

UNOFFICIAL COPY

NOV 19 1996

35.00
2.50
RECORDING #
MAILINGS #
96882042 #
3003 AC#

96882042

11/19/96

Amendment to the Declaration
of Condominium Ownership
of the Westlake House Homeowners Association

~~Amendment to Condo Declaration~~

TYPE OF DOCUMENT



MAIL TO:

NAME AND ADDRESS OF PREPARER:

David Fajenstein
Robert Coe & Assoc.
555 Skokie Blvd.
Ste 500
Northbrook, IL 60062

Same

COOK COUNTY
RECORDER
JESSE WHITE
SKOKIE OFFICE

35 50
RE

UNOFFICIAL COPY

2007 01 10

Property of Cook County Clerk's Office



2007
01
10

UNOFFICIAL COPY

AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP OF THE WESTLAKE HOUSE HOMEOWNERS ASSOCIATION

WHEREAS, all of the property within the Westlake House Homeowners Association, Inc., a not-for-profit corporation organized and existing under the laws of the State of Illinois, is subject to the Declaration of Condominium Ownership and By-Laws of the Lake of the Winds, and known as Westlake House Homeowners Association, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 25, 1974 as Document No. 22762748, and by such recording said property is subject to the terms of the Condominium Property Act of the State of Illinois (the "Act");

WHEREAS, Section 27 of the Declaration of Condominium Ownership of the Westlake House Homeowners Association provides that the Declaration of Condominium Ownership may be amended or modified by action or approval of the voting members having at least three-quarters (3/4) of the total votes; and

WHEREAS, the Board of Managers of the Association has determined that it is in the best interests of the Association for the Declaration of Condominium Ownership to be amended as set forth hereafter; and

WHEREAS, the members of the Association have indicated their agreement to said amendments as evidenced by their consent attached hereto as Group Exhibit A and made a part hereof; and

WHEREAS, the approval of the voting members having at least three-quarters (3/4) of the total vote has been obtained at a requisite meeting of the Association members; and

NOW THEREFORE, BE IT RESOLVED THAT THE FOLLOWING AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP OF THE WESTLAKE HOUSE HOMEOWNERS ASSOCIATION is hereby approved and adopted:

SECTION 19 SALE OR LEASE BY UNIT OWNER

At the end of Section 19, the following shall be added:

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Notwithstanding the foregoing language within this Section 19, the following shall apply to the leasing of all units. If there is any contradiction between the terms of the following language and the foregoing language within this Section 19, the following language shall control.

Leasing. No Unit, or interest therein, shall be leased by a Unit Owner. Each Unit Owner currently renting his or her Unit as of the recording date of this Amendment must, once the Unit is vacated by the current tenant, occupy the Unit as his or her personal residence, or maintain the Unit without occupancy, or sell or transfer the Unit.

Waiver. If a Unit vacated by a tenant in occupancy as of the recording date of this Amendment, or vacated by a Unit Owner for reasons beyond his control, cannot be sold in the 120 days following the vacating of the Unit despite reasonable efforts of the Unit Owner to sell said property, the Unit Owner may apply for a one year waiver of Section 19 in the following manner:

(a) The Unit Owner must submit a request in writing to the Board of Managers requesting a one year waiver of Section 19 setting out the reasons why they are entitled to same.

(b) The Board of Managers must be provided with a copy of the sales listing and the date the property was listed for sale or publicly advertised.

© If, based on the data supplied to the Board of Managers by the Unit Owner, the Board finds that a reasonable attempt to sell the Unit has been made by the Unit Owner, the Board may grant a one year waiver of the provisions of Section 19. Any lease entered into under this Section 19 shall be in writing and for a period of one year. The lease must also contain a provision that failure by the tenant or the Unit Owner to abide by the Rules and Regulations of the Association may, in the discretion of the Board of Managers, result in termination of the lease by the Board of Managers.

(d) Copies of all leases must be submitted to the Board within ten (10) days after execution and prior to occupancy

(e) All tenants shall acknowledge in writing that they have received copies of the rules and regulations of the Association and a copy of the written receipt shall be submitted to the Board of Managers.

(f) The effective date of this Amendment shall be deemed to be the date of

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

recording with the Office of the Recorder of Deeds of Cook County.

(g) Any Unit being leased out in violation of this Amendment or any Unit Owner found to be in violation of the Rules and Regulations adopted by the Board of Managers may be subject to a flat or daily fine to be determined by the Board of Managers upon notice and an opportunity to be heard.

(h) In addition to the authority to levy fines against the Unit Owner for violation of this Amendment or any other provision of the Declaration, By-Laws or Rules and Regulations, the Board shall have all rights and remedies, including but not limited to the right to maintain an action for possession against the Unit Owner and/or their tenant, under Article IX of the Code of Civil Procedure (735 ICS 5/9 et seq.), an action for injunctive and other equitable relief, or an action at law for damages.

(i) Any action brought on behalf of the Association and/or the Board of Managers to enforce this Amendment shall subject the Unit Owner to the payment of all costs and attorneys' fees at the time they are incurred by the Association.

(j) All unpaid charges as a result of the foregoing shall be deemed to be a lien against the Unit and collectible as any other unpaid regular or special assessment, including late fees and interest on the unpaid balances.

