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81-72-042

Eugene "Gene" Moore Fee: \$98.00 Cook County Recorder of Deeds Date: 08/22/2003 12:48 PM Pg: 1 of 15

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FIFTH AMENDMENT
TO DECLARATION
OF CONDOMINIUM OWNERSHIP
FOR GALLAGHER & HENRY'S
CONDOMINIUMS AT LONG RUN
CREEK OF ORLAND PARK

AFTER RECORDING RETURN TO: Gallagher and Henry, 6280 W. Joliet Road, Countryside, II.605.25

THIS FIFTH AMENDMENT TO THE DECLARATION OF LONG RUN CREEK CONDOMINIUMS is made and entered into by STANDARD BANK AND TRUST COMPANY, as Trustee, under First Agreement No. 9382, dated December 14, 1984, for convenience hereinafter referred to as the "Owner" or "Declarant").

RECITALS:

WHEREAS, on June 6, 2001, the Declaratic recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document no. 0010485265, as the Declaration of Condominium. The Declaration provides for amendments to add additional units. The Declarant pursuant to its stated power to amend, hereby makes this Fifth Amendment to the Declaration adding the parcel pursuant to the attached surveys of Rogina & Associates, LTD, dated 12 -19 -02, (SEE EXFIBIT "A") to the following previously amended and described parcels:

Lots 1, 2, 3, and 4 in Gallagher & Henry's Condominiums at Long Run Creek of Orland Park Unit 1, being a Subdivision of part of the Southwest Quarter of Section 6, Township 36, North, Range 12 East of the Third Principal Meridian, according to the Plat thereof recorded as Document 00798355, in Cook County, Illinois, and, Lot 5, in Gallagher & Henry's Condominiums at Long Run Creek of Orland Park Unit 2, being a Subdivision of part of the Southwest Quarter of Section 6, Township 36, North, Range 12 East of the Third Principal Meridian, according to the Plat thereof recorded as Document 0010856045, in Cook County, Illinois.

and

Lots 5 in Gallagher & Henry's Condominiums at Long Run Creek Unit 2, being a Subdivision of part of the Southwest Quarter of Section 6, Township 36, North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded as Document 0010856045, in Cook County, Illinois.

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Permanent Index Numbers: See Attached Exhibit "C"

WHEREAS, the Owners and the Declarant by Article XVI, 6, of the Declaration, reserved the right and power to annex, add, submit and subject to the provisions of the Act and of the Declaration any part or all of the Additional Parcel (the "Additional Parcels). Declarant hereby exercises the rights, and powers to annex, add, submit and subject the real estate to the described Condominium Declaration.

NOW, FREFORE, as the record owner of the real estate hereinafter described, pursuant to the power reserved in the Declaration to the Declarant and for the purpose above set forth, Declarant hereby amends the Declaration as follows:

- 1. <u>Terms.</u> If not otherwise defined herein, the terms used herein shall have the meanings set forth in the Γ eclaration.
- 2. <u>FIFTH AMENDMENT- ADCED PROPERTY</u>. The following described real estate is hereby annexed and added to the Parcel and Property, and is hereby submitted and subjected to the provisions of the Act and of the Declaration as Added Property, legal to-wit:

Lots 8 in Gallagher & Henry's Condominiums at Long Run Creek Unit 2, being a Subdivision of part of the Southwest Quarter of Section 6, Township 36, North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded September 14, 2001, as Document 0010856045, in Cook County, Illinois.

The add on parcels are commonly described as 16 condominium units, limited common elements, unit storage areas, and garages as set forth an a described at the property commonly described as:

11911 Windermere Court, Units 11911-101,11911-102,11911-103, 11911-104, 11911-201, 11911-202, 11911-203, 11911-204, 11911-301, 11911-302, 11911-303, 11911-304, 11911-401, 11911-402, 11911-403, 11911-404, Orland Park, Illinois.

- 3. Amendment of Schedule Exhibit B. Schedule B of the Declaration, is hereby amended setting forth the percentage interests in the common elements for 120 units in the condominium, subject to subsequent amendment shifting and reallocating the percentages.
- 4. <u>Consent.</u> All Owners, by the Declarant, their attorney-in-fact, hereby consent to this Amendment to the Declaration.

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- 5. <u>Covenants to Run with Land.</u> The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this instrument, shall run with and bind the Property including the divided units.
- 6. <u>Ratification of Declaration as Amended.</u> In all other respects the Declaration, as heretofore and hereby amended, is ratified and confirmed and shall continue in full force and effect.

