

EXHIBIT

ATTACHED TO

00586682

DOCUMENT NUMBER

8-2-00

SEE PLAT BOOK

TICON THE INSURANCE OFFICIAL COPY

203 N. LaSALLE, STE. 1400 CHICAGO, IL 60601 RE: 440248

5096/0080 53 001 Page 1 of 9 **2000-08-02 11:02:14** Cook County Recorder 71.00

PREPARED BY & MAIL TO: P.D. Hartz Construction Company, Inc. 8995 WEST 95TH STREET PALOS HILLS, IL 60465 Original Document No. 99333247

FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, AND COVENANTS FOR TOWN POINTE CONDOMINIUM ASSOCIATION

EXHIBIT ATTACHED

THIS DECLARATION is made by Old Kent Bank, as Successor to First National Bank of Evergices, Park, as Trustee under Trust No. 7573, date a November 1, 1983, hereinafter known as "Declarant" and P.D. Hartz Construction Company, Inc., hereinafter known as "Developer".

WITNESSETH

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Decument No. 99333247 on April 7, 1999. Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee, under Trust Number 7573, dated November 1, 1983, and not incividually, submitted certain real estate to the Condominium Property Act of the State of Illinois (Inc. "Act"), said Condominium being known as Town Pointe Condominium Association; and

WHEREAS, under Paragraph 1 of Article XIX of the Declaration, the right is reserved by the Developer, P.D. Hartz Construction Company, Inc., to annex and add certain real property to the Parcel and Property described in the Declaration, and thereby and to the Condominium; and

WHEREAS, Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee under Trust Agreement dated November 1, 1983, and known as Trust No. 7573, is the legal title holder of the property to be annexed and P.D. Hartz Construction Company, Inc. is the Developer and beneficial owner of said Trust and wishes to annex and add to said Parcel and Property, and thereby submit to the Act as a part of the Condominium the following and property (the "Additional Property"):

Lot 7 in Town Pointe Multi Family Unit 1, being a subdivision as recorded per Document No. 98-194139 of part of the Southwest Quarter (1/4) of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded on March 11, 1998.

PIN: 27-35-302-007 COMMON ADDRESSES:

8423 Stratford Drive 8425 Stratford Drive 8427 Stratford Drive 8429 Stratford Drive 8431 Stratford Drive 8433 Stratford Drive DATE OK BY

OUBSIG 81

00586682

Which property is a portion of the Development Area described in said Declaration; and

WHEREAS, the Additional Property is now improved with one (1) building containing six (6) units as defined in the Declaration.

NOW THEREFORE, Old Kent Bank, as Successor to First National Bank of Evergreen park, as Trustee under Trust Agreement dated November 1, 1983, and known as Trust No. 7573 and not individually, as the legal title holder of the Additional Property and P.D. Hartz Construction Company, Inc. as the Developer, and for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows:

- 1. The Additional Property is hereby annexed to the parcel and Property as defined in Article I of the Declaration and is hereby submitted to the provisions of the Act as a part of the Condominium in accordance with, and shall be deemed to be governed in all respects by the terms and provisions of the Declaration.
- 2. The Plat attached to the Declaration as Exhibit "A" showing the boundaries of the Property and delineating and describing the Units contained therein, is hereby amended and supplemented by Exhibit "A" attached hereto showing the boundaries of the annexed Property and Describing the additional units contained in said annexed Property.
- 3. Exhibit "B" attached to the Declaration setting forth the percentages of the undivided interest in the common elements corresponding to each Unit described in Exhibit "A" prior to this Amendment are hereby reduced to the respective percentage interest in the common elements as set forth in Exhibit "B" attached hereto. Exhibit "C" attached to the Declaration is amended by the substitution of Exhibit "C" attached hereto
- 4. The additional common elements added to the Declaration by this Amendment, are hereby granted and conveyed, all as set forth in the Declaration.
- 5. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the Declarant has caused its corporate seal to be affixed hereunto and caused its name to be signed hereto by its duly authorized officers, this __28TH___ day of __JULY ___. 2000.

SEE ATTACHED RIDER FOR EXECUTION BY TRUSTEE

Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee, under Trust Agreement No. 7573, dated November 1, 1983

AND NOT PERSONALLY

__Vice President and Trust Officer

ATTEST:

_Assistant Trust Officer

G: DecksFldr-AMENDMENT4townpointe6-26-00.do

00586682

STATE OF ILLINOIS		00
COUNTY OF COOK	•	SS

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT <u>William H. Thomson</u> who is Vice President and Trust Officer of Old Keric, at Successor to First National Bank of Evergreen Park, as Trustee under Trust Number 7573 dated November 1, 1983 and <u>Nancy Rodighiero</u>, who is <u>Assistant Tr. Off</u> of the same corporation personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Trust Officer, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their cwri free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth, there acknowledge that he, as custodian of the Corporate Seal of said corporation, affixed the corporate seal to the foregoing instrument as his free and voluntary act and as the free and voluntary act of the Corporation, for the uses and purposes therein set forth.

