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0325318077

Doc#: 0325318077

Eugene "Gene" Moore Fee: \$110.00

Cook County Recorder of Deeds

Date: 09/10/2003 11:56 AM Pg: 1 of 18

EXHIBIT

ATTACHED TO

DOCUMENT

SEE PLAT INDEX

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THIRD AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP
FOR
THE FOREST RIDGE AT WESTGATE VALLEY
DUPLEX TOWNHOME CONDOMINIUMS

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THIS INSTRUMENT WAS PREPARED BY AND WHEN RECORDED
 SHOULD BE MAILED TO:

Irwin E. Leiter, Esq.
 LAW OFFICES OF IRWIN E. LEITER
 1301 W. 22nd Street
 Suite 210
 Oak Brook, Illinois 60523
 (630) 571-7767

RECORDING FEE

DATE

COPIES

OK BY

ADDRESS OF PROPERTY COVERED BY AMENDMENT:

13201 & 13203 GREENLEAF TRAIL & 13404 & 13406 ACORN COURT, PALOS HEIGHTS, ILLINOIS

PERMANENT

REAL

ESTATE

INDEX

NO.:

24-32-300-023

24-32-300-009

08/03

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THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE FOREST RIDGE AT WESTGATE VALLEY DUPLEX TOWNHOME CONDOMINIUMS

THIS AMENDMENT to the Declaration of Condominium Ownership for The Forest Ridge At Westgate Valley Duplex Townhome Condominiums (hereinafter referred to as the "Amendment") is executed by The Westgate Valley LLC, an Illinois limited liability company (hereinafter referred to as the "Declarant").

W I T N E S S E T H:

WHEREAS; Declarant recorded the Declaration of Condominium Ownership for The Forest Ridge at Westgate Valley Duplex Townhome Condominiums (hereinafter referred to as the "Declaration") on February 19, 2003 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 0030235646; and

WHEREAS; the Declaration submitted certain real estate to the provisions of the Condominium Property Act of the State of Illinois (hereinafter referred to as the "Act") described in Exhibit "A" attached hereto (hereinafter referred to as the "Submitted Parcel"); and

WHEREAS; pursuant to the Act, as amended, under Article Nine of the Declaration, Declarant reserved the rights and powers to annex, add, submit and subject to the provisions of the Act and the

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Declaration any part or all of the Development Parcel, as described in Exhibit "E" of the Declaration, to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration; and

WHEREAS; Declarant, pursuant to Article Nine of the Declaration, desires to annex, add, submit and subject a portion of the Development Parcel described in Exhibit "B" attached hereto (hereinafter referred to as the "Additional Parcel") to the Declaration and the Act and add to the plan of condominium ownership; and

WHEREAS; the Additional Parcel is now improved with two (2) buildings for a total of four (4) residential units; and

WHEREAS; Declarant desires to amend the Declaration as it relates to the Plat of Condominium Survey (Exhibit "B" of the Declaration) and to the percentage of ownership interest in the Common Elements for the condominium Units (Exhibit "C" of the Declaration), by changing the percentage ownership due to the addition of the Development Area described in Exhibit "B".

NOW, THEREFORE, Declarant does hereby declare that the Declaration is amended as follows:

1. The Additional Parcel is hereby annexed to and made a part of the real estate described in the Declaration and in Exhibit "A" as attached hereto, and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Declaration and the Act.

2. Exhibit "B" of the Declaration, the "Plat of Condominium Survey", is hereby amended by adding the Additional Parcel as described

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and delineated in the Plat of Survey attached hereto as Exhibit "B", together with the Units depicted thereon.

3. Exhibit "C" of the Declaration, "Schedule of Percentage of Interests in Common Elements", is hereby deleted and an amended Exhibit "C" attached hereto as Exhibit "C" is substituted therefor.

4. The Common Elements contained in the Additional Parcel are hereby granted and conveyed to the Unit Owners subject to the provisions of the Act and the Declaration.

5. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this instrument, shall run with and bind the Condominium Property, including the Additional Parcel.

6. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms and, except as herein specifically amended, the Declaration is ratified and confirmed.

In the event of any inconsistency between this Amendment and the Declaration, this Amendment shall control.

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IN WITNESS WHEREOF, the Declarant as aforesaid has caused its seal to be affixed hereunder and has caused its name to be signed by these presents by its Manager this 27th day of August, 2003.

By: The Westgate Valley L.L.C., an Illinois
Limited Liability Company

By: 

Kenneth S. Struck, Manager

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STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I, Janice Bierer, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Kenneth S. Struck, Manager of The Westgate Valley L.L.C., an Illinois limited liability company, personally known to me to be the same persons 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 Corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 27th day of August, A.D. 2003.

