



**AMENDMENT TO DECLARATION  
OF CONDOMINIUM PURSUANT TO  
THE CONDOMINIUM ACT FOR THE  
KENILWORTH HOUSE**

This Amendment to Declaration made and entered into the 13<sup>th</sup> day of July, 1999, is an amendment to that certain Declaration of Condominium Pursuant To The Condominium Act For The Kenilworth House (hereinafter referred to as "Declaration") recorded on April 26, 1974 as Document No. 2749656T.

**WITNESSETH:**

WHEREAS, the Board of Directors and members of The Kenilworth House Condominium Association (hereinafter referred to as the "Association") desire to amend the Declaration; and

WHEREAS, pursuant to Article 16 of the Declaration, the Declaration may be amended by an instrument signed and acknowledged by all members of the Board, the owners having at least three-fourths (3/4) of the total vote and containing an affidavit by an officer of the Board certifying that a copy of the amendment has been mailed by certified mail to all mortgagees having bona fide liens of record against any unit not less than ten days prior to the date of such affidavit. Any amendment adopted pursuant to the above provisions shall be recorded in the office of the Recorder of Deeds of Cook County, Illinois; and

WHEREAS, said instrument has been signed and acknowledged by all members of the Board of the Association (Exhibit B attached hereto); and

WHEREAS, said instrument has been approved by owners having three-fourths (3/4) of the total vote, their signatures being attached hereto; and

WHEREAS, an affidavit is attached hereto as Exhibit C certifying that a complete copy of the amendment has been mailed by certified mail to all mortgagees having a bona fide lien of record not less than ten days prior to the execution of said affidavit.

NOW, THEREFORE, the Association hereby declares that the Declaration be and is hereby amended as follows (additions to text are shown as underlined and deletions to text are shown as a ~~strikeout~~):

For Use by Recorder's Office Only

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**Article 7, Section (a) of the Declaration shall be amended as follows:**

7. ~~Sale, Leasing or Other Alienation.~~ (a) Any unit owner other than the Developer or the Trustee who wishes to sell ~~or lease his unit (or any lessee of any unit wishing to assign his lease or sublease such unit)~~ to any person shall give to the Board of Managers (hereinafter referred to as the "Board") no less than thirty (30) days' prior written notice of any such sale, ~~lease, assignment or sublease,~~ setting forth in detail the terms of any contemplated sale, ~~lease, assignment or sublease,~~ which notice shall specify the name and address of the proposed purchaser, ~~assignee or lessee.~~ The members of the Board and their successors in office shall have the first right and option to purchase ~~or lease such unit~~ upon the same terms, which option shall be exercisable for a period of thirty (30) days after receipt of such notice. If said option is not exercised by the Board within said thirty (30) days, the unit owner ~~(or lessee)~~ may, at the expiration of said thirty-day period, contract to sell ~~or lease (or sublease or assign)~~ such unit to the proposed purchaser, ~~assignee or lessee~~ named in such notice upon the terms specified therein.

Leasing of Units. In order to maintain the quality of life and property values, the objective of the Association is to promote and encourage Unit Owners to reside on the premises. Unit Owners are prohibited from leasing their units. Any unit owners leasing their units and having a current lease on file with the Association as of the effective date of this amendment may continue to lease their unit until the current tenant vacates the unit, or the existing lease with the current tenant is renewed for one (1) term, whichever occurs first, at which time the Owner may no longer have a tenant reside in the unit. Any Owners leasing their units as of the effective date of this amendment must provide the Board with a copy of the lease within fourteen (14) days of the recording of this document. Failure to do so will prohibit those Owners from leasing their units.

(1) This restriction shall not apply to the leasing of a unit to a blood relative. A blood relative shall be defined as parent(s), grandparent(s), children, brother(s) and/or sister(s). The Board reserves the right to request proof of the relationship. The Board's decision as to the proof of relationship shall be final and binding.

(2) Any Unit Owner may apply for a one time hardship waiver of enforceability of this policy. The Unit Owner must submit a request, in writing, to the Board of Managers, requesting a hardship waiver, setting forth all reasons why they are entitled to same. If the Board determines a hardship exists, the Unit Owner requesting such hardship will be permitted to lease their unit for a period of twelve (12) months. Once the tenant moves out or this period expires, whichever occurs first, the Owner must come into compliance with this amendment and may no

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longer lease their unit. Failure to abide by all Rules and Regulations of the Association may result in revocation of hardship status.

