

THIS DOCUMENT PREPARED BY:

Stefania Fatone
President
6232-6238 North Broadway
Condominium Association
6236 N Broadway St #3
Chicago IL 60660



Doc#: 1301831052 Fee: \$56.00
Karen A. Yarbrough RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/18/2013 03:44 PM Pg: 1 of 10

PROPERTY ADDRESS AND P.I.N.:

6232-6238 North Broadway
Chicago IL 60660
P.I.N.: 14-05-115-015-0000
P.I.N.s: 14-05-115-036-1001 through 1009
P.I.N.: 14-05-115-031-0000

**2nd AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS FOR
6232-6238 NORTH BROADWAY, CHICAGO, ILLINOIS**

This 2nd Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements for the 6232-6238 North Broadway, Chicago, Illinois recorded on May 16th 2002 as Document No. 0020563758, (said Declaration and any amendments thereto are hereinafter referred to as the "Declaration") is executed by the 6232-6238 North Broadway Condominium Association (the "Association") is made and entered into as of 18 day of January, 2013 (this "2nd Amendment").

WITNESSETH:

Whereas, the real estate described in Exhibit A of the Declaration and as the legal description rider attached hereto as Exhibit A, located in the City of Chicago, County of Cook, State of Illinois has been submitted to the Condominium Property Act of the State of Illinois pursuant to which the Association was duly established; and

Whereas, the original Developer improperly recorded the First Amendment to the Declaration on April 14th 2009 as Document No. 0910434061, (said Second Amendment hereinafter referred to as the "1st Amendment"); and

Whereas the Circuit Court of Cook County ruled that the First Amendment was invalid pursuant to the attached Court Order dated June 15, 2012 attached hereto Appendix A and the members of the Association unanimously approved this 2nd Amendment to formally revoke the 1st Amendment;

RECORDING FEE 56-
DATE 1-18-13 COPIES 6x
OK BY AV

6020563758

EXHIBIT A

LEGAL DESCRIPTION OF TOTAL PARCEL

LOT 17 AND THE NORTH 25 FEET OF LOT 18 IN BLOCK 1 IN BROCKHAUSEN AND FISHER'S FIRST ADDITION TO EDGEWATER BEING A SUBDIVISION OF NORTH 60 RODS OF EAST ½ OF NORTHWEST ¼ OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Commonly known as: 6232-6238 North Broadway, Chicago, Illinois.

P.I.N.: 14-05-115-015-0000.

This legal will change due to vertical separation.

EXHIBIT B

6020563758

RESIDENTIAL LEGAL 6232-38 NORTH BROADWAY CONDO

Lot 17 and the North 25.0 feet of Lot 18 taken as a tract, in Block 1 in Brockhausen & Fischer's First Addition to Edgewater being a Subdivision of the North 60 rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian, (except from said tract that part of the East 65.05 feet thereof lying below a horizontal plane of 21.56 feet above Chicago City Datum and lying above a horizontal plane of 8.62 feet above Chicago City Datum and also except that part of the South 25.47 feet (except the East 65.05 feet) of said tract lying below a horizontal plane of 20.86 feet above Chicago City Datum and lying above a horizontal plane of 8.62 feet above Chicago City Datum) in Cook County, Illinois.

Also

That part of the North 4.50 feet of the South 22.47 feet of the East 15.0 feet of the North 25.0 feet of Lot 18 in Block 1 in Brockhausen & Fischer's First Addition to Edgewater, being a Subdivision of the North 60 Rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian, lying above a horizontal plane of 9.12 feet on the East and lying above a horizontal plane of 14.12 feet on the West and all lying below a horizontal plane of 22.13 feet, all above Chicago City Datum, in Cook County, Illinois.

Also

That part of the South 4.50 feet of the North 21.0 feet of Lot 17 in Block 1 in Brockhausen & Fischer's First Addition to Edgewater, being a Subdivision of the North 60 rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian, lying above a horizontal plane of 9.12 feet on the East and lying above a horizontal plane of 14.12 feet on the West and all lying below a horizontal plane of 22.13 feet, all above Chicago City Datum, in Cook County, Illinois.

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CONDOMINIUM
LEGAL DESCRIPTION

UNIT 6232-2, 6232-3, 6234-2, 6234-3, 6236-2, 6236-3, 6238-2, AND 6238-3 IN THE 6232-6238 NORTH BROADWAY CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

LOT 17 AND THE NORTH 25 FEET OF LOT 18 TAKEN AS A TRACT, IN BLOCK 1 IN BROCKHAUSER AND FISCHER'S FIRST ADDITION TO EDGEWATER BEING A SUBDIVISION OF NORTH 60 RODS OF EAST 1/2 OF NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT FROM SAID TRACT THAT PART OF THE EAST 65.05 FEET THEREOF LYING BELOW A HORIZONTAL PLANE OF 21.56 FEET ABOVE CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE OF 8.62 FEET ABOVE CHICAGO CITY DATUM AND ALSO EXCEPT THAT PART OF THE SOUTH 25.47 FEET (EXCEPT THE EAST 65.05 FEET) OF SAID TRACT LYING BELOW A HORIZONTAL PLANE OF 20.86 FEET ABOVE CHICAGO CITY DATUM AND LYING ABOVE A HORIZONTAL PLANE OF 8.62 FEET ABOVE CHICAGO CITY DATUM) IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE NORTH 4.50 FEET OF THE SOUTH 22.47 FEET OF THE EAST 15.0 FEET OF THE NORTH 25.0 FEET OF LOT 18 IN BLOCK 1 IN BROCKHAUSEN AND FISCHER'S FIRST ADDITION TO EDGEWATER, BEING A SUBDIVISION OF THE NORTH 60 RODS OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING ABOVE A HORIZONTAL PLANE OF 9.12 FEET ON THE EAST AND LYING ABOVE A HORIZONTAL PLANE OF 14.12 FEET ON THE WEST AND ALL LYING BELOW A HORIZONTAL PLANE OF 22.13 FEET, ALL ABOVE CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS.