NOTARY PUBLIC

Janice Bierer

My Commission expires:



UNOFFICIAL COPYCONSENT OF MORTGAGEE

ROBERT J. BALDASSARI, an individual, is the holder of a mortgage encumbering the Property dated October 21, 1999, and recorded October 26, 1999 as Document Number 09008253, consents to the execution and recording of the within Amendment and agrees that his lien shall be subject to the provisions of the Declaration of Condominium, as amended.

IN WITNESS WHEREOF, ROBERT J. BALDASSARI has caused this instrument to be signed.

DATED this 2nd day of August, 2003.

(S E A L)

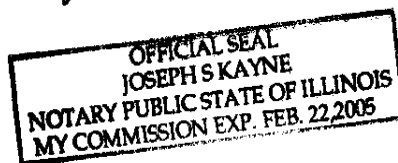
Robert J. Baldassari
ROBERT J. BALDASSARI

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Robert J. Baldassari, 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 for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 2nd day of August, A.D., 2003.

[Signature]
Notary Public



UNOFFICIAL COPYCONSENT OF MORTGAGEE

ROBERT LORENZ, an individual, is the holder of a mortgage encumbering the Property dated October 21, 1999, and recorded October 26, 1999 as Document Number 09008253, consents to the execution and recording of the within Amendment and agrees that his lien shall be subject to the provisions of the Declaration of Condominium, as amended.

IN WITNESS WHEREOF, ROBERT LORENZ has caused this instrument to be signed.

DATED this 27th day of August, 2003.

(S E A L)

Robert Lorenz
ROBERT LORENZ

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Robert Lorenz, 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 for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 27th day of August, A.D., 2003.

Janice Bierer
Notary Public



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CONSENT OF MORTGAGEE

HINSBROOK BANK AND TRUST COMPANY, an Illinois corporation, is the holder of a mortgage encumbering the Property dated 3/7/03, and recorded 5/15/03 as Document Nos. 0313535253 + 0313535256 consents to the execution and recording of the within Declaration and agrees that its lien shall be subject to the provisions of the Declaration of Condominium, as amended by this Amendment.

IN WITNESS WHEREOF, HINSBROOK BANK AND TRUST COMPANY, has caused this instrument to be signed by its duly authorized officers on its behalf.

DATED this 25th day of August, 2003.

HINSBROOK BANK AND TRUST COMPANY
an Illinois corporation

(S E A L)

Its

Kevin J. Cox, VP

ATTEST:

By:

[Signature]

Its: [Signature]

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STATE OF ILLINOIS)
COUNTY OF DuPage) SS

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT STEVEN F. COX and THOMAS H. MCGUIRE, VicePresident and SR. V.P. Secretary, respectively, of HINSBROOK BANK AND TRUST COMPANY, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 25th day of August, A.D. 2003.

Notary Public

My Commission expires: 3-27-04

Deanna L. Bowser



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Exhibit "A"--PROPERTY PREVIOUSLY SUBMITTED TO DECLARATION

BUILDING 2

THAT PART OF LOT 1 OF FOREST RIDGE AT WESTGATE VALLEY, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1 AND RUNNING THENCE NORTH $89^{\circ}-22'-52''$ WEST, ALONG THE SOUTH LINE OF LOT 1, SAID LINE ALSO BEING THE NORTH LINE OF 135TH STREET, 383.42 FEET; THENCE NORTH $00^{\circ}-37'-08''$ EAST, 137.11 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH $0^{\circ}-37'-08''$ EAST, 119.44 FEET; THENCE SOUTH $89^{\circ}-59'-52''$ EAST, 51.02 FEET; THENCE SOUTH $82^{\circ}-19'-37''$ EAST, 120.84 FEET, TO A POINT ON THE WEST LINE OF ACORN COURT (LOT 6 OF AFORESAID FOREST RIDGE AT WESTGATE VALLEY); THENCE SOUTH $39^{\circ}-07'-43''$ WEST, ALONG SAID WEST LINE, 35.37 FEET, TO A POINT OF CURVE; THENCE SOUTHWESTERLY, ALONG SAID WEST LINE, ALONG A CURVE WHOSE CENTER LIES EASTERLY AND HAS A RADIUS OF 60.00 FEET, 69.55 FEET, ARC, (CHORD BEARING SOUTH $5^{\circ}-55'-52''$ WEST, 65.72 FEET, CHORD); THENCE SOUTH $62^{\circ}-43'-00''$ WEST, 25.73 FEET; THENCE NORTH $89^{\circ}-22'-52''$ WEST, 120.70 FEET, MORE OF LESS, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

ALSO DESCRIBED AS

LOT 2 IN FOREST RIDGE AT WESTGATE VALLEY, UNIT 1 ASSESSMENT PLAT, BEING A SUBDIVISION OF PART OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

