

**UNOFFICIAL COPY** 93831683

**FIRST AMENDMENT TO DECLARATION OF  
CONDOMINIUM OWNERSHIP AND OF EASEMENTS,  
RESTRICTIONS AND COVENANTS FOR  
PERRY LANE AND DECLARATION OF BY LAWS  
FOR PERRY LANE CONDOMINIUM ASSOCIATION**

This Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Perry Lane and Declaration of By-Laws for Perry Lane Condominium Association, made and entered into this 13<sup>TH</sup> day of SEPTEMBER 1993 by the Board of Managers of Perry Lane Condominium Association (hereinafter referred to as the "Board") and the undersigned unit owners of condominium units in Perry Lane Condominium Association (hereinafter referred to as the "Unit Owners"), having at least seventy-five percent (75%) of the total vote of the Unit Owners of Perry Lane Condominium Association.

**WITNESSETH:**

DEPT-01 RECORDING \$55.50  
79555 TRAN 3111 10/15/93 15:16:00  
\$299.00 \* -93-831683  
COOK COUNTY RECORDER

WHEREAS, by a certain Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Perry Lane and Declaration of By-Laws for Perry Lane Condominium Association recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 22, 1985 as Document Number 85246713 (hereinafter referred to as the "Declaration"), certain real estate was submitted to the Condominium Property Act of the State of Illinois, said condominium being known as Perry Lane Condominium Association. The real estate subject to the Declaration and made a part of said condominium as a result of the recordation of the Declaration is identified and legally described on Exhibit A attached hereto and forming a part hereof; and

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WHEREAS, Article XVIII, Paragraph F, of the Declaration sets forth the procedure for amendment, change or modification of the Declaration by written instrument setting forth such amendment, change or modification and signed and acknowledged by the Board and approved by the unit owners having at least seventy-five percent (75%) of the total vote, and that a copy has been mailed to all mortgagees having bona fide liens of record, and an affidavit by an officer of the Board certifying such mailing as a part of the instrument; and

WHEREAS, the Board and unit owners deem it desirable to impose limitations and restrictions on the leasing of the units; and

WHEREAS, the Board and unit owners desire to restrict leasing of units to allow only members of an owner's immediate family to lease, provided it is used as the family member's personal residence only; except for unit owners who are renting units on the date of recordation of this Amendment who may continue to lease their unit for as long as they own their unit; and

WHEREAS, the Board and unit owners desire to reserve to the Board the authority, in its sole discretion, to lease units owned by the Board or of which the Board has possession by court order or otherwise; and to permit leasing of units or to waive, modify or eliminate any and all other restrictions to avoid undue hardship to any unit owner; and

WHEREAS, the Board and unit owners desire that the leasing restriction shall be independent of the Board's first right and option to purchase or lease a unit ownership,

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if any, and that enforcement of such restrictions can be carried out independently of any first right and option.

NOW, THEREFORE, the Board and Unit Owners having at least seventy-five percent (75%) of the total vote, do hereby amend the Declaration as follows:

1. Article IX of the Declaration is hereby amended by adding the following Paragraph P, and subparagraphs thereof:

**P. Restrictions on Leasing of Units.**

1. A Unit Ownership or any interest therein or a unit shall not be leased to any person other than a member of the Unit Owner's immediate family related to the Unit Owner by blood or marriage, and more specifically any spouse, parent, child, brother or sister, or to any one or more of them, or to any Trustee of a trust, the sole beneficiary of which is the Unit Owner, his or her spouse, child, parent, brother or sister or any one or more of them, for use as their personal residence only, except that each Unit Owner leasing a Unit Ownership or any interest therein or a unit on the effective date of this Amendment may continue to lease his or her unit ownership or any interest therein or the unit for as long as he or she owns such unit ownership, subject to the requirements of Paragraphs A through O of this Article IX.
2. The Board shall have sole and absolute discretion to waive, modify or eliminate the restrictions, limitations, prohibitions or conditions in subparagraph 1 of this Paragraph P, in any case to avoid an extreme or undue hardship with respect to any Unit Ownership or owner. Notwithstanding the provisions of subparagraph 1 of this Paragraph P, with respect to any Unit Ownership in which the Association or Board has or shall have an interest at any time, the Board shall have the authority to lease such unit ownership or any interest therein or the unit to any person.
3. In the event that a Unit Ownership or any interest therein or the unit is leased in violation of this Paragraph P, such lease shall be void, and the Board shall have the right to enforce the restrictions, limitations, prohibitions or conditions set forth in this Paragraph P by any proceeding at law or in equity, and may pursue any or all of the remedies set forth in Article XVII or any other Article of the Declaration or any remedies set forth in the By-Laws. The exercise of the Board's first right to purchase or lease a Unit Ownership or unit shall not be a condition precedent to

