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**Kovitz Shifrin Nesbit  
175 N. Archer Avenue  
Mundelein, Illinois 60060  
Attn: David M. Bendoff, Esq.**



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KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 03/07/2017 03:10 PM PG: 1 OF 19

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**AMENDMENT TO  
THE DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF EASEMENTS, RESTRICTIONS AND COVENANTS  
FOR  
BALLARD COURT CONDOMINIUM BUILDING NO. 3**

This document is recorded for the purpose of amending the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants (hereafter the "Declaration") for Ballard Court Condominium Building No. 3 Association (hereafter the "Association"), which Declaration was recorded on July 16, 1980, as Document No. 3169385 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 XIII, Section 13.08 of the aforesaid Declaration and Section 17 and Section 18.8(e) 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"), signed by the Board, and by the Owners having not less than two-thirds (2/3) of the total vote, and provided further that it contains an affidavit by an officer of the Board, certifying that a copy of the change has been sent by certified mail to all mortgagees having liens of record against any unit ownership not less than ten (10) days prior to the date of such affidavit.

**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 restrict occupancy of units, and to limit the number of units that can be rented or leased at any one time with certain limited exceptions; and

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CCRD REVIEW 

WHEREAS, the amendment has been executed by the President of the Association or such other officer authorized by the Board, signed by the Board members and by the Owners having not less than two-thirds (2/3) 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 XIII, Section 13.08 of the Declaration and Section 17 and Section 18.8(e) of the Act.

NOW THEREFORE, Article VIII of the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Ballard Court Condominium Building No. 3 is hereby amended in accordance with the text which follows (additions in text are indicated by double underline; deletions by ~~strike-outs~~):

"8.13 Leasing of Units

(a) (i) Notwithstanding any other provisions of the Declaration to the contrary, the leasing or rental of more than four (4) of the Units at any one time is prohibited, except as hereinafter provided in subsections (ii), (iii), (iv), (v), and (vi); provided that no Unit Owner may lease a Unit unless such Unit Owner has owned and occupied the Unit continuously for at least one (1) year. The Board shall adopt rules to address leasing priority in the event the number of Units being leased has reached the above limit.

(ii) Any Unit Owner that has a lease in force for his/her Unit, and whose Unit is occupied by a tenant, on the date of recording this Amendment (and if the Unit Owner provides a copy of said signed lease to the Board within thirty (30) days of the recording of this Amendment) is not affected by subsections (i) and (iii) with respect to such Unit; provided, however, that subsections (i) and (iii) shall apply to such Unit from and after the transfer of ownership of the Unit or transfer of the beneficial interest in a trust holding legal title to the Unit.

(iii) In the event that the maximum number of Units permitted to be leased or rented pursuant to subsection (i) are being leased or rented, to meet special situations and to avoid undue hardship or practical difficulties, the Board may, but is not required to, grant permission to a Unit Owner to lease or rent his Unit to a specified lessee for a period of not less than twelve (12) consecutive months nor more than twenty-four (24) 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 Unit 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 complete discretion to approve or disapprove any Unit Owner's application for a lease or extension of the lease. The Board's decision shall be final and binding.

(iv) The provisions of subsections (i), (ii), and (iii) shall not apply to the rental or leasing of a Unit to a Unit Owner's spouse, sibling, child, parent, grandparent, or to any one or more of them.

(v) The provisions of subsections (i), (ii), and (iii) shall not apply to the rental or leasing of Units by the Association through its Board of Directors, in connection with the Association's possession of a Unit as authorized under the Illinois Code of Civil Procedure.

(vi) The Board reserves to itself the first right and option to lease any Unit.

