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EXHIBIT

ATTACHED TO

00148134

DOCUMENT NUMBER

SEE PLAT BOOK

2-29-00

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00148134

1694/0087 53 001 Page 1 of 13
2000-02-29 16:05:06
Cook County Recorder 87.00

EXHIBIT ATTACHED

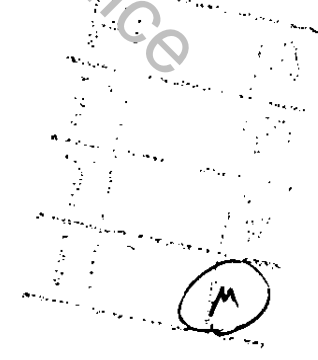
Property of Cook County Clerk's Office

FIRST AMENDMENT
TO
DECLARATION OF CONDOMINIUM FOR
THE LAKE COURTS CONDOMINIUM

THIS INSTRUMENT PREPARED
BY AND MAIL TO:

Richard J. Nakon & Associates
121 E. Liberty Street, Suite 3
Wauconda, Illinois 60084
(847) 526-0626

05-33-102-009
010



87⁰⁰
2/29/00
SM 13pg

FIRST AMENDMENT

TO DECLARATION OF CONDOMINIUM

FOR THE LAKE COURTS CONDOMINIUM

00118134

THIS DECLARATION made and entered into this 25th day of February, 2000, by and between **AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO**, not personally, but solely as Trustee Under Trust Agreement dated June 17, 1998, and known as Trust Number 124218-06 (the "Trustee") and **OPTIMA WILMETTE WEST LIMITED PARTNERSHIP**, an Illinois limited partnership (the "Developer").

WITNESSETH:

WHEREAS, by a Declaration of Condominium (the "Declaration") recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document Number 00079644, on January 31, 2000 the Trustee submitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Act"); and,

WHEREAS, the Declaration reserves to the Trustee and the Developer (as defined in The Declaration) the right to annex and add to the Parcel (as defined in the Declaration) and thereby add to the Condominium created by the Declaration all or any portion of the Future Development Parcel (as defined in the Declaration); and,

WHEREAS, the Trustee at the direction of the Developer now desires to so annex and add to the Parcel and submit to the provisions of the Act and the Declaration certain real estate (the "Additional Parcel") described in Exhibit "A-1" attached hereto, which Additional Parcel is a portion of the said Future Development Parcel.

NOW, THEREFORE, the Trustee does hereby amend the Declaration as follows:

1. The Additional Parcel (as described in Exhibit "A-1" attached hereto) is hereby annexed to the Parcel as defined in 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 conditions of the Declaration.
2. Exhibit "B" of the Declaration is hereby amended by deleting pages 1, 4, 5, 6 of Exhibit "B" to the Declaration and substituting therefore pages 1, 4, 5, 6 attached hereto.
3. Exhibit "C" of the Declaration is hereby amended by deleting said Exhibit "C" and substituting therefore Exhibit "C" which is attached hereto. The Percentage of Ownership in the Common Elements appurtenant to each Unit are hereby shifted to the percentages set forth in the Exhibit "C" which is attached hereto.

4. The Additional Common Elements and Limited Common Elements are hereby granted and conveyed to the grantees of all Units, including the grantees of Units heretofore 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. **00148134**

6. This instrument is executed by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally, but solely as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in its as such Trustee. All the terms, provisions, stipulations, covenants and conditions to be performed by AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, are undertaken by it solely as Trustee, as aforesaid, and not individually, and all statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

IN WITNESS WHEREOF the Developer and the AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO as Trustee as aforesaid, and not individually, has caused its corporate seal to be affixed hereunto and has caused its name to be signed to these presence by its ~~Vice President~~ and attested to by its Assistant Secretary this 25th day of February, 2000.
TRUST OFFICER

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, not personally but solely as Trustee under Trust Agreement dated June 17, 1998 and known As Trust No. 124218-06

