

FIRST
AMENDMENT TO THE
DECLARATION OF
CONDOMINIUM FOR
MORNINGSIDE TERRACE
CONDOMINIUM
ASSOCIATION



MAIL TO
NICKOLAS DALLAS
ATTORNEY AT LAW
8415 KARLOV AVENUE
SKOKIE, ILLINOIS 60076-2102

WHEREAS, the Board of Managers and the Unit Owners of the Morningside Terrace Condominium Association, an Illinois condominium association, desire to promote and protect the cooperative aspect of ownership and to further enhance and perfect the value, desirability and attractiveness of the property; and

WHEREAS, pursuant to the Illinois Condominium Property Act, Chapter 765, Sections 605/17 and 605/27 of the Illinois Compiled Statutes, and Section 17 ("Amendment") of the Declaration of Condominium for the Morningside Terrace Condominium Association, the Board and Unit Owners retain the right to make amendments to the Declaration of Condominium Ownership, or to correct errors or omissions therein; and

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12-12-97
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5c M

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WHEREAS, the Declaration of Condominium for the Morningside Terrace Condominium Association was recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on the 14th day of December, 1995 as Document Number 95870631, and therein submitted the following described real estate in the City of Evanston, County of Cook and State of Illinois, to the Illinois Condominium Property Act, to wit:

Units 201-206 both inclusive, 301-306, both inclusive, 401-406, both inclusive, 501-506, both inclusive and P-1 to P-25, both inclusive, in Morningside Terrace Condominium as delineated on Plat of Survey of the following described parcel of real estate:

Lot 1 in Peterson's Consolidation of Lots 7, 8 and 9 in John Culver's Addition to North Evanston (in Wilmette Reservation) in Township 42 North, Range 13, 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 December 14th, 1995, in the office of Recorder of Deeds of Cook County, Illinois, as Document No. 95-870631.

PERMANENT INDEX NUMBERS: 05-34-323-040-1001 through 05-34-323-040-1060.

NOW, THEREFORE, pursuant to the power reserved in Section 17, of the Declaration of Condominium, and the Illinois Condominium Property Act Chapter 765, Sections 605/17 and 605/27, of the Illinois Compiled Statutes, the Board of Managers and the Unit Owners of the Morningside Terrace Condominium Association hereby amend the Declaration of Condominium, including all prior Amendments, if any, in the following respects:

1. Definitions. Terms used herein, if not otherwise defined, shall have the same meanings assigned to them in the Declaration of Condominium and the Illinois Condominium Property Act, as amended. Specifically, the terms "Declaration", "Unit"

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and "Unit Owner" shall be defined, construed and interpreted in conformity with the Illinois Condominium Property Act, Sections 605/2 and 605/4.1, of the Illinois Revised Statutes.

2. Amendment to Declaration Purposes. The Declaration of Condominium Ownership Introductory or Purposes Section is amended to include an additional paragraph immediately after the last paragraph which begins "WHEREAS", and just before the paragraph that begins "NOW, THEREFORE", as follows:

WHEREAS, the Board of Managers and the Unit Owners, in furtherance of promoting and protecting the cooperative aspects of condominium ownership and enhancing and perfecting the value, desirability and attractiveness of the Property, and to limit use by non-resident owners of the Property for investment or profit making purposes, desire to prohibit the leasing or subleasing of all the Units located on the Property.

3. Leasing/Rental of Units. The Declaration of Condominium, Paragraph 7, "Lease of Units or Sublease or Assignment of Lease Thereof", is deleted in its entirety and the following shall be substituted therefore:

7. Lease (Rental) of Units. Each Unit Owner shall occupy and use such unit as a private dwelling for himself and/or his immediate family, subject to the restrictions and conditions contained in these declarations:

(a) Renting or leasing of units is prohibited, except as hereinafter provided. To meet special situations and to avoid undue hardship or practical difficulties, the Board of Managers may, but is not required to, grant permission to a Unit Owner to lease his unit one time to a specified lessee for a period of not less than six (6) months nor more than one (1) year on such other reasonable terms as the Board may establish. Such permission may be granted by the Board of Managers only upon the written application by the Unit Owner to the Board. The Board of Managers shall respond to each application in writing within thirty (30) days of the submission thereof. Failure of the Board to respond within thirty (30) days from the submission date shall constitute an approval of the rental application. Subject to approval of the Board of Managers, a lease may be extended for a single period of one (1) year. All requests for extension of an original lease shall also be submitted to the Board of