(vii) No Unit permitted to be leased shall be used for hotel or transient purposes or subleased, no Owner shall lease less than the entire Unit, and all permitted leases shall be in writing, for a term of at least twelve (12) months and not more than twenty four (24) months, and shall be subject to the terms of the Declaration, By-Laws, and the rules established by the Board. The Owner of a Unit being leased as permitted hereunder shall provide the Association with the names of all tenants of the Unit, including the tenants' family members who will occupy the Unit, and only those persons may reside in the Unit. The provisions of the Condominium Property Act, the Declaration, By-Laws and rules and regulations that relate to the use of the individual Unit or the Common Elements shall be applicable to any person leasing a Unit and shall be deemed to be incorporated in any lease. With regard to any lease, the Unit Owner leasing the Unit shall deliver a copy of the signed lease to the Board not later than the date of occupancy or ten (10) days after the lease is signed, whichever occurs first. In addition to any other remedies, by filing an action jointly against the tenant and the Unit Owner, the Association may seek to enjoin a tenant from occupying a Unit or seek to evict a tenant under the provisions of Article IX of the Code of Civil Procedure for failure of the lessor-Owner to comply with the leasing requirements prescribed by the Act or by the Declaration, By-Laws, and rules and regulations. The Board of Managers may proceed directly against a tenant, at law or in equity, or under the provisions of Article IX of the Code of Civil Procedure, for any other breach by a tenant of any covenants, rules, regulations or By-Laws. A Unit Owner may not assign, delegate, transfer, surrender, or avoid the duties, responsibilities, and liabilities of a Unit Owner under the Condominium Property Act, the condominium instruments, or rules and regulations of the Association; and such an attempted assignment, delegation, transfer, surrender, or avoidance shall be deemed void."

(b) Except for Units permitted to be and being leased hereunder, each Unit shall be occupied by the Owner (including the beneficiary of a trust holding legal title to the Unit), said Owner's spouse, sibling, child, parent, grandparent, or any one or more of them; with respect to Units owned by a corporation, a partnership, or limited liability company, or if the beneficiary of a trust holding legal title to a Unit is a corporation, partnership, or limited liability company, such Unit shall be occupied by a shareholder of such corporation, partner of such partnership, member of such limited liability company, such shareholder's, partner's, or member's spouse, sibling, child, parent, grandparent, or any one or more of them.

Except to the extent expressly set forth hereinabove, the remaining provisions of the Declaration and By-Laws shall continue in effect without change.

END OF TEXT OF AMENDMENT

**PRESIDENT'S SIGNATURE PAGE**

I Matt Wickstrom, am the President of the Board of Managers of Ballard Court Condominium Building No. 3 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.

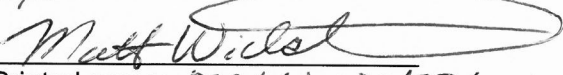
EXECUTED this 8<sup>th</sup> day of February, 2017.

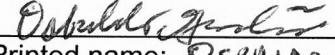
BY:   
President

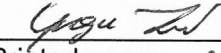
**BOARD MEMBER SIGNATURE PAGE**

We, the undersigned, are the members of the Board of Managers of Ballard Court Condominium Building No. 3 Association, an Illinois not-for-profit corporation and condominium established by the aforesaid Declaration of Condominium, and by our signatures below, we hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8(e) of the Condominium Property Act. This document may be executed in counterparts for the convenience of the parties.

EXECUTED this 8<sup>th</sup> day of February, 2017.

  
Printed name: MATT WICKSTROM

  
Printed name: OSBALDO GARAU

  
Printed name: GREGOR ZUZIAK

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Being the members of  
the Board of Managers of Ballard Court  
Condominium Building No. 3 Association

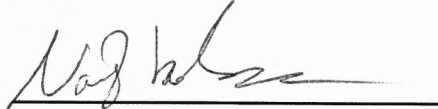
**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 21 day of February 2017.

Najeeb Behnan

Voting Member Printed Name



Voting Member Signature


Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

Being owner(s) of Unit  
# 2084 in the Ballard Court  
Condominium Building No. 3  
Association, and having 7.34%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 14 day of February 2017.

ELENA PAVLOVA   
Voting Member Printed Name

ATANAS ZAPRIANOV   
Voting Member Signature

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

Being owner(s) of Unit  
# 206F in the Ballard Court  
Condominium Building No. 3  
Association, and having 6.18%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 16 day of February 2017.

Joy White  
Voting Member Printed Name

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

Joy White  
Voting Member Signature

Being owner(s) of Unit  
# 205E in the Ballard Court  
Condominium Building No. 3  
Association, and having 6.75%  
ownership in the common elements.



**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 16 day of February 2017.

Kristin (Brown) Owen  
Voting Member Printed Name

Kristin (Brown) Owen  
Voting Member Signature

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

Being owner(s) of Unit  
# 203C in the Ballard Court  
Condominium Building No. 3  
Association, and having 6.10%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 21 day of FEB 2017.

GREGORY ZUZIAL  
Voting Member Printed Name

  
Voting Member Signature

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

Being owner(s) of Unit  
# 202B in the Ballard Court  
Condominium Building No. 3  
Association, and having 6.18%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 12 day of FEB. 2017.

