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THIS INSTRUMENT PREPARED
BY AND SHOULD BE RETURNED
TO:

Brian Meltzer
MELTZER, PURTILL & STELLE
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Suite 250
Schaumburg, Illinois 60173-5431
(847) 330-2400

0010685104

6591/0244 07 001 Page 1 of 12
2001-07-30 14:29:20
Cook County Recorder 43.00



ABOVE SPACE FOR RECORDER'S USE ONLY

ADDRESS: 44 N. Vail Avenue
Arlington Heights, IL
60005
PIN: 03-29-340-001, 003, 004,
007, 008, 011, 019, and 020

30343\002\0162.436

06/26/01

SPECIAL AMENDMENT TO DECLARATION FOR THE VAIL AVENUE CONDOMINIUM AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY

This Special Amendment is made and entered into by Village Green, L.L.C., an Illinois limited liability company ("Declarant").

RECITALS

Declarant Recorded the Declaration for The Vail Avenue Condominium and Provisions Relating to Certain Non-Condominium Property (the "Declaration") on August 15, 2000, in the Office of the Recorder of Deeds for Cook County, Illinois, as Document No. 00625338. The Declaration affects the Premises which are legally described in Exhibit A hereto.

In Section 12.02 of the Declaration, Declarant reserved the right and power to record a special amendment to the Declaration to, among other things, correct errors, ambiguities, omissions or inconsistencies in the Declaration or any Exhibit, supplement or amendment thereto. It has come to the attention of the Declarant that certain Storage Spaces were incorrectly assigned on Exhibit D to Recharacterization Amendments No.3 and No. 4.

Declarant desires to exercise the rights and powers reserved in Section 12.02 of the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

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7-30-01
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1. Terms. All terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.

2. Amendment of Exhibit D. Storage Areas for Units 612, 704 and 705 were incorrectly assigned on Exhibit D. The Declarant desires to correct Exhibit D to reflect the correct Storage Area assignments for these Units. Accordingly, Exhibit D is hereby amended to be as set forth in the Fifth Amended and Restated Exhibit D, which is attached hereto.

3. Covenants to Run With Land. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this Special Amendment, shall run with and bind the Premises, including the Condominium Property.

4. Continuation. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms.

Dated: July 2, 2001

DECLARANT:

VILLAGE GREEN, L.L.C., an Illinois limited liability company

By: M. Ad

Its: Manager

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STATE OF ILLINOIS)
) SS.

COUNTY OF DuPage)

I hereby certify that Mark R. ANDERSON, the Manager of Village Green, L.L.C., an Illinois limited liability company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Manager, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act on behalf of said limited liability company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 2nd day of July, 2001.

Wendy Kullas
Notary Public



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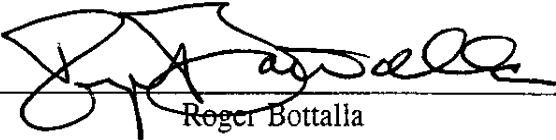
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CONSENT OF OWNER

Roger Bottalla, the Owner of Unit 612 hereby consents to the recording of the within Special Amendment to the Declaration.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on 7-2, 2001.



Roger Bottalla

STATE OF ILLINOIS)

)SS

COUNTY OF DuPage

I, the undersigned, a Notary Public in and for said County and State, hereby certifies that Roger Bottalla (the "Owner"), appeared before me this day in person and acknowledged that he signed, sealed and delivered the within instrument as his free and voluntary act, for the uses and purposes herein set forth.

GIVEN under my hand and Notarial Seal this 2nd day of July, 2001.



Notary Public



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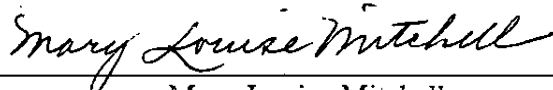
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CONSENT OF OWNER

Mary Louise Mitchell, the Owner of Unit 705 hereby consents to the recording of the within Special Amendment to the Declaration.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on 7-2, 2001.



Mary Louise Mitchell

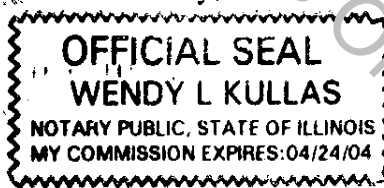
STATE OF ILLINOIS)
)SS
COUNTY OF DuPage)

I, the undersigned, a Notary Public in and for said County and State, hereby certifies that Mary Louise Mitchell (the "Owner"), appeared before me this day in person and acknowledged that she signed, sealed and delivered the within instrument as her free and voluntary act, for the uses and purposes herein set forth.

GIVEN under my hand and Notarial Seal this 2nd day of July, 2001.



