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## FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM PURSUANT TO THE CONDOMINIUM PROPERTY ACT CLIFTON ROW CONDOMINIUMS

This First Amendment to the Declaration of Condominium Pursuant to the Condominium Property Act, Clifton Row Condominiums (the "Declaration"), made and entered into this 12th day of December, 1996, by the Board of Directors of the Clifton Row Condominium Association (the "Board").

### WITNESSETH:

The Board administers the Condominium property (Exhibit "A") located in the City of Chicago, County of Cook, State of Illinois, legally described as follows:

Units 3124-1S, 3124-2S, 3124-3S, 3124-1N, 3124-2N, 3124-3N, 3126-1, 3126-2, 3126-3, 3130-G, 3130-1, 3130-2, 3130-3, 3132-1S, 3132-2S, 3132-3S, 3132-1N, 3132-2N, 3132-3N, 3134-1W, 3134-2W, 3134-3W, 3134-G, 3134-1E, 3134-2E and 3134-3E in Clifton Row Condominiums as delineated on the Plat of Survey of the following described parcel of real estate:

The North 11 feet of Lot 34 and all of Lots 35, 36, 37 and 38 on John P. Altgeld's subdivision of Blocks 3 and 4 in the subdivision of Outlots 2 and 3 in Canal Trustees Subdivision of the East Half of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois.

which Plat of Survey is attached as Exhibit D to the Declaration of Condominium recorded February 22, 1994 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document Number 94170429

Commonly known as 3124-3134 North Clifton Avenue, Chicago, Illinois  
P.I.Ns. #14-29-200-044-1001 through 14-29-200-044-1035.

. DEPT-01 RECORDING \$31.00  
. T#0004 TRAM 1591 12/23/96 14:11:00  
. #6492 # LF #-96-966737  
. COOK COUNTY RECORDER

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The Board and the Unit Owners desire to amend Paragraph 7 of the Declaration to maintain the Association as a residential condominium by limiting the leasing of units to others as a regular practice of business, speculative, or other similar purposes; and

Paragraph 17 of the Declaration requires that the provisions of the Declaration may be amended by a written instrument setting forth such amendment change or modifications, signed and acknowledged by the President or Vice-President, or the Assistant Secretary of the Association, and containing an Affidavit by an officer of the Association, certifying that (i) at least sixty-seven percent (67%) of the Unit Owners have approved such amendment, change or modification; (ii) 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; and (iii) the approval of at least sixty-seven percent (67%) of the first mortgagees of units, said approval shall be implied when such a mortgagee fails to submit a response to any written proposal for an amendment within thirty (30) days after receiving proper notice of said proposal. Any amendment, change or modification shall conform to the provisions of the Act and shall be effective upon recordation thereof.

The amendments set forth below have been so approved, and the requisite Affidavit of the President of the Association is attached hereto as Exhibit A.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Paragraph 7 of the Declaration is hereby deleted in its entirety, and the following is substituted in its place and stead:

"7. Lease of Units or Sublease or Assignment of Lease Thereof. (a) It is the intent of this paragraph that the Unit Owner or contract purchaser of each unit in the Association shall occupy and use such unit as a private dwelling for his or her immediate family, roommate or significant other, and for no other purpose, including business purpose. The "immediate family" of a Unit Owner or contract

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purchaser shall mean a spouse, child, stepchild, sibling or parent. Effective on the recording date of this Amendment, therefore, the leasing of units to others as a regular practice for business, speculative or investment purposes, is permitted only in accordance with the provisions of this Paragraph 7.

(b) At no time shall more than five (5) units in the Condominium be leased.

(c) If five (5) units are leased and there is at least one (1) other Unit Owner on a waiting list to lease their unit, no Unit Owner may lease his or her unit more than once during any five (5) year period, and any lease thereof shall be for a period of not less than one (1) year, nor more than two (2) years.

(d) To avoid undue hardship, the Board of Director may grant permission to a unit owner to lease his or her unit even though five (5) units in the Condominium Association are currently being leased, and/or Unit Owner desires to lease his/her unit more than once during any five (5) year period, and any decision of the Board shall be binding upon the Unit Owner (or contract purchaser), subject to Subparagraph (e) herein.