MARY CURRY

Voting Member Printed Name

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016



Voting Member Signature

Being owner(s) of Unit  
# 201A in the Ballard Court  
Condominium Building No. 3  
Association, and having 6.91%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 12 day of FEB 2017.

WILLIAM T. GLAIBCKE  
Voting Member Printed Name

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

William T. Glabcke  
Voting Member Signature

Being owner(s) of Unit  
# 108H in the Ballard Court  
Condominium Building No. 3  
Association, and having 4.13%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 19 day of February 2017.

OSBALDO GARDUÑO  
Voting Member Printed Name

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

  
Voting Member Signature

Being owner(s) of Unit  
# 1079 in the Ballard Court  
Condominium Building No. 3  
Association, and having 7.58%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this WED day of 2/15<sup>TH</sup> <sup>February</sup> 2017.

JACOB MIKOLAJEWICZ  
Voting Member Printed Name

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

  
Voting Member Signature

Being owner(s) of Unit  
# 105E in the Ballard Court  
Condominium Building No. 3  
Association, and having 5.42%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 11 day of February 2017.

Matthew Wickstrom

Voting Member Printed Name

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

Matthew Wickstrom

Voting Member Signature

Being owner(s) of Unit  
# 102B in the Ballard Court  
Condominium Building No. 3  
Association, and having 6.17%  
ownership in the common elements.

**VOTING MEMBER SIGNATURE PAGE**

The undersigned is a voting member of the Ballard Court Condominium Building No. 3 Association, a condominium established by the aforesaid Declaration of Condominium, and by my signature below do hereby execute the foregoing amendment to the Declaration pursuant to Article XIII, Section 13.08 of the Declaration and Section 18.8 of the Condominium Property Act.

EXECUTED this 11 day of February 2017.

MALCOLM S. J. K.  
[Signature]  
Voting Member Printed Name

Unit Address: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

[Signature]  
Voting Member Signature

Being owner(s) of Unit  
# 101A in the Ballard Court  
Condominium Building No. 3  
Association, and having 7.58%  
ownership in the common elements.



**CERTIFICATION AS TO UNIT OWNER APPROVAL**

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF COOK        )

I, OSBALDO GARDUÑO, state that I am the Secretary of the Board of Managers of Ballard Court Condominium Building No. 3 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 persons whose names are subscribed to the foregoing instruments represent Owners having not less than two-thirds (2/3) of the total vote.

BY: *Osbaldo Garduno*  
Secretary

DATE: February 22, 2017

**AFFIDAVIT OF NOTICE TO MORTGAGEES**

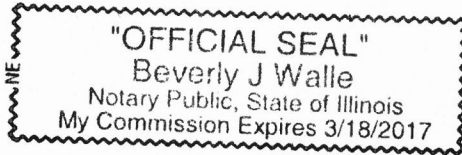
STATE OF ILLINOIS )  
  ) SS  
COUNTY OF COOK )

I, OSBALDO GARZANO, being first duly sworn on oath, depose and state that I am the Secretary of the Board of Managers of Ballard Court Condominium Building No. 3 Association, an Illinois not-for-profit corporation and condominium, and that pursuant to Article XIII, Section 13.08 of the Declaration of Condominium Ownership for said condominium, written notice of the foregoing amendment has been sent by certified mail to all mortgagees of record against any unit in the aforesaid condominium, not less than ten (10) days prior to the date of this affidavit.

*Osbaldo Garzano*  
Secretary

SUBSCRIBED AND SWORN to  
before me this 6<sup>th</sup> day  
of March 2017

*Beverly J Walle*  
Notary Public



**EXHIBIT A**  
**LEGAL DESCRIPTION**

Units 101-A, 102-B, 103-C, 104-D, 105-E, 106-F, 107-G, 108-H, 201-A, 202-B, 203-C, 204-D, 205-E, 206-F, 207-G, 208-H as delineated on the survey of the following parcel of real estate:

Lots 1, 2, 3, and 4 (except the North 205.0 feet of said Lot 4, as measured on East and West Line thereof) in Goettsche's subdivision of part of the South half of Section 15, Township 41 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois

which survey is attached as Exhibit "A" to the Declaration recorded in the Office of the Recorder of Deeds of Cook County as Document No. 3169382.

Commonly Known As: 8996 Kennedy Drive  
Des Plaines, Illinois 60016

Permanent Index Number: 09-15-307-163-1001  
through and including: 09-15-307-163-1016