(3) The effective date of this Amendment shall be deemed to be the date of recording with the Office of the Recorder of Deeds of Cook County.

(4) 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.

(5) 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 tenant, under 735 ILCS 5/9 et. seq., an action for injunctive and other equitable relief, or an action at law for damages.

(6) 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.

(7) 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 balance.

(8) The Board of Directors of the Association shall have the right to lease any Association owned units or any unit which the Association has possession pursuant to any court order, and said units shall not be subject to this amendment.

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

This Amendment is executed by an instrument in writing, signed and acknowledged by the Board members of the Association, owners having three-fourths (3/4) of the total vote and the signatories hereby warrant that they possess full power and authority to execute this instrument.

This instrument prepared by and  
after recording to be returned to:

Robert B. Kogen  
Kovitz Shifrin & Waitzman  
750 Lake Cook Road, Suite 350  
Buffalo Grove, IL 60089  
(847) 537-0500

## EXHIBIT A

## LEGAL DESCRIPTION

Lot one (1) in Norman Trieger's Resubdivision of Lots 1 through 16, both inclusive, and all the vacated alley in Block 1, vacated Thayer Avenue and Lots 1 and 22 in Block 2, all in Centralwood, being a Subdivision of part of the West Half (1/2) of the Southeast Quarter (1/4) of Section 33, Township 42 North, Range 11 East of the Third Principal Meridian, according to Plat of said Norman Trieger's Resubdivision registered in the Office of the Registrar of Titles of Cook County, Illinois, on February 5, 1973, as Document Number 2673780.

<u>PIN NO.</u>	<u>UNIT NO.</u>	<u>ADDRESS</u>
03-33-412-037-1001	101	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1002	102	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1003	103	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1004	104	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1005	105	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1006	106	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1007	107	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1008	108	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1009	109	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1010	201	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1011	202	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1012	203	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1013	204	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1014	205	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1015	206	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1016	207	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1017	208	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1018	209	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1019	301	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1020	302	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1021	303	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1022	304	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1023	305	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1024	306	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1025	307	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1026	308	1255 W. Prospect Ave., Mt. Prospect, IL 60056
03-33-412-037-1027	309	1255 W. Prospect Ave., Mt. Prospect, IL 60056

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## EXHIBIT B

APPROVAL BY BOARD MEMBERS

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We, the undersigned, are a majority of the Board of Directors of the Association. Upon a vote of the Board of Directors of the Association, we have been authorized to execute this document on behalf of the Association.

EXECUTED AND ACKNOWLEDGED this 13 day of July,  
1999.

Andy R. Pongb

Carol Diusti

Martha A. Collins  
Board of Directors Kenilworth House  
Condominium Association

Juanita B. Maluche

Harry Hol

Property of Cook County Clerk's Office

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EXHIBIT C

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## AFFIDAVIT OF MAILING

I, Carol Giusti, state that I am the Secretary of the Board of Directors of the Kenilworth House Condominium Association, and hereby certify that the foregoing Amendment was mailed to mortgagees having bona fide liens of record against any unit ownership at least ten days prior to the date of this affidavit.

Dated: July 13, 1999

By: Carol Giusti  
Secretary

Property of Cook County Clerk's Office

62

MAY 27

KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Andrea Jakubowski

Property Address:

1255 W. Prospect Ave. #207  
Mt. Prospect, IL 60056

Name and Address of Mortgage Lender (if any):

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\_\_\_\_\_  
\_\_\_\_\_

MAY 27

KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Thomas Gronke

Gladys Gronke

Property Address: 1255 W. Prospect - Mt. Prospect, Ill.

Name and Address of Mortgage Lender (if any):  
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\_\_\_\_\_  
\_\_\_\_\_



MAY 25

KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Bertha R Plonka Jeannette M. Wisnes POA  
Virginia Wolanik  
Jeannette M. Wisnes

Property Address: 1215 W. Prospect Ave # 307 Mt. Prospect, Illinois 60056

Name and Address of Mortgage Lender (if any):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MAY 24

KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Harry D. Cox  
\_\_\_\_\_

Property Address: 1255 West Prospect Ave, Mount Prospect, IL 60054

Name and Address of Mortgage Lender (if any):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MAY 20

KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Mary A. Di Paolo

Property Address:

