

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

**FRED BUCHOLZ**  
DUPAGE COUNTY RECORDER  
JAN. 11, 2008 RHSP 10:07 AM  
OTHER 09-14-401-001  
009 PAGES R2008-005328

Michael C. Kim & Associates  
19 South LaSalle Street  
Suite 303  
Chicago, Illinois 60603  
Attn: Michael C. Kim, Esq.

FIRST AMENDMENT TO  
THE DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF EASEMENTS, RESTRICTIONS AND COVENANTS  
FOR  
RUTH LAKE WOODS CONDOMINIUMS

This document is recorded for the purpose of amending the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants (hereafter the "Declaration") for Ruth Lake Woods Condominium Association (hereafter the "Association"), which Declaration was recorded on October 3, 1986, as Document No. R86-122055 in the Office of the Recorder of Deeds of DuPage 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 XXI, Paragraph 21.06 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 DuPage 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 and acknowledged by the Board, and approved by Unit Owners having at least 75% of the total vote at a meeting called for that purpose, 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 bonafide liens of record against any Unit 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 DuPage County, Illinois, the Property has been submitted to the provisions of the Act; and

WHEREAS, the Board and the Unit Owners desire to amend the Declaration in order to restrict occupancy of Units and to prohibit the leasing or rental of Units with certain limited exceptions; and

WHEREAS, the amendment has been executed by the President of the Association or such other officer authorized by the Board, signed and acknowledged by a majority of the Board members and approved by Unit Owners having at least 75% of the total vote at a meeting called for that purpose, and due notice having been provided to all mortgagees holding bonafide liens of record against any Unit, all in compliance with Article XXI, Paragraph 21.06 of the Declaration and Section 17 of the Act.

NOW THEREFORE, existing Article XII, Paragraph 12.01 of the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Ruth Lake Woods Condominiums is deleted in its entirety and replaced in accordance with the text which follows

"12.01. Notwithstanding any other provisions of this Declaration to the contrary, rental or leasing of Units is prohibited, except as hereinafter provided:

- a) Those Units that are leased on the effective date of this Amendment may be leased until the original expiration date of the lease in effect at that time. Upon the expiration of the current lease, the Unit may not be leased, except as provided herein. A copy of all current leases must be on file with the Board no later than fourteen days after the effective date of this Amendment.
- b) Occupancy of a Unit by a Family Member(s) of a Unit Owner is permitted and shall not constitute a lease as defined under this Amendment; however the Unit Owner must submit a written memorandum to the Board evidencing the name, contact information and relation to Owner of the residents therein. "Family Member" is defined as parents, grandparents, children, siblings, and spouse of the Unit Owner; if the Unit Owner is a corporation, a partnership or a limited liability entity, then "Family Member" shall mean a bonafide (meaning not for purposes of evading the restrictions of this Paragraph) shareholder of such corporation, a partner of such partnership or a member of such limited liability entity or such

shareholder's, partner's or member's parents, grandparents, children, siblings and spouse.

- c) **Hardship.** If a Unit is vacated by a tenant in occupancy as of the effective date of this Amendment, or vacated by a Unit Owner for reasons beyond his control, the Unit Owner may apply for a one year hardship waiver in the following manner:
  - (i) The Unit Owner must submit a request in writing to the Board requesting a one year hardship waiver of this paragraph, setting forth the reasons why he or she is entitled to same.
  - (ii) If, based on the information supplied to the Board by the Unit Owner, the Board reasonably finds that a hardship exists, the Board may grant a one-year waiver. Any lease entered into shall be in writing and for a period of one year. The lease must also contain a provision that failure by the tenant or the Unit Owner to abide by the Declaration, By-Laws or Rules and Regulations of the Association may, in the discretion of the Board, result in termination of the lease by the Board. All decisions of the Board shall be final.
  - (iii) Copies of all leases must be submitted to the Board within ten (10) days after execution and prior to occupancy, whichever occurs first.
  - (iv) All tenants shall acknowledge in writing that they have reviewed copies of the Declaration, By-Laws and Rules and Regulations of the Association and a copy of that written receipt shall be submitted to the Board.
  - (v) In the event a Unit Owner has been granted hardship status, the Owner must re-apply at least thirty (30) days in advance of the expiration of each hardship period if they wish to request an extension.
- d) Any Unit being leased in violation of this Amendment or any Unit Owner found to be in violation of the related Rules and Regulations adopted by the Board may be subject to a flat or daily fine to be determined by the Board upon notice and an opportunity to be heard.
- e) This Amendment shall not prohibit the Board from leasing any Unit owned by the Association or any Unit for which the

Association has been issued an Order of Possession by the  
Circuit Court of DuPage County.”

