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. COOK COUNTY RECORDER

47

**FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM
OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS
FOR
MONROE WEST CONDOMINIUM**

96018672

Prepared by and mail to:
Laura S. Addelson & Associates
500 Davis Center - Suite 701
Evanston, Illinois 60201

Box 343

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FIRST AMENDMENT TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS FOR MONROE WEST CONDOMINIUMS

This document is recorded for the purpose of amending the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Monroe West Condominiums (hereinafter the "Declaration"), which Declaration was recorded on the 27th day of Jan, 1979 as Document Number 24811732 in the Office of the Recorder of Deeds of Cook County, Illinois, which Declaration covers the property (hereafter the "Property") legally described in Exhibit "A", which is attached hereto and made a part hereof.

This amendment is adopted pursuant to the provisions of Paragraph 6 of Article XIX of the Declaration and Section 17 of the Illinois Condominium Property Act. Said provisions provide that this Amendment, the text of which is set forth below, shall become effective upon recordation in the Office of the Recorder of Deeds of Cook County, Illinois, of an instrument in writing setting forth the change, provided the same is executed by the Board of Directors of Monroe West Condominium Association (the "Board"), signed and acknowledged by unit owners having at least 3/4ths of the total ownership vote, and provided further that it contains an affidavit executed by an officer of the Board certifying that a copy of the change or amendment has been sent by certified mail to all mortgagees having bona fide liens of record against any unit ownership.

RECITALS

WHEREAS, the undersigned constitute a three-quarters majority of the Unit Owners and a majority of the Board of Directors of Monroe West Condominiums, and

WHEREAS, the Declaration does not now prohibit the rental or lease of units in Monroe West Condominiums, and

WHEREAS, the Board and the Unit Owners desire to publish and place lawful limitations upon leasing of the condominium Units, and to further the goal of owner occupancy of the Units, through the enactment of certain restrictions on leasing;

WHEREAS, the purpose of this Amendment has been determined by the Board and Unit Owners to be in accordance with and in furtherance of the health, safety, and general welfare of the Association as duly organized and constituted, and pursuant to authority vested in said Association by the Illinois Condominium Property Act, and the Declaration, as amended; and

WHEREAS, the Amendment has been approved in writing, by the acknowledged signatures of at least a majority of the members of the Board and by the Unit Owners having at least three-quarters (3/4) of the total vote, and due notice having been provided to all mortgagees holding liens of record against any Unit Ownership, all in compliance with Article XIX, Paragraph 6 of the Declaration

NOW THEREFORE, pursuant to Article XIX, Paragraph 6 of the Declaration and Section 17 of the Illinois Condominium Property Act, the undersigned consent and agree that the Declaration is

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hereby amended as follows:

1. Article IX, "Sale, Leasing, or Other Alienation," is hereby amended to add the following Paragraph 1A, entitled "Leasing".

1A. LEASING

(a) Notwithstanding any other provisions of the Declaration to the contrary, each Owner shall occupy and use his or her Unit as a residence for said Owner and Owner's family. Owner's family for the purposes of this Article IX, Paragraph 1A means: spouse, child, grandchild, parent, grandparent, brother or sister (without regard to whether the relationship was established by blood line or by law) or to any one or more of them. Rental or leasing of Units except as hereinafter provided in subparagraphs (b), (c) and (d) is prohibited (except as to a lender in possession of such Unit following a default in a first mortgage, a foreclosure proceeding or by any deed or other arrangement in lieu of foreclosure).

(b) To meet special situations and to avoid undue hardship or practical difficulties, the Board may, but is not required to, grant permission to an Owner to lease or rent his or her Unit to a specified lessee for a period of not less than six (6) months nor more than twelve (12) consecutive months on such other reasonable terms as the Board may establish. Such permission may be granted by the Board only upon the written application by the Owner to the Board. The Board shall respond to each application in writing within thirty (30) days of the receipt of such application. All requests for extension of the original lease must also be submitted to the Board in the same manner as set forth for the original application. Additionally, to avoid undue hardship for Owners upon the relocation of such Owner due to employment or for health purposes supported by medical diagnosis and a physician's statement, upon written application the Board may grant permission to an Owner to lease his or her Unit to a specified lessee for a period of not more than one (1) year; at the expiration of such lease, if the hardship to the Owner continues, the Owner shall apply to the Board before renewing such expiring lease or seeking a new tenant for the Unit. The Board has the sole and complete discretion to approve or disapprove any Owner's application for a lease or extension of the lease; provided, that in no event shall any Owner be permitted to rent or lease such Unit for more than twenty-four (24) months. The Board's decision shall be final and binding.

(c) Any and all leases in force on the date of the recording of this Amendment are not affected by subparagraphs (a) and (b); provided, however, that all such leases permitted by this Paragraph 1A must be terminated within five (5) years of the effective date (i.e., the date of recordation) of this Amendment.

(d) The provisions of subparagraphs (a) and (b) shall not apply to the rental or leasing of a Unit to an Owner's family nor shall subparagraphs (a) and (b) apply to the rental or leasing of a Unit by the Assoriation through the Board.