EXONERATION OF TRUSTEE

This Instrument is executed by the TRUSTEE aforesaid, and not personally, in the exercise of the power and authority conferred upon and vested in it as such Trustee, It is expressly understood and agreed by every person, firm or corporation hereafter claiming any interest under this Instrument on that the Trustee as aforesaid, and not personally has joined in the execution of this Instrument for the sole purpose of subjecting the title holding interest and the trust estate under the said Trust Number to the terms of this Instrument; that any and all obligations, duties, covenants and agreements of every nature herein set forth to be kept or performed and discharged by the beneficiaries under said Trust, or their successors, and not by the TRUSTEE either personally, or as such Trustee, to sequester trust assets, rentals, avails or proceeds of any kind or otherwise to see to the fulfillment or discharge of any obligations, express or implied, arising under the terms of this agreement, except where said Trustee is acting pursuant to direction as provided by the terms of said Trust Number after the Trustee has been supplied with funds required for the purpose. In the event of conflict between the terms of this paragraph and of the remainder of the Instrument of any question of apparent liability or obligation resting upon said Trustee, the exculpatory provisions hereof shall be controlling.)FFICO

PREPARED
BY:THOMAS F. COURTNEY & ASSOCIATES
ATTORNEYS AT LAW
7000 W. 127TH STREET
PALOS HEIGHTS, ILL. 60463
(708)448-4400

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IN WITNESS WHEREOF, STANDARD BANK & TRUST COMPANY, as Trustee under a Trust Agreement Dated December 14, 1984, and known as Trust Number 9382 aforesaid and not individually, has caused its name to be signed and to these presents by its President and attested by its Trust Officer.

DATED: <u>August 19</u>	, 2003.	BY: OFF
		Jakico Kaple
ons instrument is signed, scaled and telivered by STAND COMPANY, solely in its capacity as I lister as aforesaid. Any tions and liabilities of the Trustee heround, and to be performed and the state of the performance of th	and all duties, obtained by said State .	TITLE Patricia Ralphson, T.O.
collected or satisfied against only ine property or seek in STANDARD BANK AND TRUST COMMANY as Trustee if all STANDARD BANK AND TRUST COMMANY as Trustee if all	ncreunder shalf be paid the possession of sel- foresald, and the soli-	ATTEST: John Mine
any personal or individual Hability or obligation of ear, natu- of the execution and delivery hereof, nor shall SIANDARD BY PANY, either individually or as Trustors, be under any duty of the rents, issues and profits arising from the property describ- which it may hold under the terms and conditions of said Trus-	ire whatsoever by virt VK AND TRUST COM Obligation to sequester	TITLE
STATE OF ILLINOIS) 0	
COUNTY OF COOK) SS. 9	
		ry Pucke in and for said County in the State
_		tricia ka?rison, T.O.Rkesidentkand
		of said Bank personally known to me to be the
•		scribed to the foregoing instrument as such ectively appeared bຂາດre me this day in persor
	•	nd delivered the said instrument as their owr
_		the uses and purposes therein set forth; and
_		en and there acknowledge that as custodian o
		affix the said Corporate Seal of STANDARD
BANK AND TRUST COM	PANY, as Tr	ustee, under Trust Agreement No 9382, dated
December 14, 1984, for t	he uses and p	ourposes therein set forth.
GIVEN under my h	and and Nota	rial Seal this <u>19th</u> day of <u>August</u> , 2003
·		Mary Le Kussel
		NOTARY PUBLIC
MY COMMISSION EXPIR	RES:	"OFFICIAL SEAL"
	} My (MARY A. KISSEL Notary Public, State of Illinois Commission Expires Dec. 06, 2006
PREPARED	Sautenershire	
BY:THOMAS F. COURTNEY & AS: ATTORNEYS AT LAW	SOCIATES	

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7000 W. 127TH STREET PALOS HEIGHTS, ILL. 60463