EXCEPT TO THE EXTENT EXPRESSLY SET FORTH HEREINABOVE, THE  
REMAINING PROVISIONS OF THE DECLARATION SHALL CONTINUE IN EFFECT  
WITHOUT CHANGE.

END OF TEXT OF AMENDMENT

STATE OF ILLINOIS     )  
  )SS  
COUNTY OF DuPAGE    )

Thomas C. Brown, am the President of the Board of Directors of Ruth Lake woods 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 14 day of November, 2007.

BY: Thomas C Brown  
President

STATE OF ILLINOIS     )  
  )SS  
COUNTY OF DuPAGE    )

We, the undersigned, constitute at least a majority of the members of the Board of Directors of Ruth Lake Woods Condominium 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 XXI, Paragraph 21.06 of the Declaration. This document may be executed in counterparts for the convenience of the parties.

EXECUTED this 14 day of November, 2007.

John T. Moran  
Printed name: JOHN T. MORAN

James C. Elder  
Printed name: JAMES C. ELDER

Patricia Seeholzer  
Printed name: PATRICIA SEEHOLZER

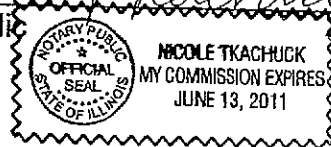
Thomas C. Brown  
Printed name: THOMAS C. BROWN

Patricia Ewers  
Printed name: PATRICIA EWERS

Being at least a majority of the members of the Board of Directors of Ruth Lake Woods Condominium Association

I, Nicole Tkachuck, a Notary Public, hereby certify that on November 14, 2007 the above members of the Board of Directors of Ruth Lake Woods Condominium Association, which Board members are personally known to me, appeared before me and acknowledged that, as such Board members, they signed this instrument as their free and voluntary act and as the free and voluntary act of said Board for the uses and purposes therein set forth.

By: Nicole Tkachuck  
Notary Public



CERTIFICATION AS TO UNIT OWNER APPROVAL

STATE OF ILLINOIS     )  
                                  ) SS  
COUNTY OF DuPAGE    )

I, Tom COOPER, state that I am the Secretary of the Board of Directors of Ruth Lake Woods 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 Unit Owners having, in the aggregate, at least 75% of the total vote, at a special meeting of the Unit Owners duly noticed, convened and held for that purpose on 11-14, 2007 at which a quorum was present throughout, and that such approval by the Unit Owners has not been altered, modified or rescinded in any manner but remains in full force and effect.

BY: Thomas G. Feefe  
Secretary

DATE: November 14/2007

AFFIDAVIT OF NOTICE TO MORTGAGEES

STATE OF ILLINOIS        )  
  ) SS  
COUNTY OF DuPAGE     )

I, Tom COOPER, being first duly sworn on oath, depose and state that I am the Secretary of the Board of Directors of Ruth Lake Woods Condominium Association, an Illinois not-for-profit corporation and condominium, and that pursuant to Article XXI, Paragraph 21.06 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 that ten (10) days prior to the date of this affidavit.

Thomas G. Cooper  
Secretary

SUBSCRIBED AND SWORN to  
before me this 28<sup>th</sup> day  
of December 2007

Nicole Tkachuck  
Notary Public

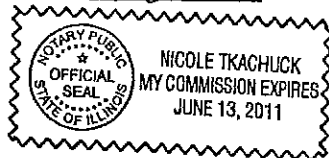




EXHIBIT A  
LEGAL DESCRIPTION

Units 1 through 42, inclusive, and their respective percentage interest in the common elements, of the Ruth Lake Woods Condominium Association as described in that certain Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws and delineated in that certain plat of survey attached to said Declaration, recorded with the DuPage County Recorder of Deeds as Document No. R86-122055 and affecting:

That part of the South 20 acres of the East ½ of the South East ¼ of Section 14, Township 38 North, Range 11, East of the Third Principal Meridian, Lying East of the following described line: Beginning at a point on the South line of said South East ¼, 668.37 feet West of the South East corner thereof; Thence North along a line perpendicular to said South line, 408.24 feet to a point of curvature; Thence North-easterly along a curved line concave to the South East, having a radius of 96.00 Feet, for a distance of 125.50 feet; Thence North along a line perpendicular to said South line, 158.61 feet to a point on the North line of said South 20 acres, 594.00 feet West of, as measured along said North line, the North East corner thereof being the terminus of said line, all in Dupage County, Illinois.

Commonly Known As:      40-86 Brookview Court  
                                 42-72 Godair Drive; 737-743 Godair Drive  
                                 724-745 Pinecrest Court  
                                 711-776 Ruth Lake Court  
                                 Hinsdale, Illinois 60521

Permanent Index Number:      09-144-01-001 -  
through and including:      09-144-01-042