West of said North East corner of lot 56 to a point on said South line of lot 56, 53.0 feet West of said South East corner of said lot, all being in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 14-33-310-063-0000

Street Address: 1846 N. Hudson, #B, Chicago, IL 60614

3. PARCEL C: That part of lot 56 lying between a line drawn from a point on the North line of said lot 56, 53.50 feet West of the North East corner of said lot, to a point on the South line of said lot 56, 53.0 feet West of the South East corner of said lot and a line drawn from a point on said North line of lot 56, 76.0 feet West of said North East corner of lot 56 to a point on said South line of lot 56, 75.50 feet West of said South East corner of said lot, all being in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 14-33-310-064-0000

Street Address: 1846 N. Hudson, #C, Chicago, IL 60614

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4. PARCEL D: That part of lot 56 lying West of a line drawn from a point on the North line of said lot 56, 76.0 feet West of the North East corner of said lot, to a point on the South line of said lot 56, 75.50 feet West of the South East corner of said lot (excepting from said parcel the West 19.0 feet thereof), all being in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 14-33-310-065-0000

Street Address: 1846 N. Hudson, #D, Chicago, IL 60614

5. PARCEL E: That part of lot 55 lying East of a line drawn from a point on the North line of said lot 55, 31.50 feet West of the North East corner of said lot, to a point on the South line of said lot 55, 31.0 feet West of the South East corner of said lot, all being in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 14-33-310-058-0000

Street Address: 1848 N. Hudson, #E, Chicago, IL 60614

6. PARCEL F: That part of lot 55 lying between a line drawn from a point on the North line of said lot 55, 31.50 feet West of the North East corner of said lot, to a point on the South line of said lot 55, 31.0 feet West of the South East corner of said lot and a line drawn from a point on said North line of lot 55, 54.0 feet West of said North East corner of lot 55, to a point on said South line of lot 55, 53.50 feet West of said South East corner of said lot, all being in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 14-33-310-059-0000

Street Address: 1848 N. Hudson, #F, Chicago, IL 60614

7. PARCEL G: That part of lot 55 lying between a line drawn from a point on the North line of said lot 55, 54.0 feet West of the North East corner of said lot, to a point on the South line of said lot 55, 53.50 feet West of the South East corner of said lot and a line drawn from a point on said North line of lot 55, 76.50 feet West of said North East corner of lot 55 to a point on said South line of lot 55, 76. feet West of said South East corner of said lot, all being in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 14-33-310-060-0000

Street Address: 1848 N. Hudson, #G, Chicago, IL 60614

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8. PARCEL H: That part of lot 55 lying West of a line drawn from a point on the North line of said lot 55, 76.50 feet West of the North East corner of said lot, to a point on the South line of said lot 55, 76.0 feet West of the South East corner of said lot (excepting from said parcel the West 19 0 feet thereof), all being in Block 43 in the Canal Trustee's Subdivision in Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PIN: 14-33-310-061-0000

Street Address: 1848 N. Hudson, #H, Chicago, IL 60614

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