

Park Tower Condominium Association
Ad Hoc Committee to Review the Declaration and By-Laws

Report to the Board of Managers

July 21, 2016

The Ad Hoc Committee to Review the Declaration and By-Laws (the "Committee") is pleased to present this report to the Board of Managers (the "Board") of Park Tower Condominium Association (the "Association" or "PTCA").

The Board's charge to the Committee was to evaluate PTCA's Declaration of Condominium ("Declaration" or "DEC") and By-Laws, and to make recommendations to the Board regarding potential changes to those governing instruments that could be beneficial to the Association.

The Committee met six times: on January 6, January 26, February 25, March 24, April 28 and June 2, 2016. In addition, all committee members had an opportunity to comment on this final report, and six of the committee's eight members voted to approve it.

The Committee (after giving effect to some initial resignations and additional appointments) consisted of eight members: Ken Anderson, Sheldon Atovsky, Larry Hamilton (chair), Jeff Hauser, Ed Jaeger, Henry Long Ong, Bob Shamo and Oliver Tugend. Jean Shamo acted as Board liaison, with Board member Michael Parrie acting as her backup.

The Committee members worked well together and decisions were generally made by consensus.

The Committee gave substantial attention to the ten issues set forth below. The Committee's recommendations with respect to each of those issues constitute the body of this report.

Issue No. 1 – Adding leasing restrictions to the Declaration (page 1)

Issue No. 2 – Banning smoking throughout the building, including in all units (page 4)

Issue No. 3 – Lowering the voting threshold to adopt certain amendments (page 10)

Issue No. 4 – Removing the ban on pet cats and dogs (page 4)

Issue No. 5 – Having the Association buy residential or commercial units when they become available and/or sell such units when they are unoccupied for extended periods (page 16)

Issue No. 6 – Changing parking, especially on 2P, to deeded spaces versus the current licensed spaces (page 17)

Issue No. 7 – Making the Health Club a common element amenity included in unit owners' assessments and available to all residents (page 20)

Issue No. 8 – Updating PTCA's governing instruments to reflect changes in law (page 24)

Issue No. 9 – Allowing specifically identified detection animals to work and/or reside in the building (page 25)

Issue No. 10 – Change parking on 1P to be entirely self-parking, eliminating the car hikers and valet parking (page 27)

This report also includes an Appendix, which sets out supplemental materials relating to Issues No. 2, 3 and 4. (page 28)

Two additional topics were raised early in the Committee's deliberations, but the Committee did not pursue them:

- A proposal to find ways to improve air quality within units was deemed not to have sufficient relevance to the Declaration or By-Laws to fall within the Committee's purview.
- A proposal to consider increasing the size of the Board did not seem to have enough initial support within the Committee to warrant further consideration.

The Committee would like to acknowledge the fact that its Chair was able to benefit from discussing a few legal points informally with the Association's attorney, David Bendoff of the firm of Kovitz Shifrin Nesbit. It should be noted that any attributions of viewpoints to Mr. Bendoff in this report reflect the Chair's own understanding of that discussion and are, therefore, subject to Mr. Bendoff's review and comment.

The Committee would welcome the opportunity to discuss the contents of this report with the Board and the Association's attorney, to respond to any questions from the Board or Mr. Bendoff, and to provide whatever assistance the Board deems appropriate to assist in effectuating any or all of the Committee's recommendations.

You may contact the undersigned via email at krubelnik@gmail.com or by telephone at (312) 701-7055.

Respectfully submitted,

Larry Hamilton, Committee Chair