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Managers in the same manner as set forth above for the original application. The Board of Managers has sole and complete discretion to approve or disapprove any Unit Owner's application for a lease or extension of a lease; provided however, that in no event shall any Unit Owner be permitted to lease or rent such unit for more than twenty-four (24) consecutive months. The Board's decision shall be final and binding. A Unit Owner shall not be eligible to file an application for unit rental until such time as the Owner has occupied the Unit for a period of not less than one (1) year.

(b) Any and all leases in force at the date of adoption of the Amendment are not affected by Subparagraph (a); provided, however, that all such leases must be terminated within two (2) years after the effective date of this Amendment.

(c) The provisions of Subparagraphs (a) and (b) shall not apply to the rental or leasing of units to the immediate family members of the Unit Owner.

(d) A unit may not under any circumstances be subleased.

(e) Copies of all leases presently in effect must be submitted to the Board of Managers within thirty (30) days of the effective date of this amendment. All leases shall be subject to the terms of the Declaration and any failure by the lessee to comply with the terms of said Declaration shall be a default under the lease.

(f) If a proposed lease of any unit is made after compliance with the foregoing provisions, a copy of the lease as and when executed shall be furnished by such lessor to the Board, and the lessee thereunder shall be bound by and be subject to all of the obligations of the owner with respect to such unit as provided in this Declaration, and the lease shall expressly so provide. The person making any such lease shall not be relieved thereby from any of his obligations hereunder. By filing an action jointly against the Unit Owner and the Lessee, the Association may seek to enjoin a lessee from occupying a unit or seek to evict a lessee under the provisions of Article IX of the Illinois Code of Civil Procedure for failure of the Lessor-Unit Owner to comply with the leasing requirements contained in this Declaration, the By-Laws, and Rules and Regulations.

4. Continuation and Severability. Except as specifically amended hereby, or by amendments prior to this date of the Declaration of Condominium, or Amendments to the Illinois Condominium Property Act which have direct application, the original

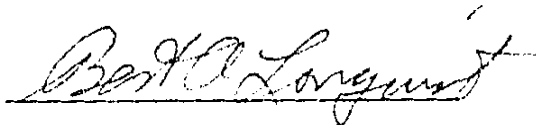
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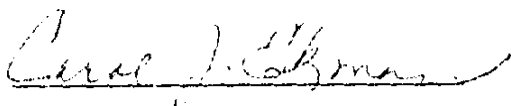
Property of Cook County Clerk's Office

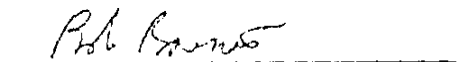
Declaration of Condominium shall remain in full force and effect. If any provision of this Amendment, or any section, sentence, clause, phrase or word, or the application thereof in any circumstances, is held invalid, void or illegal, the validity of the remainder of this Amendment and of the application of any such provision, section, sentence, clause, phrase or word in any other circumstances shall not be affected thereby, and such other provisions shall remain in full force and effect.

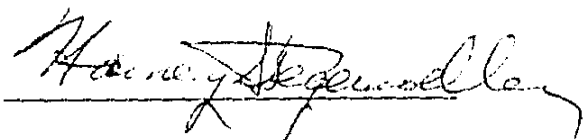
IN WITNESS WHEREOF, the Board of Managers acknowledge that this Amendment was approved by a majority vote of the Board of Managers, who have caused their signatures to be affixed hereto and have acknowledged this Amendment on this 15th day of October, 1997.