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and the Board of Supervisors of Cook County, Illinois, do hereby certify that the following is a true and correct copy of the original as the same appears on the records of the Board of Supervisors of Cook County, Illinois.

Witness my hand and the seal of said Board of Supervisors at Chicago, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Secretary of the Board of Supervisors of Cook County, Illinois.

\_\_\_\_\_  
President of the Board of Supervisors of Cook County, Illinois.

\_\_\_\_\_  
Clerk of the Board of Supervisors of Cook County, Illinois.

\_\_\_\_\_  
Recorder of Deeds for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Mortgages for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Wills for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Births for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Deaths for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Marriages for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Divorces for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Adoptions for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Guardianships for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Conservatorships for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Trusts for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Powers of Attorney for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Affidavits for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Petitions for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Applications for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Returns for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Orders for Cook County, Illinois.

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Recorder of Resolutions for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Minutes for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Reports for Cook County, Illinois.

\_\_\_\_\_  
Recorder of Exhibits for Cook County, Illinois.

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enforcement of the leasing prohibitions and limitations set forth in subparagraph 1 of this Paragraph P.

2. Article XVI of the Declaration is hereby amended by adding the following Paragraph Q, and subparagraphs thereof:

**Q. Leasing Restrictions.**

1. A Unit Ownership or any interest therein or a unit shall not be leased to any person other than a member of the Unit Owner's immediate family related to the unit owner by blood or marriage, and more specifically any spouse, parent, child, brother or sister, or to any one or more of them, or to any Trustee of a trust, the sole beneficiary of which is the Unit Owner, his or her spouse, child, parent, brother or sister or any one or more of them, for use as their personal residence only, except that each Unit Owner leasing a unit ownership or any interest therein or a unit on the effective date of this Amendment may continue to lease his or her Unit Ownership or any interest therein or the unit for as long as he or she owns such unit ownership, subject to the requirements of Article IX.
2. The Board shall have sole and absolute discretion to waive, modify, or eliminate the restrictions, limitations, prohibitions or conditions in subparagraph 1 of this Paragraph Q, in any case to avoid an extreme or undue hardship with respect to any Unit Ownership or Owner. Notwithstanding the provisions of paragraph 1 of this Paragraph Q, with respect to any Unit Ownership in which the Association or Board has or shall have an interest at any time, the Board shall have the authority to lease such Unit Ownership or any interest therein or the unit to any person.
3. In the event that a Unit Ownership or any interest therein or the unit is leased in violation of this Paragraph Q, such lease shall be void, and the Board shall have the right to enforce the restrictions, limitations, prohibitions or conditions set forth in this Paragraph Q by any proceeding at law or in equity, and may pursue any or all of the remedies set forth in Article XVII or any other Article of the Declaration or remedies set forth in the By-Laws. The exercise of the Board's first right to purchase or lease a Unit Ownership or unit shall not be a condition precedent to enforcement of the leasing prohibitions and limitations set forth in subparagraph 1 of this Paragraph Q.

The Owners acknowledge that it may be difficult to obtain all signatures on a single copy of this Amendment. In order to simplify recording of this Amendment, and reduce

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costs, the Board is hereby granted the power and authority to detach signature pages from copies of this Amendment which have been signed and to consolidate all signature pages and affidavit pages on a single copy to be recorded with the Recorder of Deeds.

IN WITNESS WHEREOF, the undersigned Unit Owners and Board members have hereunto set their hands and seals the day and date first written above.