(708)448-4400

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STATE OF ILLINOIS)
COUNTY OF COOK) SS.)
<u>C</u>	ERTIFICATE OF DEVELOPER
follows: That no Notice	GHER, being first duly sworn on oath, deposes and states as of Intent as required by Section 30 of the Illinois Condominium as given, as there were no tenants of the Parcel. The property is
• •	an unoccupied newly constructed building.
	WHEREOF, the undersigned executed this Certificate on the
	JOHN GALLACHER
OTATE OF HILIDOUS	
STATE OF ILLINOIS)) SS.
COUNTY OF COOK	
aforesaid, does here HILL BUILDING COI name is subscribed to and acknowledged to	IGNED, a Notary Public in and for the County and State by certify that JOHN GALLAGHER, PRESIDENT OF ORCHARD IPANY is personally known to me to be the same person whose the foregoing Certificate, appeared before me this day in personat he signed, sealed, and delivered the said Certificate as his free the uses and purposes therein set forth.
GIVEN UNDE	R my hand and notarial seal this <u>/ 9+4</u> day of <u>Auguse</u> 2003
PREPARED	NOTARY PUBLIC "OFFICIAL SEAL" Marilyn Hager Notary Public, State of Illinois My Commission Expires July 14, 2007

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BY:THOMAS F. COURTNEY & ASSOCIATES ATTORNEYS AT LAW 7000 W. 127TH STREET PALOS HEIGHTS, ILL. 60463

(708)448-4400

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SURVEY
11911 WINDEMERE COURT - LOT 8
GALLAGHER & HENRY'S CONDOMINIUMS AT
LONG RUN CREEK OF ORLAND PARK UNIT 2

Property of Cook County Clark's Office

EXHIBIT A

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Fifth Amendment EXHIBIT B AMENDED PERCENTAGE INTERESTS 120Units

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11860	102	0.00831003	
11860	103	0.00831003	
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11860	202	0.00835109	
11860	203	0.00835109	•
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11910	402	0.00902854	•
11910	403	0.00902854	
11910	404	0.00880272	·

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11911	103	0.00831003322
11911	104	0.00804316
11911	201	0.00824845
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11911	203	0.00835109
11911	204	0.00812527
11911	301	0.0082895
11911	302	0.00839215
11911	303	0.00839215
11911	304	0.00816633
11911	401	0.0089259
11911	102	0.00902854
11911	113	0.00902854
11911	404	0.00880272
11921	102	0.00831003
11921	103	0.00831003
11921	104	0.00804316
11921	201	0.90824845
11921	202	0.00835109
11921	203	0.00835109
11921	204	0.00812527
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PROPERTY INDEX NUMBERS

GALLAGHER & HENRY'S CONDOMINIUMS AT LONG RUN CREEK

Lot No	Address	PIN
Lot 1	11851 Windemere Court	See attached
Lot 2	11840 Windemere Court	See attached
Lot 3	11850 Windemere Court	See attached
Lot 4	11860 Windemere Court	See attached
Lot 5	11901 Windemere Court	27-06-311-010
Lot 6	11910 Windemere Court	27-06-311-011
Lot 7	11921 Windemere Court	27-06-311-012
Lot 8	11911 Windemere Court	27-06-311-013
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CONDOMINIUM 27-06-311-009

GALLAGHER + HENRY'S CONDOMINIUMS AT

LONG RUN CREEK OF DRLAND PARK

RRC. JUAR 6, 2001 Dec. 0010485265

04. 3, 2001 0010922915

Dec. 13, 2001 0011180870

UNIT	1 UNIT	TINU
1164 101 = 1001	11850-301 = 1021	11851-401=1041
11840-462 = 1002	11850-302 = 1022	11851-402 = 1042
11840-103 3 4903	11850-303 = 1023	11851-403 = 1043
11840-104 = 100+	11850-304 = 1024	11851-404 = 1044
11840-201 = 1005	111950-401 = 1025	11860-101 = 1045
11840-202 = 1006	11850:462 = 1026	11860-102 = 1046
11840-203 = 1067	11850-103 = 1017	11860-163 = 1847
11840-204 = 1008	11850-400 - 1028	11860-104 = 1848
11840-301 = 1007	11851-101-1027	11860-201 = 1049
11848-302 = 1010	11851-101 = 1036	11860-282 = 1850
11840-303 = 1011	11851-103 : 1031	11260-203 = 1051
11840-304 = 1012	11851-104 = 1032	11666-204 = 1052
11650-101 = 1013	11851-201 : 1033	11060-306 = 1053
11850-102 = 1014	11851-262 = 1034	11860-382 01054
11850-103 = 1015	14851-203 = 1035	11860-303 = 1055
11850-104 = 1016	1/851-204 = 1036	11860-304 = 1056
11850-201 = 1017	11851-301 = 1037	11860-461 = 1057
11850-202 : 1018	11851-302 = 1038	11860-402 = 1058
11850-203 = 1017	11851-303 = 1039	11860-443 = 1057
1 11850-204 = 1028	11851-304 = 1040	11860-404 = 1060

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