CN/CN under mu ber	ad and Nathrid Coal thin	2041-	alou a f	Y., 1	2000
GIVEN under my nai	nd and Notarial Seal this _		day of	July	_, 2000.
Many O Mars					
NOTARY/PUBLIC					
	"OFFICIAL SEAL"				
	NANCY J. MANSO Notary Public, State of Ili	N			
My Commission Expires:	My Commission Expires 3/	23/04			
	***************************************		(O,,		
			1	6	
				0,0	
				Visc.	
				1/6	
					0

G:DecksFldr-AMENDMENT4townpointe6-26-00.doc

00586682

RIDER ATTACHED TO THE FOURTH AMENDMENT TO THE **DECLARATION OF CONDOMINIUM OWNERSHIP**

DATED NOVEMBER 1, 1983 UNDER TRUST NO. 7573

Executed and delivered by Old Kent Bank, as Successor to First National Bank of Evergreen Park, not in its individual capacity, but solely in the capacity herein described, for the purpose of binding the herein described property, and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding that each and all of the undertakings and agreements herein made, are made and intended not as personal undertakings and agreements of the Trustee, or for the purpose of binding the Trustee personally, but executed and delivered by the Trustee solely in the exercise of the powers conferred upon it as such old Kent Bank, a National Bank of Evindividually, but as Trus.

Trust Number 7573 Trustee, and no personal liability or personal responsibility is assumed by, or shall at any time be asserted or enforced against said in stee on account hereof or on account of any undertaking or agreement herein contained, either expressed or implied. All such personal liability, if any being hereby expressly waived and released by all other parties hereto, and those claiming by, through or under them.

ATTEST:

ce President & Trust Officer

CONSENT OF MORTGAGEE

00586682

Old Kent Bank, the owner and holder of the mortgages, dated June 1, 1999 Document No. 99729786 and dated June 23, 1999 Document No. 99605571 recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on the property, hereby consent to the execution and recording of the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for the Town Pointe Condominium Association.

recording of the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for the Town Pointe Condominium Association.
IN V.TNESS WHEREOF, the said Old Kent Bank has caused the instrument to be signed by its duly authorized officers on its behalf; all done at Cook County, Illinois, on the day of
By: Vice one.
ATTEST:
Virgina Bushinan AVP
STATE OF ILLINOIS)
COUNTY OF COOK)
I, Paula Mage, a Notary Public in and for the said County and State, DO HEREBY CERTIFY that Philip A Jones, and Virginia Buschase respectively of, Old Kent Bank, as Successor to First National Bank of Evergreen Park, personally known to me to be same persons whose names are subscribed to the foregoing instrument as such SVP and AVP appeared before me this day in person and acknowledged that
they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation, or the uses and purposes therein set forth.
Given under my hand and Notarial seal the 27th day of July, 2003.
Paulimoss
NOTARY PUBLIC # ##################################
My Commission Expires: "ORFICAL SEAL" PAULA MOGGE
Notary Public, State of Illinois My Commission Expires 11/04/00
(**************************************

EXHIBIT "B" PERCENTAGE INTERESTS IN COMMON ELEMENTS FOR TOWN POINTE CONDOMINIUM ASSOCIATION

00586682

Unit 18101 18103 18105 18107 18109 18111 18113 18115 18121 18123 18125 18127 13129 13131 13135 18141 18143 18145 18147 18149 18151 18153 18155 8428 8430 8432 8434 8436 8432 8434 8436 8432 8434 8436 8432 8434 8436 8432 8431 8436 8432 8414 8416 8418 8420 8422 6-8411 6 8413	Percent Interest 2.0209% 1.7927% 1.7927% 1.7927% 1.7927% 2.0209% 1.7927% 1.7927% 1.7927% 1.7927% 2.0209% 1.7927% 2.0209% 1.7927% 2.0209% 1.7927% 1.792	
8420	1.7927%	
6-8413	2.0209%	•
6-8415	1.7927%	
6-8417	1.7927%	
6-8419	1.7927%	
6-8421	2.0209%	

EXHIBIT B (CONTINUED)

EXHIBIT E	(CONTINUED)	
Unit 10-8413 10-8415 10-8417 10-8419 10-8421 8423 8425 8427 8429 8431 8/33	Percent Interest 1.7927% 1.7927% 1.7927% 1.7927% 2.0209% 2.0209% 1.7927% 2.0209% 1.7927% 2.0209% 1.7921% 100.000%	00586682

EXHIBIT "C" ADDITIONAL LAND

00586682

Lots 1 and 5 in Town Pointe Multi-Family Unit 1, being a subdivision as recorded per Document No. 98-194139, of part of the Southwest 1/4 of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

And also,

Lots 25 through 30, both inclusive, in Town Pointe Multi Family Unit 2, being a subdivision as recorded per Document No. 09033230 on November 3, 1999 of part of the Southwest ¼ of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

EXHIBIT ATTACHED