BOARD OF MANAGERS OF PERRY LANE  
CONDOMINIUM ASSOCIATION

Walter E. Rocky  
President

Joyce N. Bausch  
Secretary

R. Swatter  
Treasurer

Being all of the members of the Board  
of Managers of the Association

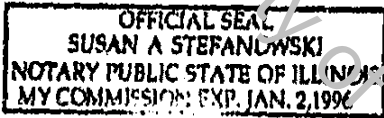


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STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

I, a Notary Public, in and for the County of Cook and State of Illinois, do hereby certify that Walter E. Roehrig, Joyce N. Brasch, and J.R. Mastta, all members of the Board of Managers of Perry Lane Condominium Association, personally known to me to be the same persons whose names are subscribed as members of said Board of Managers, appeared before me this day in person and acknowledged that they signed said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 20<sup>th</sup> day of September 1993.



Susan A. Stefanowski  
NOTARY PUBLIC

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## SIGNATURE PAGES FOR FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR PERRY LANE CONDOMINIUM

UNIT OWNER(S)

Eleanor H. Mack

ELEANOR H. MACK  
Printed Name

Printed Name

UNIT  
NUMBER

101

PERCENTAGE  
OF COMMON  
ELEMENTS

5.09

Mortgage Holder(s) Name and  
Address

NONE

UNIT OWNER(S)

Wendell Stukel

WENDELL STUKEL  
Printed Name

FLORENCE STUKEL  
Printed Name

UNIT  
NUMBER

102

PERCENTAGE  
OF COMMON  
ELEMENTS

6.45

Mortgage Holder(s) Name and  
Address

NONE

UNIT OWNER(S)

JAMES R. MAATTA  
Printed Name

Mary E. Maatta  
MARY E. MAATTA  
Printed Name

UNIT  
NUMBER

103

PERCENTAGE  
OF COMMON  
ELEMENTS

8.46

Mortgage Holder(s) Name and  
Address

TEMPLE-ENLAND  
MORTGAGE CORP.  
P.O. BOX 40  
AUSTIN, TX 78767

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Office

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UNIT OWNER(S)

Wendell Weber

WENDELL WEBER

Printed Name

Printed Name

UNIT  
NUMBER

PERCENTAGE  
OF COMMON  
ELEMENTS

201

5.09

Mortgage Holder(s) Name and  
Address

NONE

UNIT OWNER(S)

Walter E. Roehrig

WALTER E. ROHRIG

Printed Name

Evelyn E. Roehrig

EVELYN E. ROHRIG

Printed Name

UNIT  
NUMBER

PERCENTAGE  
OF COMMON  
ELEMENTS

202

6.45

Mortgage Holder(s) Name and  
Address

NONE

UNIT OWNER(S)

Joyce N Boesch

JOYCE N BOESCH

Printed Name

Printed Name

UNIT  
NUMBER

PERCENTAGE  
OF COMMON  
ELEMENTS

203

8.46

Mortgage Holder(s) Name and  
Address

NONE

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UNIT OWNER(S)

\_\_\_\_\_

Printed Name

*Alma L. Ehorn*

ALMA L. EHORN

Printed Name

UNIT  
NUMBER

PERCENTAGE  
OF COMMON  
ELEMENTS

301

5.09

Mortgage Holder(s) Name and Address

\_\_\_\_\_  
*NONE*  
\_\_\_\_\_

UNIT OWNER(S)

\_\_\_\_\_

Printed Name

*Cobey May*

Printed Name

UNIT  
NUMBER

PERCENTAGE  
OF COMMON  
ELEMENTS

302

6.45

Mortgage Holder(s) Name and Address

\_\_\_\_\_  
*NATIONS BANK*  
*P.O. Box 353*  
*LOUISVILLE, KY*  
*40201-0353*  
\_\_\_\_\_

UNIT OWNER(S)

*Dorothy M. Young*

*Arlene A. Simms P.O.A.*

ARLENE A. SIMMS

*Dorothy M. Young*

Printed Name

Printed Name

UNIT  
NUMBER

PERCENTAGE  
OF COMMON  
ELEMENTS

303

8.20

Mortgage Holder(s) Name and Address

\_\_\_\_\_  
*NONE*  
\_\_\_\_\_

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UNIT OWNER(S)