By: Joseph F. Serbich
Its ~~Vice-President~~ **TRUST OFFICER**

ATTEST:
~~Attestation not required by American National Bank and Trust Company of Chicago Bylaws~~
Its Assistant Secretary

OPTIMA WILMETTE WEST LIMITED PARTNERSHIP,
An Illinois Limited partnership

By: OPTIMA WILMETTE WEST DEVELOPMENT, L.L.C.
An Illinois Limited Liability Company, its General partner

By: David C. Hovey
David C. Hovey, Manager

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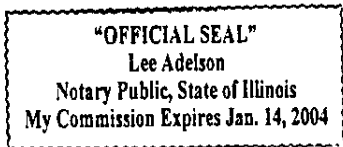
STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

00148134

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that JOSEPH F. SOCHACKI and _____, respectively, of **AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO** not personally but solely as Trustee Under Trust Agreement dated June 17, 1998 and known as Trust No. 124218-06, as such ~~Vice President~~ ^{TRUST OFFICER} and Assistant Secretary, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument of their 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 24 day of February, 2000.

Lee Adelson
Notary Public

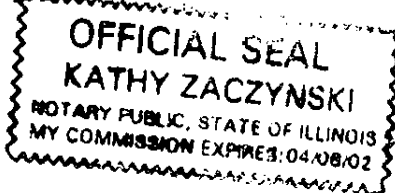


STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, Kathy Zaczynski, a Notary Public in and for said County and State, do hereby certify that DAVID C. HOVEY, Manager of **OPTIMA WILMETTE WEST DEVELOPMENT, L.C.C., General Partner of OPTIMA WILMETTE WEST LIMITED PARTNERSHIP**, as such Manager, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said Partnership, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 24th day of February, 2000.

Kathy Zaczynski
Notary Public



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CONSENT OF MORTGAGEE

Old Kent Bank, a National Banking Association, holder of a Mortgage on the Property dated April 7, 1999, and recorded on April 12, 1999, as Document Number 99350364, hereby consents to the execution and recording of the within First Amendment to Declaration of Condominium Ownership and agrees that said Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, PHILIP A. JONES, has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf; all done at Chicago, Illinois, on this 24th day of FEBRUARY, 2000.

Old Kent Bank, a National Banking Association

By: Philip A. Jones
Its: Sr. Vice President

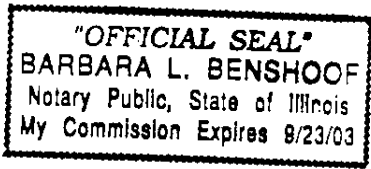
ATTEST:

Candie S. Fox
Its: Real Estate Officer

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, _____, a Notary Public in and for said County and State, do hereby certify that Philip A. Jones and Candie S. Fox, respectively of Old Kent Bank, as such Sr. Vice President and Real Estate Officer 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 Bank, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 24th day of February, 2000.



Barbara L. Benshoof
Notary Public

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EXHIBIT "A-1"

00148134

**TO FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND
EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR
THE LAKE COURTS CONDOMINIUM**

ADDITIONAL PARCEL ADDED TO THE CONDOMINIUM

UNITS 105, 107, 205, 216, 219, 301, 303, 305 IN THE LAKE COURTS CONDOMINIUM BEING A RESUBDIVISION OF LOTS 1 AND 2 IN GOLDBACH'S ADDITION TO GROSS POINT IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 33, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEROF RECORDED APRIL 18, 1922 IN BOOK 173 OF PLATS PAGE 25 AS DOCUMENT 7615477 IN COOK COUNTY, ILLINOIS.

EXHIBIT "C"

TO FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF
EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR
THE LAKE COURTS CONDOMINIUM

PERCENTAGE INTEREST OF UNITS SUBMITTED TO THE ACT

UNIT NUMBER	PERCENTAGE INTEREST
101	5.66
102	6.02
103	6.05
104	8.17
105	6.34
107	5.66
201	5.72
202	6.05
203	5.82
205	6.37
206	5.03
214	4.94
216	3.30
219	5.52
301	6.11
303	6.47
305	6.77
Total	100