Notary Public



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CONSENT OF OWNER

Village Green, L.L.C., the Owner of Unit 704 hereby consents to the recording of the within Special Amendment to the Declaration.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed on 7-2, 2001.

Village Green, L.L.C., an Illinois limited liability company

By: Mark Anderson
Its: Manager

STATE OF ILLINOIS)
)SS
COUNTY OF DeKalb)

I hereby certify that Mark R. Anderson, the Manager of Village Green, L.L.C., an Illinois limited liability company, personally known to be to be the same person whose name is subscribed to the foregoing instrument as such Manager, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act on behalf of said limited liability company, for the uses and purposes herein set forth.

GIVEN under my hand and Notarial seal this 2nd day of July, 2001.



Wendy Kullas
Notary Public

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**EXHIBIT A TO
DECLARATION FOR VAIL AVENUE CONDOMINIUM
AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY**

The Premises

A. THE PREMISES:

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 24 IN THE TOWN OF DUNTON BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST ALONG THE SOUTH LINE OF SAID BLOCK 24, 151.75 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 265.17 FEET TO THE NORTH LINE OF SAID BLOCK 24; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 24, 150.11 FEET TO THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK 24; THENCE SOUTH 00 DEGREES 17 MINUTES 22 SECONDS WEST ALONG THE EAST LINE OF SAID BLOCK 24, 265.20 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

B. THE COMMERCIAL PROPERTY:

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, BETWEEN ELEVATION 695 FEET USGS DATUM AND ELEVATION 711.75 FEET USGS DATUM, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 24 IN THE TOWN OF DUNTON BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST ALONG THE SOUTH LINE OF SAID BLOCK 24, 151.75 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 SECONDS EAST, 265.17 FEET TO THE NORTH LINE OF SAID BLOCK 24; THENCE SOUTH 89 DEGREES 21 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID BLOCK 24, 150.11 FEET TO THE NORTHEAST CORNER OF LOT 1 IN SAID BLOCK 24; THENCE SOUTH 00 DEGREES 17 MINUTES 22 SECONDS WEST ALONG THE EAST LINE OF SAID BLOCK 24, 265.20 FEET TO THE POINT OF BEGINNING, EXCEPT THAT PART THEREOF, DESCRIBED AS FOLLOWS:

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EXCEPTION NO. 1:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 24 IN THE TOWN OF DUNTON BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 89 DEGREES 21 MINUTES 26 SECONDS WEST ALONG THE SOUTH LINE OF SAID BLOCK 24, 151.75 FEET; THENCE NORTH 00 DEGREES 38 MINUTES 34 EAST, 63.16 FEET; THENCE SOUTH 89 DEGREES 29 MINUTES 00 SECONDS EAST, 21.78 FEET TO THE INTERIOR FACE OF VAIL AVENUE CONDOMINIUM; THENCE (THE NEXT 13 COURSES WILL BE PERPENDICULAR TO PRECEDING COURSE, AND ALONG THE FACE OF WALL) NORTHERLY 19.00 FEET; THENCE EASTERLY 79.09 FEET; THENCE SOUTHERLY 19.63; THENCE WESTERLY 21.00 FEET; THENCE SOUTHERLY 19.33; THENCE WESTERLY 7.67; THENCE NORTHERLY 13.50 FEET; THENCE WESTERLY 54.17 FEET; THENCE SOUTHERLY 0.83 FEET; THENCE WESTERLY 4.97 FEET; THENCE NORTHERLY 6.06 FEET; THENCE EASTERLY 10.69 FEET; THENCE NORTHERLY 1.23 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

AND EXCEPT THAT PART THEREOF, DESCRIBED AS FOLLOWS:

EXCEPTION NO. 2:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 4 IN BLOCK 24 IN THE TOWN OF DUNTON BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 29; THENCE NORTH 00 DEGREES 17 MINUTES 22 SECONDS EAST 130.93 FEET ALONG THE WEST LINE OF SAID BLOCK 24; THENCE NORTH 89 DEGREES 29 MINUTES 00 SECONDS WEST, 52.35 FEET TO THE INTERIOR FACE OF VAIL AVENUE CONDOMINIUM AND THE POINT OF BEGINNING; THENCE (THE NEXT 33 COURSES WILL BE PERPENDICULAR TO PRECEDING COURSE, AND ALONG THE FACE OF WALL) SOUTHERLY 6.40 FEET; THENCE WESTERLY 10.00 FEET; THENCE SOUTHERLY 1.28 FEET; THENCE WESTERLY 36.21 FEET; THENCE SOUTHERLY 5.37 FEET; THENCE WESTERLY 31.44 FEET; THENCE NORTHERLY 42.63 FEET; THENCE EASTERLY 3.14 FEET; THENCE NORTHERLY 22.31 FEET; THENCE EASTERLY 29.23 FEET; THENCE NORTHERLY 18.92 FEET; THENCE WESTERLY 23.17 FEET; THENCE SOUTHERLY 0.50 FEET; THENCE WESTERLY 15.19 FEET; THENCE NORTHERLY 17.26 FEET; THENCE EASTERLY 44.35 FEET; THENCE SOUTHERLY 4.41 FEET; THENCE EASTERLY 4.08 FEET; THENCE SOUTHERLY 7.29 FEET; THENCE EASTERLY 6.50 FEET; THENCE NORTHERLY 13.17 FEET; THENCE EASTERLY 7.67 FEET; THENCE SOUTHERLY 18.99 FEET; THENCE WESTERLY 19.25 FEET; THENCE SOUTHERLY 47.08 FEET; THENCE WESTERLY 6.07 FEET; THENCE SOUTHERLY 3.74 FEET; THENCE EASTERLY 6.07 FEET; THENCE SOUTHERLY 3.42 FEET; THENCE EASTERLY 31.98 FEET;