Ellen M. Snopce  
ELLEN M. SNOPEK  
Printed Name

E  
Printed Name

UNIT                      PERCENTAGE  
NUMBER                   OF COMMON  
                                 ELEMENTS

401                      5.09

Mortgage Holder(s) Name and Address

NONE

UNIT OWNER(S)

Jeanne Boyle  
JEANNE BOYLE  
Printed Name

Printed Name

UNIT                      PERCENTAGE  
NUMBER                   OF COMMON  
                                 ELEMENTS

402                      6.45

Mortgage Holder(s) Name and Address

A. J. SMITH FEDERAL  
SAVINGS BANK  
8220 W. 159TH STREET  
ORLAND PARK, IL. 60469

UNIT OWNER(S)

Eric E. Bomba  
ERIC E. BOMBA  
Printed Name

Charlotte Bomba  
CHARLOTTE BOMBA  
Printed Name

UNIT                      PERCENTAGE  
NUMBER                   OF COMMON  
                                 ELEMENTS

403                      8.46

Mortgage Holder(s) Name and Address

NONE

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UNIT OWNER(S)

Kathleen R. Coleman

KATHLEEN R. COLEMAN  
Printed Name

Printed Name

UNIT                      PERCENTAGE  
NUMBER                  OF COMMON  
                                  ELEMENTS

501                      5.09

Mortgage Holder(s) Name and Address

NONE

UNIT OWNER(S)

Elizabeth M. O'Leary

ELIZABETH M. O'LEARY  
Printed Name

Printed Name

UNIT                      PERCENTAGE  
NUMBER                  OF COMMON  
                                  ELEMENTS

502                      6.45

Mortgage Holder(s) Name and Address

IRVING FEDERAL BANK  
FOR SAVINGS  
3515 IRVING PARK RD.  
CHICAGO, IL. 60618-3284

UNIT OWNER(S)

Lorraine Lemanski  
LORRAINE LEMANSKI  
ELIZABETH REYNOWSKI  
Elizabeth Reznowski

Printed Name

Bernice Lemanski

BERNICE LEMANSKI  
Printed Name

UNIT                      PERCENTAGE  
NUMBER                  OF COMMON  
                                  ELEMENTS

503                      8.46

Mortgage Holder(s) Name and Address

NONE

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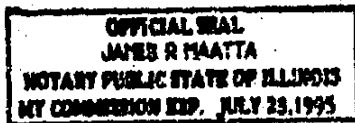
STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

I, a Notary Public, in and for the County of Cook and State of Illinois, do hereby certify that ELEANOR H. MACK; WENDELL STUKEL & FLORENCE STUKEL; WALTER B. ROEHRIG & EVELYN B. ROEHRIG; JOYCE N. BOESCH; COREY MAY; ELLEN M. SNOPEK; LORRAINE LEMANSKI, ELIZABETH REINOWSKI, BERNICE LEMANSKI all Unit Owners of Units 101, 102, 202, 302, 302, 401, 502

in 1389 Perry Lane Condominium Association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 13<sup>TH</sup> day of SEPTEMBER 1993.

James R. Maatta  
NOTARY PUBLIC



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COMMUNICATIONS

SECTION 10-110-100

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ATKINS & BROS  
COMMUNICATIONS SECTION  
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                                      ) SS  
COUNTY OF COOK     )

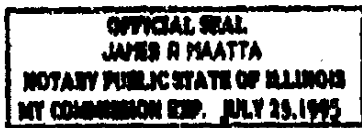
I, a Notary Public, in and for the County of Cook and State of Illinois, do hereby  
certify that ALMA L. EHORN

all Unit Owners of Units 301

in 1389 Perry Lane Condominium Association, personally known to me to be the same  
persons whose names are subscribed to the foregoing instrument, appeared before me  
this day in person and acknowledged that they signed said instrument as their free and  
voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 7<sup>TH</sup> day of SEPTEMBER  
1993.

James R. Maatta  
NOTARY PUBLIC



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COOK COUNTY CLERK'S OFFICE  
110 N. LAUREL ST. CHICAGO, IL 60602  
(312) 603-1100



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STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

I, a Notary Public, in and for the County of Cook and State of Illinois, do hereby certify that ERICH E. BOMBA; CHARLOTTE BOMBA;

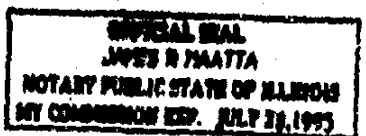
KATHLEEN R. COLEMAN; ELIZABETH M. O'LEARY;  
WENDELL WEBER

all Unit Owners of Units 403, 501, 502, 201

in 1389 Perry Lane Condominium Association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 15<sup>TH</sup> day of SEPTEMBER  
1993.

