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EXHIBIT

ATTACHED TO

00/0093805

DOCUMENT NUMBER

2-2-01

SEE PLAT BOOK

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3087

10-2-20

FIFTH AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP AND BY-LAWS, EASEMENTS,
RESTRICTIONS AND COVENANTS FOR
WESTGATE VALLEY TOWNHOMES CONDOMINIUM ("DECLARATION")

This Fifth Amendment to the Declaration, dated this 17 day of ~~December, 2000~~, ^{JANUARY, 2001}

is made by GateWest, LLC (herein the "Declarant").

RECITALS

- A. Pursuant to that certain Declaration of Condominium Ownership And By-Laws, Easements, Restrictions and Covenants for the WestGate Valley Townhomes Condominium (the "Declaration"), recorded in the office of the Recorder of Deeds of Cook County, Illinois on March 27, 2000, as Document No. 00214379, The Declarant submitted certain real estate (the "Property") to the provisions of the Illinois Condominium Property Act (the "Act").
- B. Pursuant to Article IV of said Declaration, the Declarant has reserved the right and option to add certain additional property to the Condominium.
- C. Acting pursuant to the provisions of Article IV of the Declaration, the Declarant intends to add certain improved real property as described in Exhibit "A", a copy of which is attached hereto and incorporated herein as if fully set forth herein.

EXHIBIT ATTACHED

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95.00
2/2/01
JM
15pgs

NOW, THEREFORE, the Declarant, as the title holder of the property described in **Exhibit "A"** hereto does hereby submit said real property to the terms and conditions of the Declaration and the Act and hereby amends the Declaration as follows:

1. That the property identified as **Exhibit "A"** hereto, is hereby added to the Property (as defined in the Declaration) and is hereby submitted to the provisions of the Act as part of the Condominium in accordance with, and to be governed in all respects by, the terms and provisions of the Declaration.
2. That **Exhibit "A" to the Declaration**, as amended, setting forth the Plat of Survey of the Real Estate which has heretofore been submitted to the Act, is hereby amended in conformity with the two (2) surveys identified as **Exhibit "B"**, (consisting of 4 pages marked in the lower right corner as 14, 14A, 15 and 15A which are attached hereto and incorporated herein as if fully set forth herein.
3. That **Exhibit "B" to the Declaration**, as amended, setting forth the percentage of Interest of each of the Units in the Common Elements, is hereby amended in its entirety in conformity with **Exhibit "C"**, a copy of which is attached hereto and incorporated herein as if fully set forth herein.
4. That the additional Common Elements contained in the Property which has been added by this instrument are hereby granted and conveyed to the grantees of all Units, including the grantees of the Units heretofore

conveyed, all as set forth in the Declaration, which is hereby reaffirmed and ratified as to said Common Elements.

5. That all General Provision as to Units and Common Elements contained in the Declaration, as amended, shall apply to the property submitted hereby.

6. That except as expressly set forth herein, the Declaration, as amended, shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the said GateWest, LLC, has executed this document, as of the date aforesaid.

GATEWEST, LLC

By:

Its:

James J. Wozny, Sole Manager

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STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

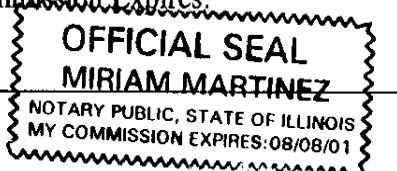
I, Miriam Martinez, a Notary Public in and for said County, in the State aforesaid, do hereby certify that **James J. Wozny, Sole Manager of GateWest, LLC**, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said **GateWest, LLC** as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 17 day of ~~December, 2000.~~ ^{JAN. 2001.}

Miriam Martinez

NOTARY PUBLIC

My Commission Expires:



CERTIFICATION

Banco Popular, Illinois, an Illinois banking corporation, as mortgagee pursuant to that certain Mortgage dated October 29, 1998, and recorded November 6, 1998, as Document Number 08005952 hereby consents to the execution of and recording of the within First Amendment to the Declaration of Condominium Ownership and By-Laws, Easements, Restrictions and Covenants for WestGate Valley Townhomes Condominium and agrees that said Mortgage is subject to the provisions of said First Amendment and the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, the said Banco Popular, Illinois, has caused this instrument to be signed by its duly authorized officers on its behalf, all done in Chicago, Illinois, this 17 day of ~~December~~ ^{Jan. 2001} 2000.

BANCO POPULAR, ILLINOIS, AN ILLINOIS BANKING CORPORATION

BY: [Signature]
ITS: _____

ATTEST:

[Signature]
ITS: ASST. VICE PRESIDENT

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, Miriam Martinez, a Notary Public in and for said County, in the State aforesaid, do hereby certify that G. Joe Humpfer, SVP, of Banco Popular, Illinois, and Sonia V. Gonzalez, AVP of said Bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as Sr. Vice President and Asst. Vice President respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own and free and voluntary act and as the free and voluntary act of said Bank of the uses and purposes therein set forth; and the said Sr. Vice President and Asst. Vice President and there acknowledged that she/he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as his/her free and voluntary act and as the free and voluntary act of said Bank for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 17 day of ^{Jan. 2001.} ~~December~~, 2000.

Miriam Martinez
NOTARY PUBLIC



EXHIBIT "A"

LEGAL DESCRIPTION

LOTS 1 AND 20 IN THE FINAL PLAT OF SUBDIVISION OF WESTGATE VALLEY TOWNHOMES SUBDIVISION BEING A SUBDIVISION OF THAT PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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P.I. N. 24-31-401-001

Prepared by + Return to: Laser, Pokorny, Schwartz Friedman
+ Economos, P.C.
6 W. Hubbard Street
Chicago, Illinois 60610
Att N: Stephen J. Pokorny

EXHIBIT "B"

SURVEY (ATTACHED HERETO)

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EXHIBIT "C"

<u>Unit No.</u>	<u>Percentage Interest</u>
10	1.67100%
11	1.53340%
12	1.53340%
13	1.21560%
14	1.61730%
40	1.21560%
41	1.61730%
42	1.53340%
43	1.53340%
44	1.67100%
50	1.67100%
51	1.53340%
52	1.53340%
53	1.21560%
54	1.61730%
70	1.67100%
71	1.53340%
72	1.53340%
73	1.21560%
74	1.61730%
80	1.67100%
81	1.53340%
82	1.53340%
83	1.21560%
84	1.61730%
90	1.21560%
91	1.61730%
92	1.53340%
93	1.53340%
94	1.21560%
95	1.61730%

<u>Unit No.</u>	<u>Percentage Interest</u>
1001	1.21560%
1002	1.61730%
1003	1.53340%
1004	1.53340%
1005	1.67100%
1101	1.67100%
1102	1.53340%
1103	1.53340%
1104	1.21560%
1105	1.61730%
1201	1.21560%
1202	1.61730%
1203	1.53340%
1204	1.53340%
1205	1.21560%
1206	1.61730%
1301	1.21560%
1302	1.61730%
1303	1.53340%
1304	1.53340%
1305	1.21560%
1306	1.61730%
1801	1.21560%
1802	1.61730%
1803	1.53340%
1804	1.53340%
1805	1.67100%

<u>Unit No.</u>	<u>Percentage Interest</u>
1901	1.21560%
1902	1.61730%
1903	1.21560%
1904	1.61730%
2001	1.67110%
2002	1.53340%
2003	1.53340%
2004	1.21560%
2005	<u>1.61730%</u>
	100.00000%
TOTAL	

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EXHIBIT ATTACHED