(e) Any Unit Owner currently leasing his/her unit who desires to lease his/her unit more than once during any five (5) year period, and who has been denied permission to so lease by the Board of Directors, may present a written petition by Unit Owners with twenty percent (20%) of the votes of the Association delivered to the Board within fourteen (14) days of the Board action. Upon receipt of such petition, the Board shall call a meeting of the Unit Owners within thirty (30) days of the date of delivery of said petition to consider the Board's decision on whether to allow the Unit Owner to lease; unless two-thirds (2/3) of the total votes of Unit Owners are cast at the meeting to reject the Board's decision against leasing, the Board's decision is ratified."

IN WITNESS WHEREOF, the President and Secretary have duly executed this Amendment on the day and year first above written.

BOARD OF DIRECTORS OF  
CLIFTON ROW CONDOMINIUM ASSOCIATION

ATTEST:

By: Dennis Bantog President  
Name Title

Ernest Woodford  
, Secretary

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STATE OF ILLINOIS     )  
  ) SS.  
COUNTY OF COOK     )

## AFFIDAVIT

I, Debbie Bailey, being first duly sworn upon my oath, state as follows:

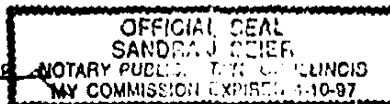
1. I am the duly elected President of the Clifton Row Condominium Association.
2. At least sixty-seven percent (67%) of the Unit Owners of Clifton Row Condominiums have approved this First Amendment herein.
3. A copy of this Amendment has been mailed by certified mail to all mortgagees having bona fide liens of records against any unit, not less than ten (10) days prior to the date of this Affidavit.
4. At least sixty-seven percent (67%) of the first mortgagees of the units have approved this First Amendment.

FURTHER AFFIANT SAYETH NOT.

Debbie Bailey

SIGNED AND SWORN TO  
before me this 18<sup>th</sup> day of  
December, 1996

Sandra J. Scier  
Notary Public



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EXHIBIT A

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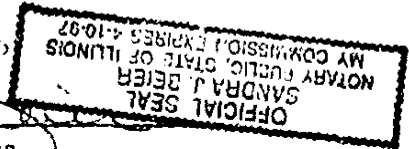
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STATE OF ILLINOIS     )  
  ) SS.  
COUNTY OF LAKE     )

I, Sandra J. Beier, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Peppie Bailey and Brian J. Washburn, personally known to me to be the same persons whose names are subscribed to the foregoing First Amendment to the Declaration of Condominium Pursuant to the Condominium Property Act, Clifton Row Condominiums, as the President and Secretary, respectively, of the Board of Directors of the Clifton Row Condominium Association, appeared before me this day in person and acknowledged that they signed and delivered said Amendment as their free and voluntary act and as the free and voluntary act of the Clifton Row Condominium Association for the uses and purposes set forth therein.

Given under my hand and notarial seal this 18<sup>th</sup> day of December, 1996

  
Notary Public



7889;NOTARY DOC

THIS INSTRUMENT PREPARED BY  
AND AFTER RECORDING RETURNED TO:

DONNA J. RICHMAN  
BOEHM, PEARLSTEIN & BRIGHT, LTD.  
33 NORTH LaSALLE STREET, SUITE 3500  
CHICAGO, ILLINOIS 60602

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## EXHIBIT A

Units 3124-1S, 3124-2S, 3124-3S, 3124-1N, 3124-2N, 3124-3N, 3126-1, 3126-2, 3126-3, 3130-G, 3130-1, 3130-2, 3130-3, 3132-1S, 3132-2S, 3132-3S, 3132-1N, 3132-2N, 3132-3N, 3134-1W, 3134-2W, 3134-3W, 3134-G, 3134-1E, 3134-2E, 3134-3E, G1, G2, G3, G4, P5, P6, P7, P8 and P9 in Clifton Row Condominiums as delineated on the Plat of Survey of the following described parcel of real estate:

The North 11 feet of Lot 34 and all of Lots 35, 36, 37 and 38 in John P. Altgeld's subdivision of Blocks 3 and 4 in the subdivision of Outlots 2 and 3 in Canal Trustees' Subdivision of the East Half of Section 29, Township 40 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois.

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7889-EXHIBIT A2

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