James R. Matta  
NOTARY PUBLIC



Cook County Clerk's Office

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JAN 20 1970  
ATTN: S. C. B. A.  
COMMERCIAL REPRODUCTION  
FOR THE YEAR, SEE HOURS OF SERVICE

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STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

I, a Notary Public, in and for the County of Cook and State of Illinois, do hereby certify that JAMES R. MAATTA, MARY E. MAATTA

all Unit Owners of Units 103

in 1389 Perry Lane Condominium Association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 20<sup>th</sup> day of September 1993.



Susan A. Stefanowski  
NOTARY PUBLIC

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STATE OF ILLINOIS )  
 ) SS  
COUNTY OF COOK )

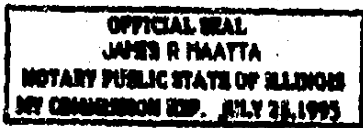
I, a Notary Public, in and for the County of Cook and State of Illinois, do hereby certify that JEANNE BOYLE; ALENE A. SIMMS  
POWER OF ATTORNEY FOR DOROTHY M. YOUNG

all Unit Owners of Units 4029-303

in 1389 Perry Lane Condominium Association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN my hand and notarial seal this 21<sup>st</sup> day of SEPTEMBER 1993.

James R. Maatta  
NOTARY PUBLIC



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COOK COUNTY  
JAN 10 2011

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STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF COOK     )

## AFFIDAVIT OF SECRETARY

I, being first duly sworn on oath, depose and state that I am the Secretary of the Perry Lane Condominium Association and that, according to the books and records of said Association and a of the date hereof, the foregoing represents the signature of unit owners entitled to cast at least seventy-five percent (75%) of the total votes of the Association. I further certify that the owners having at least seventy-five percent (75%) of the total votes have approved the foregoing Amendment at a meeting of unit owners duly called for such purpose. I further certify that copy of this Amendment has been mailed by certified mail to all lien holders of record against any Unit Ownership.

IN WITNESS WHEREOF, I have set my hand and seal of the corporation this

22<sup>nd</sup> day of September, 1993.

CORPORATE  
SEAL

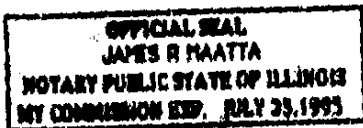
Joyce N. Basso  
Secretary

Joyce N Basso  
Printed Name

SUBSCRIBED and SWORN to before me

this 22<sup>nd</sup> day of SEPTEMBER 1993.

James R. Maatta  
NOTARY PUBLIC



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## EXHIBIT "A"

### TO FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR PERRY LANE CONDOMINIUM ASSOCIATION

#### LEGAL DESCRIPTION

Unit Numbers 101, 102, 103, 201, 202, 203, 301, 302, 303, 401, 402, 403, 501, 502 and 503 in Perry Lane Condominium, as delineated on the survey of the following described real estate:

Lots 1, 2, 3 and 4 in Block 5 in Ira Brown addition to Des Plaines in Section 17, Township 41 North, Range 12 East of the Third Principal Meridian in Cook County, Illinois, which Plat of Survey is attached as Exhibit "A" to the Declaration of Condominium Ownership made by First State Bank & Trust Company of Park Ridge, not personally but solely as Trustee under a Trust Agreement dated April 2, 1984 known as Trust Number 1429, recorded in the office of the Recorder of Deeds, Cook County, Illinois, as Document No. 85246713, together with said units' undivided percentage interests in the Common Elements as defined in said Declaration, in Cook County, Illinois.

PERMANENT INDEX NO. 09-17-408-031-1001 through 1015, inclusive.

THIS DOCUMENT PREPARED BY:

MARSHALL N. DICKLER, LTD.  
85 W. Algonquin Rd., Suite. 420  
Arlington Heights, IL 60005  
(708) 593-5595



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