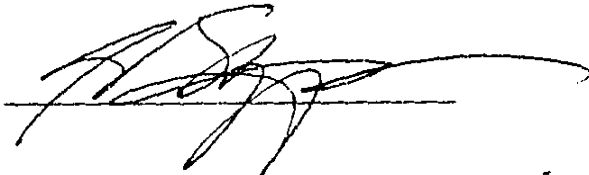
FOR THE BOARD OF MANAGERS:











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DELIVERED TO YOU

UNIT NUMBER

PERCENTAGE OF OWNERSHIP INTEREST

Marilyn Johnson
Unit No. 201 - Johnson

4.212

Unit No. 202 - Griffin

4.211

Damian Stroko
Unit No. 203 - Stroko

3.870

Helen M. Freegard
Unit No. 204 - Freegard

3.604

Bob Barnett
Unit No. 205 - Barnett/Gerstein

3.968

Kathleen Ann Crosby
Unit No. 206 - Crosby

4.268

Helen P. Wieland
Unit No. 301 - Wieland

3.427

Marvin J. Sullivan
Unit No. 302 - Sullivan

5.149

Unit No. 303 - Skopp/Tomar

3.965

Unit No. 304 - Muller

3.699

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RECORDED & INDEXED

<u>UNIT NUMBER</u>	<u>PERCENTAGE OF OWNERSHIP INTEREST</u>
<u>Unit No. 305 - Novak</u>	4.079
<u>Mary Fay</u> Unit No. 306 - Fay	4.382
<u>Margaret O'Fresen</u> Unit No. 401 - Fresen	4.364
<u>Lou B. Cohen</u> Unit No. 402 - Brustin/Cohen	4.383
<u>Carol Ekman</u> Unit No. 403 - Ekman	4.059
<u>Sally Leeborg</u> Unit No. 404 - Leeborg	3.773
<u>Rene C. Winship</u> Unit No. 405 - Winship	4.155
<u>Unit No. 406 - Benedict</u>	4.459
<u>Ruth E Mack</u> Unit No. 501 - Mack	4.459
<u>Kenneth G. Hile</u> Unit No. 502 - Hile	4.477

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UNIT NUMBER

PERCENTAGE OF OWNERSHIP INTEREST

Marcin Stegemoeller
Unit No. 503 - Stegemoeller

4.155

Unit No. 504 - Venture Vest Ptrs.

4.079

B. M. Longquist
Unit No. 505 - Longquist

4.250

A. Vulgaris
Unit No. 506 - Vulgaris

4.553

100.000

Property of Cook County Clerk's Office

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Property of Cook County Clerk's Office

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that all of the above and foregoing unit owners, 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, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 15TH day of OCTOBER, 1997.



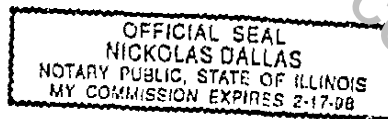
[Signature]
Notary Public

I, Bert Lonquist, President of the Board of Managers of the Morningside Terrace Condominium Association, do hereby certify that at least 67% of the Unit Owners have approved this Amendment and that I have mailed a copy of this Amendment by Certified Mail to all mortgagees having bona fide liens of record against a Unit or Ownership not less than ten (10) days prior to the date affixed hereto.

[Signature]
President

Subscribed and Sworn to Before Me this 4TH day of DECEMBER, 1997.

[Signature]
Notary Public



Prepared By:
Nickolas Dallas, P.C.
Attorney Number 24304
8415 Karlov Avenue
Skokie, Illinois 60076-2102
(847) 982-0172

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FIRST
AMENDMENT TO THE
DECLARATION OF
CONDOMINIUM FOR
MORNINGSIDE TERRACE
CONDOMINIUM
ASSOCIATION

MAIL TO:
NICKOLAS DALLAS
ATTORNEY AT LAW
8415 KARLOV AVENUE
SKOKIE, ILLINOIS 60076-2102

COPY

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G M

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PERMANENT INDEX NUMBERS: 05-34-323-040-100 through 05-34-323-040-1060.

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(b) Any and all leases in force at the date of adoption of the Amendment are not affected by Subparagraph (a); provided, however, that all such leases must be terminated within two (2) years after the effective date of this Amendment.

(c) The provisions of Subparagraphs (a) and (b) shall not apply to the rental or leasing of units to the immediate family members of the Unit Owner.

(d) A unit may not under any circumstances be subleased.

(e) Copies of all leases presently in effect must be submitted to the Board of Managers within thirty (30) days of the effective date of this amendment. All leases shall be subject to the terms of the Declaration and any failure by the lessee to comply with the terms of said Declaration shall be a default under the lease.

