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SECOND AMENDMENT, ALSO KNOW AS FIRST AMENDMENT, PREVIOUSLY RECORDED TO DECLARATION OF TOWNHOME COVENANTS, FILED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY ON JANUARY 4, 1973 AS DOCUMENT NUMBER 22176857

This Amendment to Declaration is made and entered into this 15<sup>TH</sup> day of APRIL, 1993, by the legal title holders for the following described real estate:

Lot 3 in Maple Crest Subdivision, a Subdivision of part of the North East quarter of Section 34, Township 42 North, Range 11, East of the Third Principal Meridian, all in Cook County, Illinois.

P.I.N.: 03-34-200-096

COMMON ADDRESS: 605 N. MAPLE ST., MT. PROSPECT, IL, 60056

This Amendment is intended to supplement the Declaration recorded in the Office of the Recorder of Deeds of Cook County as Document Number 22176857 on January 4, 1973.

### WITNESSETH:

WHEREAS, this amendment has been recorded from time to time against various and sundry lots within the Maplecrest Subdivision, and entitled "First Amendment;" and

WHEREAS, on December 16th, 1992, an additional amendment was recorded, entitled "First Amendment," relating back to the recordation of the original Declaration, in effect making this amendment now the Second Amendment; and

WHEREAS, certain parcels of real estate intended as dwelling parcels, developed with "townhouse" type dwellings and appurtenant amenities, were sold by the developer as single family private residences; and

WHEREAS, a certain Declaration was recorded, subjecting the individual parcels to the rights, easements, burdens, uses and privileges as set forth therein; and

WHEREAS, the successors to American National Bank & Trust Co. of Chicago, a national banking association, as Trustee under Trust Agreement dated February 10, 1972 and know as Trust No. 76493 ("Declarant"), the purchasers and record title owners of all

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SCHALK MAPLECREST H.A.  
645 MAPLE ST.  
MT PROSPECT IL 60056

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dwelling are desirous of creating a homeowner's association to enforce the terms and conditions of the Declaration, as well as provide for essential services; and

WHEREAS, the successors to Declarant are desirous of creating a homeowner's association as a mechanism for the administration and maintenance of the "townhouse dwellings" and amenities.

NOW, THEREFORE, the successors to Declarant for the purposes set forth below, do hereby declare that the Declaration be and is hereby amended as follows:

1. That the undersigned owners do hereby recognize and accept the "MAPLECREST HOMEOWNERS ASSOCIATION" to carry out the functions of administration and maintenance and all other legal purposes commonly associated with a common interest community. Each dwelling parcel owner shall be a member of the Association. An Initial Board of Directors was nominated and elected by the successor in interest to the Developer. The Successor Board shall continue to operate in this capacity until its successors are elected and qualified under the By-Laws to be adopted.
2. That the Maplecrest Homeowners Association shall operate as an Illinois not-for-profit corporation and be subject to all of the terms and conditions of the Illinois General Not For Profit Corporation Act. The Association, by and through a Board of Directors duly constituted, shall from time to time adopt By-Laws in accordance with this Act. The Articles of Incorporation, Minutes, By-Laws, and Amendments currently in effect are hereby ratified and approved.
3. That in order to carry out the functions of the Association and continue providing essential services such as snow removal, refuse pickup, general maintenance, etc., concerning the easements for recreational areas, ingress and egress, driveways and other land used in common as designated on Exhibits 1 and 2 of the original Declaration, each year at least 10 but not more than 30 days prior to the adoption thereof, the Association, by and through its duly elected Board of Directors, shall prepare and distribute to all owners a detailed proposed annual budget, setting forth the total amount necessary to pay the costs of all wages, materials, insurance, services and supplies and all anticipated common expenses including reasonable reserves for contingencies. Any such assessments shall constitute a lien against the interest of any parcel owner separately assessed, which shall be subject to all collection remedies available under Illinois law for common interest communities. The Maplecrest Homeowners Association and the individual unit owner elect to become subject to the provisions of Ill. Rev. Stat. Ch. 110 Sec. 9-101, et. seq.
4. The BOARD OF MAPLECREST HOMEOWNERS ASSOCIATION ("BOARD") shall annually supply to all unit owners subject to the authority of the BOARD, an itemized accounting of the common expenses for the preceding year actually incurred

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or paid, together with a tabulation of the amounts collected pursuant to the budget or assessment, and showing the net excess or deficit of income over expenditures plus reserves.