ALSO

THAT PART OF THE SOUTH 4.50 FEET OF THE NORTH 21.0 FEET OF LOT 17 IN BLOCK 1, IN BROCKHAUSEN AND FISCHER'S FIRST ADDITION TO EDGEWATER, BEING A SUBDIVISION OF THE NORTH 60 RODS OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING ABOVE A HORIZONTAL PLANE OF 9.12 FEET ON THE EAST AND LYING ABOVE A HORIZONTAL PLANE OF 14.12 FEET ON THE WEST AND ALL LYING BELOW A HORIZONTAL PLANE OF 22.13 FEET, ALL ABOVE CHICAGO CITY DATUM, IN COOK COUNTY, ILLINOIS;

WHICH SURVEY IS ATTACHED TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT 0020544952, TOGETHER WITH AN UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

EXHIBIT C

COMMERCIAL LEGAL 6232-38 NORTH BROADWAY

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That part of the East 65.05 feet of Lot 17 together with that part of the East 65.0 feet of the North 25 feet of Lot 18 taken as a tract, in Block 1 in Brockhausen & Fischer's First Addition to Edgewater being a Subdivision of the North 60 rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian, lying below a horizontal plane of 21.56 feet above Chicago City Datum and lying above a horizontal plane of 8.62 feet above Chicago City Datum (Except therefrom that part of the North 4.50 feet of the South 22.47 feet of the East 15.0 feet of the North 25.0 feet of Lot 18 in Block 1 in Brockhausen & Fischer's First Addition to Edgewater, being a Subdivision of the North 60 Rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian, lying above a horizontal plane of 9.12 feet on the East and lying above a horizontal plane of 14.12 feet on the West and all lying below a horizontal plane of 22.13 feet, all above Chicago City Datum, in Cook County, Illinois.

And Also Except

That part of the South 4.50 feet of the North 21.0 feet of Lot 17 in Block 1 in Brockhausen & Fischer's First Addition to Edgewater, being a Subdivision of the North 60 rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian, lying above a horizontal plane of 9.12 feet on the East and lying above a horizontal plane of 14.12 feet on the West and all lying below a horizontal plane of 22.13 feet, all above Chicago City Datum,) in Cook County, Illinois.

Also

The South 25.47 feet of That part of Lot 17 and the North 25.0 feet of Lot 18 taken as a tract in Block 1 in Brockhausen & Fischer's First Addition to Edgewater being a Subdivision of the North 60 rods of the East Half of the Northwest Quarter of Section 5, Township 40 North, Range 14, East of the Third Principal Meridian lying below a horizontal plane of 20.86 feet above Chicago City Datum and lying above a horizontal plane of 8.62 feet above Chicago City Datum (except therefrom the East 65.05 feet thereof) all in Cook County, Illinois.

THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT-CHANCERY DIVISION

6232-6238 North Broadway Condominium Association,)
)
 Plaintiff,)
)
 v.)
)
 Loretta Purcell and Parkway Bank & Trust Company, as Trustee under Trust No. 1410, dated October 2, 1970)
)
 Defendant.)

NO. 09 CH 47090

ORDER

This matter coming to be heard for oral argument Plaintiff's Motion for Partial Judgment against Defendant Loretta Purcell, due notice given and the court fully advised in the premises, IT IS HEREBY ORDERED:

1. Plaintiff's Motion for Partial Judgment of Default against Defendant Loretta Purcell is hereby granted;
2. The First Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the 6232-6238 North Broadway Condominium Association, recorded on April 14, 2009 (document number 0910434060), is invalid as a matter of law and is to be completely disregarded;
3. The First Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements, recorded on April 14, 2009 (document number 0910434061), is invalid as a matter of law and is to be completely disregarded;
4. Plaintiff is hereby granted immediate possession of the basement furnace room and basement storage units at 6232-6238 N. Broadway, Chicago, IL 60660;
5. This matter is further entered and continued to July 19, 2012 at 10 AM in courtroom 2510 for prove-up on damages caused by Defendant Loretta Purcell as alleged in Plaintiff's Second Amended Verified Complaint; and

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CP

6. Plaintiff shall submit a prove-up affidavit to the Court by or on July 16, 2012.

Neal C. Zazove & Associates, P.C.
19 S. LaSalle Street, Suite 1200
Chicago, IL 60603
Phone No: 312-641-5444
Firm No: 18132

ENTERED
JUDGE MARY ANN
JUL 16 2012
JUDGE
DOROTHY
CLERK OF THE COURT
OF COOK COUNTY, IL
DEPUTY CLERK

... is a true copy.

Dorothy Brown

Dorothy Brown 71172
Merk of the Circuit Court
of the County of ...

