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FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS
FOR THE STUART ON MAGNOLIA CONDOMINIUM
(4635-37 NORTH MAGNOLIA, CHICAGO, ILLINOIS)

THIS AMENDMENT was entered into as of the 20th day of December, 1994
by and between The Stuart On Magnolia Condominium Association, ("Association"); Brian Boden,
("Boden"), Rocco Laudadio, ("Laudadio"); Christopher M. Nicklo, ("Nicklo"); and Independent Trust
Corporation as Trustee under Trust Agreement dated July 21, 1986, and known as Trust No. 477,
("Independent Trust").

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WITNESSETH:

WHEREAS, by certain Declaration of Condominium Ownership and Easements,
Restrictions, Covenants, and By-Laws for The Stuart On Magnolia Condominium Association dated
June 24, 1994 and recorded June 27, 1994, as Document Number 94559339 (hereinafter the
"Declaration"), the property legally described on Exhibit A attached hereto, and by this reference
incorporated herein (hereinafter "property"), was submitted to the provisions of the Condominium
Property Act of the State of Illinois, as amended from time to time; and

WHEREAS, Boden, Laudadio, Nicklo, and Independent Trust are all of the fee simple
owners, ("Owners") of the property; and

WHEREAS, the Owners desire to amend the governing documents to prohibit the
installation of any rooftop decks or decking without an amendment to the Declaration which has been
unanimously approved by all unit owners.

NOW, THEREFORE, for and in consideration of TEN DOLLARS (\$10.00) and
other good and valuable consideration, the receipt and adequacy of which is acknowledged by the
Association and the Owners, it is agreed as follows:

1. That Article XVIII (General Provisions), Paragraph 6 (Amendment) is hereby
deleted from the Declaration and the following revised Paragraph 6 is inserted in its place:

"6. Amendment. Except as otherwise provided in the Act, this Declaration
and By-Laws, the provisions of the condominium instruments may be
amended, changed, or modified by an instrument in writing setting forth such
amendment, change, or modification, signed and acknowledged by all of the
members of the Board and all unit owners and further approved by any

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mortgagees required under the provisions of the condominium instruments, and containing an affidavit by an officer of the board certifying that a copy of the amendment, change, or modification has been mailed by certified mail to all mortgagees having bona fide liens of record against any unit, not less than ten (10) days prior to the date of such affidavit. Any amendment, change, or modification shall conform to the provisions of the Condominium Property Act and shall be effective upon recordation thereof unless the effective date is stated therein to be another date than the date of recording. No change, modification, or amendment which affects the rights, privileges, or obligations of the trustee or the developer shall be effective without the prior written consent of the trustee or the developer. Except to the extent authorized by provisions of the Act, no amendment to the condominium instruments shall change the boundaries of any unit or the undivided interest in the common elements, the number of votes in the Unit Owner's Association, or the liability for common expenses appertaining to a unit. Nor shall any unit owner or the Association itself be authorized to install a rooftop deck or rooftop decking on the roof of the subject premises, (hereinafter "rooftop deck(s)") unless such rooftop deck(s) have been authorized for installation by an amendment to the Declaration and Bylaws which has been unanimously approved by all unit owners."

IN WITNESS WHEREOF, the Association and the Owners have set their hands this 20th day of December, 1997

THE STUART ON MAGNOLIA CONDOMINIUM ASSOCIATION

By: Brian Bates
Title: President

ATTEST
By: Amron A Girulati
Title: Secretary

THIS DOCUMENT PREPARED BY:

Gary S. Benson
Attorney At Law
2615 N. Sheffield
Chicago, IL 60614
(312) 327-7120

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COOK COUNTY RECORDER

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EXHIBIT "A" LEGAL DESCRIPTION

UNIT NUMBERS 4635-1, 4635-2, 4635-3, 4637-1, 4637-2, 4637-3, P-1, P-2, P-3, P-4, and P-5 in The Stuart On Magnolia Condominium, as delineated on a survey of the following described real estate:

Lot 56 (except the North 10 feet thereof) and the North 20 feet of Lot 55 in Sheridan Drive Subdivision in the Northwest 1/4 of Section 17, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

PERMANENT INDEX NUMBER: 14-17-111-005

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Chicago, IL 60614
(312) 327-7120

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

UNIT 4635-1
THE STUART ON MAGNOLIA CONDOMINIUM

By: [Signature]
Independent Trust Corporation a/w/
Trust dated July 21, 1986, a/w/
Trust No. 477, and not individually
LINDA A. HOON, TRUST OFFICER

ATTEST: [Signature]
Dawn J. Jurewicz, Trust Officer

STATE OF ILLINOIS
COUNTY OF COOK ss.

I, the undersigned, a Notary Public, in the State aforesaid, DO HEREBY CERTIFY, that LINDA A. HOON of the INDEPENDENT TRUST CORPORATION and Dawn J. Jurewicz of said Trust Company, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such TRUST OFFICER, and TRUST OFFICER, respectively, 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 Trust Company, as Trustee as aforesaid, for the uses and purposes therein set forth; and the said TRUST OFFICER then and there acknowledged that he, as Custodian of the corporate seal of said Trust Company, did affix the corporate seal of said Trust Company to said instrument as his own free and voluntary act and as the free and voluntary act of said Trust Company as Trustee as aforesaid, for the uses and purposes therein set forth.