Except as expressly set forth herein, the Declaration and By-Laws remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the Board of Managers of Westlake House Homeowners Association has caused its President and Secretary to sign this Amendment this 23 day of Sept, 1996.

BOARD OF MANAGERS OF WESTLAKE
HOUSE HOMEOWNERS ASSOCIATION,
INC.

By: *James J. Sunday*
PRESIDENT

ATTEST:

Barbara Mundy
SECRETARY

96882042

UNOFFICIAL COPY

Property of Cook County Clerk's Office

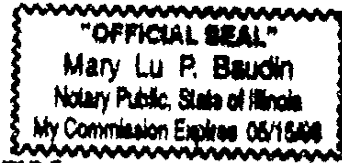
UNOFFICIAL COPY

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, MARY LU P. BAUDIN, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT LAWRENCE LOSANT and BARBARA MUNDY President and Secretary of the Board of Managers of Westlake House Homeowners Association, personally known to me to be the same persons whose names are subscribed to the foregoing Amendment to the Declaration of Condominium of the Westlake House Homeowners Association as such President and Secretary 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 Board of Managers for the uses and purposes therein set forth

GIVEN under my hand and notarial seal this 23rd day of Sept., 1996.

Mary Lu P. Baudin
NOTARY PUBLIC



CONSENT OF UNIT OWNERS

The following, representing at least three-quarters (3/4) of the total vote of the Westlake House Homeowners Association, hereby consent to the execution and recording of the within and foregoing Amendment to the Declaration of Condominium Ownership for the Westlake House Homeowners Association.

96882042

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

LEGAL DESCRIPTION

That part of Lot 1 of "Lake of the Winds Subdivision," being a Resubdivision of the North half of Lot 7 (except the East 20 feet thereof used for roadway) in the School Trustee's Subdivision of Section 16, Township 42 North, Range 11 East of the Third Principal Meridian, in the Village of Wheeling, described as follows: Commencing at the Southwest corner of said Lot 1; thence Northward along the West line of said Lot 1, N 00° 45' 43" W, a distance of 165.24 feet; thence Eastward along a line being parallel with the South line of said Lot 1, N 89° 32' 40" E, a distance of 106.90 feet to the point of beginning; thence N 5° 05' 47" W, a distance of 86.29 feet; thence N 84° 54' 13" E, a distance of 129.34 feet; thence N 54° 54' 13" E, a distance of 129.91 feet; thence S 35° 05' 47" E, a distance of 86.23 feet; thence S 54° 54' 13" W, a distance of 107.7° feet; thence S 20° 05' 47" E, a distance of 107.21 feet; thence S 69° 54' 13" W, a distance of 86.39 feet; thence N 20° 05' 47" W, a distance of 107.19 feet; thence S 84° 54' 13" W, a distance of 108.24 feet to the point of beginning, in Cook County, Illinois.

Property of Cook County Clerk's Office

96882042

UNOFFICIAL COPY

Property of Cook County Clerk's Office

UNOFFICIAL COPY

UNIT DESIGNATION

<u>UNIT NO.</u>	<u>PERCENTAGE INTEREST IN COMMON ELEMENTS</u>	<u>UNIT NO.</u>	<u>PERCENTAGE INTEREST IN COMMON ELEMENTS</u>
1-A	1.248	3-A	1.291
1-B	1.248	3-B	1.291
1-C	1.444	3-C	1.487
1-D	1.444	3-D	1.487
1-E	1.248	3-E	1.443
1-F	1.032	3-F	1.075
1-G	1.032	3-G	1.075
1-H	1.635	3-H	1.678
1-J	1.444	3-J	1.487
1-K	1.444	3-K	1.487
1-L	1.248	3-L	1.443
1-M	1.032	3-M	1.075
1-N	1.032	3-N	1.291
1-P	1.248	3-P	1.291
1-Q	1.444	3-Q	1.487
1-R	1.444	3-R	1.487
1-S	1.032	3-S	1.075
1-T	1.248	3-T	1.443
		3-U	1.291
2-A	1.271	4-A	1.314
2-B	1.271	4-B	1.314
2-C	1.463	4-C	1.506
2-D	1.463	4-D	1.506
2-E	1.420	4-E	1.463
2-F	1.056	4-F	1.099
2-G	1.056	4-G	1.099
2-H	1.659	4-H	1.702
2-J	1.463	4-J	1.506
2-K	1.463	4-K	1.506
2-L	1.420	4-L	1.463
2-M	1.056	4-M	1.099
2-N	1.271	4-N	1.314
2-P	1.271	4-P	1.314
2-Q	1.463	4-Q	1.506
2-R	1.463	4-R	1.506
2-S	1.056	4-S	1.099
2-T	1.420	4-T	1.463
2-U	1.271	4-U	1.314

Property Index Numbers: 03-16-202-008-1001 through 03-16-202-008-1075

Mail to: Daniel E. Fajerstein
ROBERT A. COE & ASSOC., LTD
555 Skokie Blvd. - Suite 500
Northbrook, IL 60062

96882042

UNOFFICIAL COPY

Property of Cook County Clerk's Office