(e) Copies of all leases in effect must be submitted to the Board within thirty (30) days of the effective date of this Amendment. All Leases permitted by this Amendment shall be subject to the rules established by the Board.

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(f) The Board reserves to itself the first right and option to lease any Unit in accordance with the provisions of this Article IX.

END OF TEXT AMENDMENT

2. Except to the extent expressly set forth herein, the remaining provisions of the Declaration shall continue in effect without change.

IN WITNESS WHEREOF, the undersigned, President of the Board of Managers of Monroe West Condominium Association, does hereby execute the foregoing Amendment to the Declaration on behalf of the Board and pursuant to the authority granted in said Declaration.

x *Sally Parsons*
President, Board of Managers

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, SALLY J. PARSONS, am the President of the Board of Managers of Monroe West Condominium Association, a condominium established by the aforesaid Declaration, and by my signature below do hereby execute the foregoing amendment to the Declaration.

Executed this 4th day of December, 1995

BY: *Sally Parsons*
President

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EXHIBIT "A"

Lots 5 and 6 in Block 3 in Stanley and Company's Second Dodge Avenue Subdivision of the South 1/2 of the South 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 24, Township 41 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Permanent tax numbers:

10-24-413-040-1003
10-24-413-040-1015
10-24-413-040-1001
10-24-413-040-1002
10-24-413-040-1004
10-24-413-040-1005
10-24-413-040-1007
10-24-413-040-1008
10-24-413-040-1009
10-24-413-040-1011
10-24-413-040-1013
10-24-413-040-1014
10-24-413-040-1016
10-24-413-040-1006
10-24-413-040-1010
10-24-413-040-1012

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned is (are) a member(s) of Monroe West Condominium, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 20 day of November, 1995

MARY KUSZEL
Owner's Printed Name

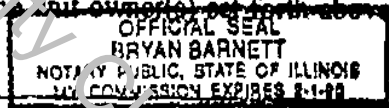
Mary Kuszel
Voting Member's Signature

Being owner of Unit 1 in Monroe West Condominiums, having 100% ownership in the common elements and Parking Unit 1 having 100% ownership in the common elements.

NOTE: A NOTARY MUST COMPLETE ONE OF THE FOLLOWING

Acknowledgment (In an Individual Capacity)

This instrument was signed and acknowledged before me this 20 day of November, 1995 by Mary Kuszel, the unit owner(s) set forth above.

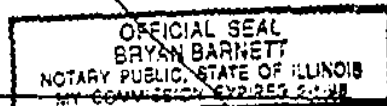


Notary Public

96018672

Acknowledgment (In a Representative Capacity)

This instrument was signed and acknowledged before me this ___ day of _____, 1995 by _____ as _____ for the unit owner(s) set forth above.
(attorney-in-fact, proxy, trustee, etc.)



Notary Public

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Texas
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned is (are) a member(s) of Monroe West Condominium, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 30 day of November, 1995

Joyce Audrey Miller
Owner's Printed Name

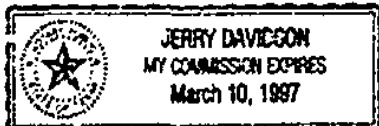
Joyce Audrey Miller
Voting Member's Signature

Being owner of Unit 2nd in Monroe West Condominiums, having 7.11% ownership in the common elements and Parking Unit having % ownership in the common elements.

NOTE: A NOTARY MUST COMPLETE ONE OF THE FOLLOWING

Acknowledgment
(In an Individual Capacity)

This instrument was signed and acknowledged before me this 30 day of Nov., 1995
by Joyce Audrey Miller, the unit owner(s) set forth above.



Jerry Davignon
Notary Public

96018672

Acknowledgment
(In a Representative Capacity)

This instrument was signed and acknowledged before me this day of , 1995
by as , for the unit owner(s) set forth above.
(attorney-in-fact, proxy, trustee, etc.)

Notary Public

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned is (are) a member(s) of Monroe West Condominium, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 18 day of November, 1995

Sally J. Parsons
Owner's Printed Name:

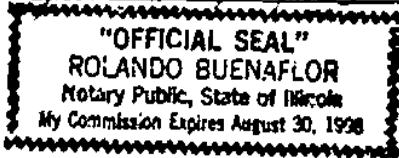
Sally J. Parsons
Voting Member's Signature

Being owner of Unit 52 in Monroe West Condominiums having 3.51% ownership in the common elements and Parking Unit having % ownership in the common elements..

NOTE: A NOTARY MUST COMPLETE ONE OF THE FOLLOWING

Acknowledgment
(In an Individual Capacity)

This instrument was signed and acknowledged before me this 18th day of NOVEMBER 1995 by SALLY J. PARSONS, the unit owner(s) set forth above.



[Signature]
Notary Public

Acknowledgment
(In a Representative Capacity)

This instrument was signed and acknowledged before me this day of , 1995 by as , for the unit owner(s) set forth above.
(attorney-in-fact, proxy, trustee, etc.)