(f) If a proposed lease of any unit is made after compliance with the foregoing provisions, a copy of the lease as and when executed shall be furnished by such lessor to the Board, and the lessee thereunder shall be bound by and be subject to all of the obligations of the owner with respect to such unit as provided in this Declaration, and the lease shall expressly so provide. The person making any such lease shall not be relieved thereby from any of his obligations hereunder. By filing an action jointly against the Unit Owner and the Lessee, the Association may seek to enjoin a lessee from occupying a unit or seek to evict a lessee under the provisions of Article IX of the Illinois Code of Civil Procedure for failure of the Lessor-Unit Owner to comply with the leasing requirements contained in this Declaration, the By-Laws, and Rules and Regulations.

4. Continuation and Severability. Except as specifically amended hereby, or by amendments prior to this date of the Declaration of Condominium, or Amendments to the Illinois Condominium Property Act which have direct application, the original

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Declaration of Condominium shall remain in full force and effect. If any provision of this Amendment, or any section, sentence, clause, phrase or word, or the application thereof in any circumstances, is held invalid, void or illegal, the validity of the remainder of this Amendment and of the application of any such provision, section, sentence, clause, phrase or word in any other circumstances shall not be affected thereby, and such other provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the Board of Managers acknowledge that this Amendment was approved by a majority vote of the Board of Managers, who have caused their signatures to be affixed hereto and have acknowledged this Amendment on this 15th day of October, 1997.

FOR THE BOARD OF MANAGERS:

Bert A. Longquist

Coral J. Johnson

Bob Brown

Henry Steward

[Signature]

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2025-01-07 10:00:00 AM

UNIT NUMBER

PERCENTAGE OF
OWNERSHIP INTEREST

Marilyn Johnson
Unit No. 201 - Johnson

4.212

Unit No. 202 - Griffin

4.211

Doreen Stroke
Unit No. 203 - Stroke

3.870

Helen M. Freegard
Unit No. 204 - Freegard

3.604

Bob Barnett
Unit No. 205 - Barnett/Gerstein

3.968

Kathleen Ann Crosby
Unit No. 206 - Crosby

4.268

Helen P. Wieland
Unit No. 301 - Wieland

3.427

Maurice J. Sullivan
Unit No. 302 - Sullivan

5.149

Unit No. 303 - Skopp/Tomar

3.965

Unit No. 304 - Muller

3.699

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RECEIVED 10/20/2010

UNIT NUMBER

PERCENTAGE OF OWNERSHIP INTEREST

Unit No. 305 - Novak

4.079

Unit No. 306 - Fay

4.382

Unit No. 401 - Fresen

4.364

Unit No. 402 - Brustin/Coffen

4.383

Unit No. 403 - Ekman

4.059

Unit No. 404 - Leeborg

3.773

Unit No. 405 - Winship

4.155

Unit No. 406 - Benedict

4.459

Unit No. 501 - Mack

4.459

Unit No. 502 - Hile

4.477

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UNIT NUMBER

PERCENTAGE OF
OWNERSHIP INTEREST

Marcia Stegemoeller
Unit No. 503 - Stegemoeller

4.155

Unit No. 504 - Venture Vest Ptrs.

4.079

Paul Lonquist
Unit No. 505 - Lonquist

4.250

A. Vulgaris
Unit No. 506 - Vulgaris

4.553

100.000

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

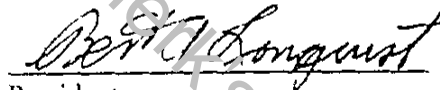
I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that all of the above and foregoing unit owners, personally known to me to be the same persons whose names are subscribed to the foregoing instrument appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 15th day of OCTOBER, 1997.




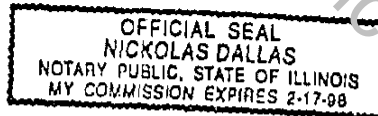

Notary Public

I, Bert Lonquist, President of the Board of Managers of the Morningside Terrace Condominium Association, do hereby certify that at least 67% of the Unit Owners have approved this Amendment and that I have mailed a copy of this Amendment by Certified Mail to all mortgagees having bona fide liens of record against a Unit or Ownership not less than ten (10) days prior to the date affixed hereto.


President

Subscribed and Sworn to Before Me
this 17th day of DECEMBER, 1997.


Notary Public



Prepared By:
Nickolas Dallas, P.C.
Attorney Number 24304
8415 Karlov Avenue
Skokie, Illinois 60076-2102
(847) 982-0172

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