1255 W. Prospect Ave. Mt. Prospect, Ill. 60056

Name and Address of Mortgage Lender (if any):

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\_\_\_\_\_  
\_\_\_\_\_

MAY 250

KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Marilyn M. McMahon  
1510 Chamberlain Loop  
Lake Wales, FL 33853

Property Address: 1255 W. Prospect #301 Mt. Prospect, IL 60056

Name and Address of Mortgage Lender (if any):  
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## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

WE <sup>WANT</sup> AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Mary J. White

William R. White

Property Address: 1255 W. Prospect Avenue,  
Unit 108, Mt. Prospect, Illinois, 60056

Name and Address of Mortgage Lender (if any):  
\_\_\_\_\_  
\_\_\_\_\_  
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KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Patricia Kuerl

Property Address: 1255 W. Prospect Ave, Mt. Prospect  
Unit 303

Name and Address of Mortgage Lender (if any):

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\_\_\_\_\_  
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MAY 19

## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Thomas J. Klentz  
Mabel J. R. Link

Property Address:

1255 W PROSPECT AVE APT-306  
MT. PROSPECT IL. 60056

Name and Address of Mortgage Lender (if any):

NONE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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MAY 19

## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Esther J. Buse #205

Property Address:

1255 W. Prospect

Name and Address of Mortgage Lender (if any):

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\_\_\_\_\_  
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## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Shay Chamberlin

Margaret Chamberlin

Property Address: 1255 W. Prospect Ave.  
#109

Name and Address of Mortgage Lender (if any):

NONE  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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MAY 18  
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## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.



I AGREE THE AMENDMENT SHOULD BE PASSED.



I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Walter Malucke

Janette Malucke

Property Address:

Kenilworth Condo  
1255 Prospect Ave # 201  
Mt. Prospect, Ill. 60056

Name and Address of Mortgage Lender (if any):

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## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Lorraine Schubert Unit 308 5-16-99  
LD

Property Address: 1255 W. PROSPECT AV. UNIT 308  
MT PROSPECT IL, 60056

Name and Address of Mortgage Lender (if any):

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MAY 18

KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Harvey H. Gellman

Property Address:

1255 Prospect Ave #305

Name and Address of Mortgage Lender (if any):

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\_\_\_\_\_  
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MAY 18

## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.



I AGREE THE AMENDMENT SHOULD BE PASSED.



I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

*William Cohen*

*Helen Cohen*

Property Address:

*Unit 204  
1255 W. Prospect Av. Mt. Prospect, IL 60056*

Name and Address of Mortgage Lender (if any):

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## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.



I AGREE THE AMENDMENT SHOULD BE PASSED.



I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

John Davis

Sonia Davis

Property Address:

1755 W PROSPECT AVE APT. 206

Name and Address of Mortgage Lender (if any):

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\_\_\_\_\_  
\_\_\_\_\_

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MAY 18

## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Shible Sendef

Property Address:

1255 W. PROSPECT 309. MT. PROSPECT. ILL. 60056

Name and Address of Mortgage Lender (if any):

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\_\_\_\_\_  
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## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.



I AGREE THE AMENDMENT SHOULD BE PASSED.



I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Barbara A. Spratt  
Kenneth A. Spratt

Property Address: \_\_\_\_\_

Name and Address of Mortgage Lender (if any):  
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\_\_\_\_\_  
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MAY 18

## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

NORMA M. TRACY

Norma M Tracy

Property Address:

1255 W. Prospect Ave. Unit 105  
Mc. Prospect, FL

Name and Address of Mortgage Lender (if any):

None

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## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.

I AGREE THE AMENDMENT SHOULD BE PASSED.

I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Mary a. Krueger

Property Address: 1255 W. Prospect Ave #302

Name and Address of Mortgage Lender (if any):

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## KENILWORTH HOUSE CONDOMINIUM ASSOCIATION

### BALLOT

Regarding the proposed amendment to the Declaration of Condominium Pursuant To The Condominium Property Act For The Kenilworth House, specifically - regarding leasing of units.



I AGREE THE AMENDMENT SHOULD BE PASSED.



I DO NOT AGREE THE AMENDMENT SHOULD BE PASSED.

OWNER(S):

Deborah O'Keefe

Property Address:

1255 West Prospect Avenue, Apt. 107  
Mt. Prospect, IL 60057

Name and Address of Mortgage Lender (if any):

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