Notary Public

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned is (are) a member(s) of Monroe West Condominium, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 20 day of November, 1995

Vina Bonfirant
Marcello L. Bon Durant
Owner's Printed Name:

Vina Bonfirant
MD
Voting Member's Signature

Being owner of Unit 2 in Monroe West Condominiums, having 16% ownership in the common elements and Parking Unit 2 having 16% ownership in the common elements.

NOTE: A NOTARY MUST COMPLETE ONE OF THE FOLLOWING

Acknowledgment
(In an Individual Capacity)

This instrument was signed and acknowledged before me this 20 day of November, 1995 by Vina + Marcello Bon Durant the unit owner(s) set forth above.

"OFFICIAL SEAL"
Eileen Marie Kane
Notary Public, State of Illinois
My Commission Expires 2/9/97

Eileen Marie Kane
Notary Public

Acknowledgment
(In a Representative Capacity)

This instrument was signed and acknowledged before me this ___ day of _____, 1995 by _____ as _____, for the unit owner(s) set forth above.
(attorney-in-fact, proxy, trustee, etc.)

Notary Public

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Kentucky
STATE OF ~~ILLINOIS~~)
) SS
COUNTY OF ~~COCK~~)
 Fayette

The undersigned is (are) a member(s) of Monroe West Condominium, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 15 day of Nov, 1995

Julie Owen Bird
Owner's Printed Name

Julie O Bird
Voting Member's Signature

Being owner of Unit 2ⁿ in Monroe West Condominiums, having ^{100% interest} 100% ownership in the common elements and Parking Unit 2ⁿ having 100% ownership in the common elements.

NOTE: A NOTARY MUST COMPLETE ONE OF THE FOLLOWING

**Acknowledgment
(In an Individual Capacity)**

This instrument was signed and acknowledged before me this 15 day of November, 1995
by Julie O. Bird, the unit owner(s) set forth above.

Debbie Banks
Notary Public
My Commission Expires 1/1/97

**Acknowledgment
(In a Representative Capacity)**

This instrument was signed and acknowledged before me this ___ day of _____, 1995
by _____ as _____, for the unit owner(s) set forth above.
(attorney-in-fact, proxy, trustee, etc.)

Notary Public

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STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

The undersigned is (are) a member(s) of Monroe West Condominium, a condominium established by the aforesaid Declaration of Condominium, and by my (our) signature(s) below do hereby execute and acknowledge the foregoing amendment to the Declaration.

Executed this 21 day of November 1995

Charles F. Haeger
Owner's Printed Name

Charles Haeger
Voting Member's Signature

Being owner of Unit 4 in Monroe West Condominiums having 100% ownership in the common elements and Parking Unit 1 having 100% ownership in the common elements.

NOTE: A NOTARY MUST COMPLETE ONE OF THE FOLLOWING

Acknowledgment
(In an Individual Capacity)

This instrument was signed and acknowledged before me this 21 day of November 1995 by Charles F. Haeger the unit owner(s) set forth above.



Michael Kukuliyev
Notary Public

96018672

Acknowledgment
(In a Representative Capacity)

This instrument was signed and acknowledged before me this ___ day of _____, 1995 by _____ as _____, for the unit owner(s) set forth above.
(attorney-in-fact, proxy, trustee, etc.)

Notary Public

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CERTIFICATION AS TO UNIT OWNERS

I, MARY KINZIE, state that I am the Secretary of the Board of Managers of Monroe West Condominium Association, and hereby certify that the persons whose names are subscribed to the foregoing instruments represent Unit Owners owning not less than 3/4ths of the total ownership of the common elements and that, by their respective signatures, said Unit Owners acknowledged the foregoing instruments as their free and voluntary act for the purposes set forth therein.

BY: Mary Kinzie
Secretary

Date: 1 December 1995

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AFFIDAVIT AS TO LIEN HOLDERS

STATE OF ILLINOIS)
)
COUNTY OF COOK)

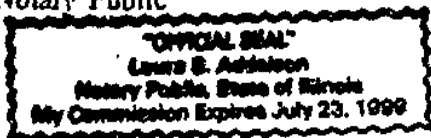
I, MARY KINZIE being first duly sworn on oath, depose and state that I am the Secretary of the Board of Managers of Monroe West Condominium Association and that pursuant to Article XIX, Paragraph 6 of the Declaration, written notice of the foregoing amendment has been sent by certified mail to all lien holders of record against any unit in the aforesaid condominium. The identity of said lien holders was obtained by reference to the insurance records of the condominium, tract searches, and/or by information solicited and received from the unit owners in the condominium.

Attached hereto is a list of all lien holders to whom written notice has been sent.

by: Mary Kinzie
Secretary

SUBSCRIBED and SWORN to before me this
14th day of December, 1995.

Laura S. Adelson
Notary Public



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COUNTY CLERK'S OFFICE
COURT HOUSE
CHICAGO, ILL. 60601