Gary S. Benson
Attorney At Law
2615 N. Sheffield
Chicago, IL 60614
(312) 327-7120

GIVEN under my hand and notarial seal, this 20TH day of JANUARY A.D. 1985

[Signature]
Notary Public

"OFFICIAL SEAL"
KATHERINE CANTON
Notary Public, Cook County, Illinois
My Commission Expires 8/11/88

* THIS AGREEMENT IS SIGNED BY INDEPENDENT TRUST CORPORATION NOT INDIVIDUALLY BUT SOLELY AS TRUSTEE UNDER A CERTAIN TRUST AGREEMENT KNOWN AS TRUST NO. 477 SAID TRUST AGREEMENT IS HEREBY MADE A PART HEREOF AND ANY CLAIMS AGAINST SAID TRUSTEE WHICH MAY RESULT HEREFROM, SHALL BE PAYABLE ONLY OUT OF ANY TRUST PROPERTY WHICH MAY BE HELD THEREUNDER. ANY AND ALL PERSONAL LIABILITY OF INDEPENDENT TRUST CORPORATION, IS HEREBY EXPRESSLY WAIVED BY THE PARTIES HERETO AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. ALL REPRESENTATIONS AND UNDERTAKINGS ARE OF INDEPENDENT TRUST CORPORATION AS TRUSTEE AS AFORESAID AND NOT INDIVIDUALLY AND NO LIABILITY IS ASSUMED BY OR SHALL BE ASSERTED AGAINST THE INDEPENDENT TRUST CORPORATION PERSONALLY AS A RESULT OF THE SIGNING OF THIS INSTRUMENT

*SUBJECT TO EXONERATION PROVISIONS HEREIN

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

UNIT 4635-2 and P-3
THE STUART ON MAGNOLIA CONDOMINIUM

By: [Signature]

Independent Trust Corporation a/t/u
Trust dated July 21, 1986, a/k/a
Trust No. 477, and not individually
LINDA A. ROON, TRUST OFFICER

ATTEST: [Signature]
Dawn J. Jurewicz, Trust Officer

STATE OF ILLINOIS
COUNTY OF COOK ss.

I, the undersigned, a Notary Public, in the State aforesaid, DO HEREBY CERTIFY, that LINDA A. ROON of the INDEPENDENT TRUST CORPORATION and DAVID TURBOWKE of said Trust Company, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such TRUST OFFICER and TRUST OFFICER, respectively, 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 Trust Company as Trustee as aforesaid, for the uses and purposes therein set forth; and the said TRUST OFFICER then and there acknowledged that he, as custodian of the corporate seal of said Trust Company, did affix the corporate seal of said Trust Company to said instrument as his own free and voluntary act and as the free and voluntary act of said Trust Company as Trustee as aforesaid, for the uses and purposes therein set forth.

Gary S. Benson
Attorney At Law
2615 N. Sheffield
Chicago, IL 60614
(312) 327-7120

GIVEN under my hand and notarial seal, this 30th day of JANUARY A.D. 19 95

[Signature]
Notary Public

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* THIS AGREEMENT IS SIGNED BY INDEPENDENT TRUST CORPORATION NOT INDIVIDUALLY BUT SOLELY AS TRUSTEE UNDER A CERTAIN TRUST AGREEMENT KNOWN AS TRUST NO. 477 SAID TRUST AGREEMENT IS HEREBY MADE A PART HEREOF AND ANY CLAIMS AGAINST SAID TRUSTEE WHICH MAY RESULT THEREFROM, SHALL BE PAYABLE ONLY OUT OF ANY TRUST PROPERTY WHICH MAY BE HELD THEREUNDER. ANY AND ALL PERSONAL LIABILITY OF INDEPENDENT TRUST CORPORATION, IS HEREBY EXPRESSLY WAIVED BY THE PARTIES HERETO AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. ALL REPRESENTATIONS AND UNDERTAKINGS ARE OF INDEPENDENT TRUST CORPORATION AS TRUSTEE AS AFORESAID AND NOT INDIVIDUALLY AND NO LIABILITY IS ASSUMED BY OR SHALL BE ASSERTED AGAINST THE INDEPENDENT TRUST CORPORATION PERSONALLY AS A RESULT OF THE SIGNING OF THIS INSTRUMENT

*SUBJECT TO EXONERATION PROVISIONS HEREIN

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

UNIT 4637-2
THE STUART ON MAGNOLIA CONDOMINIUM

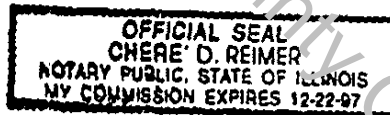
By: Rocco Laudadio
ROCCO LAUDADIO

I, Chere' D. Reimer, a Notary Public in and for said County and State, do hereby certify that Rocco Laudadio, 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 and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 20th day of December, 1994.

Chere' D. Reimer
NOTARY PUBLIC

Gary S. Benson
Attorney At Law
2615 N. Sheffield
Chicago, IL 60614
(312) 327-7120



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CERTIFICATE

ROLLIN M. GIRULAT and SHARON L. GIRULAT, (hereinafter referred to as the "Developer"), as developers of The Stuart On Magnolia Condominium Association, (hereinafter referred to as the "Condominium"), hereby certify that a copy of this Amendment has been mailed by certified mail to all mortgagees having bonafide liens of record against any unit in the Condominium, located at 4635-37 North Magnolia, Chicago, Illinois, and legally described in the First Amendment to the Declaration of Condominium Ownership, Covenants, Conditions, Restrictions, and By-Laws for The Stuart On Magnolia Condominium, Chicago, Illinois, to which this Certificate is attached.

IN WITNESS WHEREOF, the undersigned have executed this Certificate dated December 20, 1994.

Rollin M. Girulat
ROLLIN M. GIRULAT

Sharon L. Girulat
SHARON L. GIRULAT

Subscribed and sworn to
before me this 21st day
of December, 1994.



Chere D. Reimer
Notary Public

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