5. Each unit owner subject to the authority of the BOARD shall receive written notice mailed or delivered no less than 10 and no more than 30 days prior to any meeting of the BOARD concerning the adoption of the proposed annual budget or any increase, or establishment of an assessment.
6. Meetings of the BOARD shall be open to any unit owner subject to the authority of the BOARD of the association, except for the portion of any meeting held: (A) to discuss litigation when an action against or on behalf of the association has been filed and is pending in a court or administrative tribunal, or when the BOARD finds that such an action is probable or imminent, (B) to consider information regarding appointment, employment or dismissal of an employee, or (C) to discuss violations of rules and regulations of the association or unpaid common expenses owned to the association; that any vote on these matters shall be taken at a meeting or portion thereof open to any unit owner subject to the authority of the association; that any unit owner may record the proceedings at meetings required to be open by this Act by tape, film or other means; that the BOARD may prescribe reasonable rules and regulations to govern the right to make such recordings; that notice of such meetings shall be mailed or delivered at least 48 hours prior thereto, unless a written waiver of such notice is signed by the person or persons entitled to such notice before the meeting is convened; and that copies of notices of meetings of the BOARD of the association shall be posted in conspicuous places at least 48 hours prior to the meeting of the BOARD.
7. The Association shall have and is hereby granted the power to amend, modify or otherwise alter this Declaration and each and all of the terms and provisions hereof by an action recommended by a majority of the Board of Directors and approved by the affirmative vote of 2/3rds of the members of the Association. Said amendment shall become effective on the date said instrument is filed in the Office of the Recorder of Deeds of Cook County, Illinois.
8. The Association, by and through its duly elected Board of Directors, shall have the right to adopt rules and regulations governing the operation, administration and maintenance of the various easements and "dwelling parcels," the collection and spending of assessments and such other lawful purposes as the Board of Directors deems fit.

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PETITION TO APPROVE THE SECOND AMENDMENT, ALSO KNOWN AS THE FIRST AMENDMENT, PREVIOUSLY RECORDED TO DECLARATION OF TOWNHOME COVENANTS, FILED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY ON JANUARY 4, 1993 AS DOCUMENT NUMBER 22176857

We, the undersigned, do hereby agree and acknowledge to submit his/her/their lot and dwelling unit to the terms and conditions of the attached Amendment to Declaration. The undersigned do hereby agree that they and on behalf of their agents, employees, heirs, successors in interest and assigns, shall be bound by same.

NAME (please print) BHUPENDRA SHAH

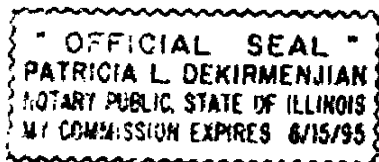
ADDRESS 605 N. MARCE CT. MT. PROSPECT, IL 60056

SIGNATURE *Bhupendra Shah*

DATE APRIL 15, 1993

OWNER OF UNIT (S) NO. 605

*Patricia L. Dekirmenjian*  
4/15/93



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## RATIFICATION OF BY-LAWS

We, the undersigned, hereby ratify the By-Laws of the Maplecrest Homeowners Association, an Illinois not-for-profit corporation, previously recorded on 3-16-92 as Document Number 92-167558, and state as follows:

WHEREAS, we are unit owners in the Maplecrest Subdivision which is legally described as follows:

Lot 3 in Maplecrest Subdivision, a Subdivision of part of the North East quarter of Section 34, Township 42 North, Range 11, East of the Third Principal Meridian, all in Cook County Illinois.

WHEREAS, the original Developer of this property caused to be filed certain Declaration of Easements for ingress, egress, driveways, parking and party walls in the Cook County Recorder of Deeds Office as Document No. 22-176-857.

WHEREAS, said Declarations provided for the equal sharing of all costs and expenses in maintaining and operating the land used in common as described in that Declaration.

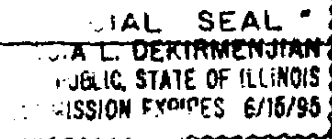
WHEREAS, the Maplecrest Homeowners Association was an Illinois not-for-profit corporation formed by unit owners as a mechanism for the administration and maintenance of the easement areas described in this Declaration.

WHEREAS, pursuant to the corporate charter, certain By-Laws and Amendments have been enacted from time to time by this corporation for the benefit of the unit owners.

WHEREFORE, we the undersigned as unit owners and members of this not-for-profit corporation, hereby ratify and confirm these By-Laws and Amendments thereto as valid and binding acts of the Maplecrest Homeowners Association pursuant to its authority as a not-for-profit corporation. By this act we agree that we and our heirs, successors in interest and assigns have been and shall be bound by these By-Laws and actions which have been and will be taken pursuant to these By-Laws and Amendments.

NAME (please print) BHUPENDRA SHAH  
ADDRESS 605 N. MAPLE CT., MT. PROSPECT, IL, 60056  
SIGNATURE Bhupendra Shah  
DATE APRIL 15, 1993  
OWNER OF UNIT(S) NO. 605

Leticia A. Dekirmenjian  
4/15/93



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