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MAY 08 1997

**THIS DOCUMENT HAS BEEN
PREPARED BY, AND AFTER
RECORDATION SHOULD BE
RETURNED TO:**

**Arnstein & Lehr
120 South Riverside Plaza
Suite 1200
Chicago, Illinois 60606
Attn: Michael C. Kim**

RECORDED
INDEXED
MAY 08 1997
COURT RECORDER

**SECOND AMENDMENT TO
THE DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS
FOR
HERITAGE HOUSE CONDOMINIUM
(AKA 315 MARENGO CONDOMINIUM)**

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This document is recorded for the purpose of amending the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws (hereafter the "Declaration") for Heritage House Condominium Association (a/k/a 315 Marengo Condominium Association) (hereafter the "Association"), which Declaration was recorded on December 14, 1979, as Document No. 25283280 in the Office of the Recorder of Deeds of Cook County, Illinois, and covers the property (hereafter the "Property") legally described in Exhibit "A," which is attached hereto and made a part thereof.

This Amendment is adopted pursuant to the provisions of Article XIX, Section J of the aforesaid Declaration and Section 17 of the Illinois Condominium Property Act (the "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 President of the Association or such other officer authorized by the Board of Managers of the Association (the "Board"), and approved by the affirmative vote of the Voting Members representing Owners owning at least two-thirds (2/3) of the votes cast at a special meeting called for that purpose.

31⁰⁰ 6 C/P, e.s
B.v 315 006 7

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RECITALS

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois, the Property has been submitted to the provisions of the Act; and

WHEREAS, the Board and the Owners desire to amend the Declaration in order to prohibit the rental or leasing of Units; and

WHEREAS, the Amendment has been executed by the President of the Association or such other officer authorized by the Board, and approved by Voting Members representing Owners owning at least two-thirds (2/3) of the votes of the Owners cast at a special meeting called for that purpose, all in compliance with Article XIX, Section J of the Declaration and Section 17 of the Act.

NOW THEREFORE, Article XVII, of the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for Heritage House Condominium Association (a/k/a 315 Marengo Condominium) is hereby amended in accordance with the text which follows (additions in text are indicated by underlining; deletions by ~~strike-outs~~):

1. Section A is modified to read as follows:

A. SALE OR LEASE

Any Owner who wishes to ~~sell~~ or lease his Unit, together with his respective percentage interest in the Common Elements, shall be free to do so. ~~Provided, however, any such lease may not be for less than the entire Unit, any such lease shall be in writing, and shall provide that it is subject in all respects to the Declaration and By-Laws and failure to comply with the Declaration or By-Laws shall be a default under such lease.~~

2. New Section E is added to read as follows:

E. LEASING OF A UNIT

(1) Rental or leasing of Units except as hereinafter provided in paragraphs (2), (3), (4) and (6) is prohibited.

(2) To avoid undue hardship, the Board may, but is not required to, grant permission to an Owner to lease or rent his/her Unit to a specified lessee for a period of not less than six (6) consecutive 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 submission thereof. 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. The Board has sole and

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complete discretion to approve or disapprove any Owner's application for a lease or extension of the lease; provided, however, that in no event shall any Owner be permitted to rent or lease such Unit for more than twelve (12) months at a time. Upon being granted permission to lease his Unit due to hardship reasons, the Owner shall not be permitted to lease his Unit for the five (5) year period next following the end of the lease so permitted. The Board's decision shall be final and binding.

(3) Any and all leases in force on the date of recording this Amendment are not affected by paragraphs (1) and (2); provided, however, that any such lease must be terminated upon transfer of ownership of the Unit or any beneficial interest in the Unit or in any title-holding entity of the Unit.

(4) The provisions of paragraphs (1), (2) and (3) shall not apply to the rental or leasing of a Unit to an Owner's spouse, child, parent, brother or sister or to any one or more of them.

(5) 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.

(6) The Board shall have the authority to lease any Unit which it or the Association owns or of which it obtains possession, notwithstanding the provisions of this Section E.

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

END OF TEXT OF AMENDMENT

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STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I JAMES O'SHEA, am the President of the Board of Managers of Heritage House Condominium Association (a/k/a 315 Marengo Condominium Association), an Illinois not-for-profit corporation and condominium established by the aforesaid Declaration, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Section 17 of the Illinois Condominium Property Act.

EXECUTED this 21 day of May, 1997.

BY: [Signature]
President

Property of Cook County Clerk's Office

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CERTIFICATION AS TO UNIT OWNER APPROVAL

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, J. Butler, state that I am the Secretary of the Board of Managers of Heritage House Condominium Association (a/k/a 315 Marengo Condominium Association), an Illinois not-for-profit corporation and condominium, and as such Secretary and the keeper and custodian of the books and records of said condominium, I hereby certify that the foregoing amendment was approved by Voting Members representing Owners owning in the aggregate, at least two-thirds (2/3) of the total vote of the Owners, at a special meeting of the Voting Members duly noticed, convened and held for that purpose on May 1, 1997 at which a quorum was present throughout, and that such approval by the Voting Members has not been altered, modified or rescinded in any manner but remains in full force and effect.

BY: [Signature]
Secretary

DATE: May 1, 1997

COOK County Clerk's Office

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EXHIBIT A

LEGAL DESCRIPTION

UNITS 1-A, 2-A, 2-B, 2-C, 2-D, 2-E, 2-F, 2-G, 2-H, 2-I, 2-J, 3-A, 3-B, 3-C, 3-D, 3-E, 3-F, 3-G, 3-H, 3-I, 3-J, 4-A, 4-B, 4-C, 4-D, 4-E, 4-F, 4-G, 4-H, 4-I, 4-J, 5-A, 5-B, 5-C, 5-D, 5-E, 5-F, 5-G, 5-H, 5-I, 5-J, 6-A, 6-B, 6-C, 6-D, 6-E, 6-F, 6-G, 6-H, 6-I, AND 6-J AS DELINEATED ON PLAT OF SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE: LOTS 5, 6, AND 7 IN THE SUBDIVISION OF BLOCKS 29 & 37 IN THE RAILROAD ADDITION TO THE TOWN OF HARLEM IN THE SE ¼ OF SECTION 12, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT C TO THE DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR HERITAGE HOUSE CONDOMINIUM (CONDOMINIUM DECLARATION) MADE BY FIRST BANK OF OAK PARK, A NATIONAL BANKING ASSOCIATION, NOT PERSONALLY, BUT SOLELY AS TRUSTEE UNDER TRUST AGREEMENT DATED 8/21/88 AND KNOWN AS TRUST NO. 8340 RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, ON DECEMBER 14, 1978 AS DOCUMENT #25283280 TOGETHER WITH THEIR UNDIVIDED PERCENTAGE INTERESTS IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS, TOGETHER WITH THE EASEMENTS, TENEMENTS AND APPURTENANCES THEREUNTO BELONGING.

P.I.N. NUMBERS: 15-12-434-045-1001 THROUGH AND INCLUDING
15-12-434-045-1051

COMMONLY KNOWN AS: 315 MARENGO AVENUE
FOREST PARK, ILLINOIS

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