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THENCE NORTHERLY 0.67 FEET; THENCE EASTERLY B.10 FEET; THENCE SOUTHERLY 16.48 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

C. Commercial Property Cost Sharing Percentage:

Ten and Three-Tenths Percent (10.3%)

D. The Residential Property:

All of the Premises excepting therefrom the Commercial Property.

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FIFTH AMENDED AND RESTATED EXHIBIT D TO DECLARATION FOR THE VAIL AVENUE CONDOMINIUM AND PROVISIONS RELATING TO CERTAIN NON-CONDOMINIUM PROPERTY

Undivided Interests

<u>Dwelling Unit No.</u>	<u>Unit Type</u>	<u>Undivided Interest</u>	<u>Storage Area</u>
201	A	1.39%	S-238
202	B	1.33%	S-232
203	C	1.41%	S-231
204	D	0.80%	S-233
205	E	0.80%	S-228
206	F	1.47%	S-230
207	T	1.12%	S-234
208	H	0.80%	S-229
209	M	0.94%	S-235
210	X	1.44%	S-236
211	F	1.47%	S-240
212	E	0.80%	S-242
213	D	0.80%	S-241
214	C	1.41%	S-239
215	K	1.47%	S-243
301	A	1.39%	S-340
302	B	1.33%	S-330
303	C	1.41%	S-333
304	D	0.80%	S-331
305	E	0.80%	S-328
306	CC	1.47%	S-332
307	G	1.31%	S-334
308	L	0.82%	S-343
309	M	0.94%	S-342
310	J	1.22%	S-341
311	CC	1.47%	S-337
312	E	0.80%	S-338
313	D	0.80%	S-335
314	C	1.41%	S-339
315	K	1.47%	S-336

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<u>Dwelling Unit No.</u>	<u>Unit Type</u>	<u>Undivided Interest</u>	<u>Storage Area</u>
401	A	1.39%	S-440
402	B	1.33%	S-430
403	C	1.41%	S-433
404	D	0.80%	S-431
405	E	0.80%	S-428
406	CC	1.47%	S-432
407	G	1.31%	S-434
408	L	0.82%	S-443
409	M	0.94%	S-442
410	J	1.22%	S-441
411	CC	1.47%	S-437
412	E	0.80%	S-438
413	D	0.80%	S-435
414	C	1.41%	S-439
415	K	1.47%	S-436
501	A	1.39%	S-540
502	B	1.33%	S-530
503	C/D	2.21%	S-533 & S-528
505/506	E/CC	2.27%	S-532
507	G	1.31%	S-534
508	L	0.82%	S-543
509	M	0.94%	S-542
510	J	1.22%	S-541
511	CC	1.47%	S-537
512	E	0.80%	S-535
514	C/D	2.21%	S-538 & S-539
515	K	1.47%	S-536
601	A	1.39%	S-399
602	N	1.21%	S-629
603	P	1.68%	S-628
605	Q/R	2.43%	S-630 & S-631
606	S	1.17%	S-237
607	L	0.82%	S-244
608	M	0.94%	S-344
609	U	1.19%	S-529
610	R	1.62%	S-636
611	Q	0.81%	S-635

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<u>Dwelling Unit No.</u>	<u>Unit Type</u>	<u>Undivided Interest</u>	<u>Storage Area</u>
612	P	1.68%	S-643
613	K	1.47%	S-444
701	V	1.20%	S-726
702	W	1.45%	S-429
703	DD	1.96%	S-634
704	Y	1.48%	S-544
705	Z	3.21%	S-644
706	AA	1.11%	S-727
707	EE	1.97%	S-728
708	BB	1.44%	S-729

TOTAL:

100.00%

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