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BUILDING 3

THAT PART OF LOT 1 OF FOREST RIDGE AT WESTGATE VALLEY, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1 AND RUNNING THENCE NORTH $89^{\circ}-22'-52''$ WEST, ALONG THE SOUTH LINE OF LOT 1, SAID LINE ALSO BEING THE NORTH LINE OF 135TH STREET, 383.42 FEET; THENCE NORTH $00^{\circ}-37'-08''$ EAST, 256.55 FEET; THENCE SOUTH $89^{\circ}-59'-52''$ EAST, 51.02 FEET, TO THE POINT OF BEGINNING; THENCE NORTH $4^{\circ}-21'-47''$ EAST, 108.01 FEET, TO A POINT ON A WEST LINE OF FOREST RIDGE DRIVE (LOT 6 OF AFORESAID FOREST RIDGE AT WESTGATE VALLEY); THENCE SOUTH $85^{\circ}-38'-13''$ EAST, ALONG SAID LINE, 78.73 FEET, TO A POINT OF CURVE; THENCE SOUTHEASTERLY, ALONG SAID WEST LINE, ALONG A CURVE WHOSE CENTER LIES SOUTHERLY AND HAS A RADIUS OF 120.00 FEET, 92.93 FEET, ARC, (CHORD BEARING SOUTH $63^{\circ}-27'-02''$ EAST, 90.63 FEET, CHORD); TO A POINT OF TANGENCY; THENCE SOUTH $41^{\circ}-15'-51''$ EAST, ALONG SAID WEST LINE, 26.05 FEET, TO A POINT ON THE NORTH LINE OF ACORN COURT (LOT 6 OF AFORESAID FOREST RIDGE AT WESTGATE VALLEY); THENCE SOUTH $48^{\circ}-44'-09''$ WEST, ALONG SAID NORTH LINE, 70.42 FEET, TO A POINT OF CURVE, THENCE SOUTHWESTERLY ALONG SAID NORTH LINE, ALONG A CURVE WHOSE CENTER LIES SOUTHEASTERLY AND HAS A RADIUS OF 100.00 FEET, 16.77 FEET, ARC, (CHORD BEARING SOUTH $43^{\circ}-55'-56''$ WEST, 16.75 FEET, CHORD); THENCE NORTH $82^{\circ}-19'-37''$ WEST, 120.84 FEET, MORE OF LESS, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

ALSO DESCRIBED AS

LOT 3 IN FOREST RIDGE AT WESTGATE VALLEY, UNIT 1 ASSESSMENT PLAT, BEING A SUBDIVISION OF PART OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALL IN COOK COUNTY, ILLINOIS.

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BUILDING 17

THAT PART OF LOT 8 OF FOREST RIDGE AT WESTGATE VALLEY UNIT II, BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 8 AND RUNNING THENCE NORTHEASTERLY, ALONG THE SOUTH LINE OF SAID LOT 8, SAID LINE ALSO BEING THE NORTH LINE OF GREENLEAF TRAIL (LOT 10 IN AFORESAID FOREST RIDGE AT WESTGATE VALLEY UNIT II), ALONG A CURVE WHOSE CENTER LIES SOUTHERLY AND HAS A RADIUS OF 345.62 FEET, 137.40 FEET, ARC, (CHORD BEARING NORTH 68°-37'-16" EAST, 136.50 FEET, CHORD), TO THE POINT OF BEGINNING; THENCE NORTH 9°-59'-24" WEST, 108.02 FEET; THENCE SOUTH 89°-58'-59" EAST, 133.36 FEET; THENCE SOUTH 00°-01'-01" WEST, 101.12 FEET, TO A POINT ON THE NORTH LINE OF AFORESAID GREENLEAF TRAIL; THENCE NORTH 89°-58'-59" WEST, ALONG SAID NORTH LINE, 54.54 FEET, TO A POINT OF CURVE; THENCE SOUTHWESTERLY, ALONG SAID NORTH LINE, ALONG A CURVE WHOSE CENTER LIES SOUTHERLY AND HAS A RADIUS OF 345.62 FEET, 60.36 FEET, ARC, (CHORD BEARING SOUTH 85°-00'-48" WEST, 60.29 FEET, CHORD), MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

BUILDING 33

THAT PART OF LOT 9 OF FOREST RIDGE AT WESTGATE VALLEY UNIT II, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF GREENLEAF TRAIL (LOT 10 IN AFORESAID FOREST RIDGE AT WESTGATE VALLEY UNIT II) AND THE EAST LINE OF FOREST RIDGE DRIVE (LOT 6 IN FOREST RIDGE AT WESTGATE VALLEY, BEING A SUBDIVISION OF PART OF THE AFORESAID WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 32) AND RUNNING THENCE SOUTH 42°-06'-40" EAST, ALONG SAID EAST LINE OF FOREST RIDGE DRIVE, 85.89 FEET, TO THE SOUTH LINE OF SAID LOT 9; THENCE NORTH 76°-07'-05" EAST, ALONG SAID SOUTH LINE, 240.93 FEET; THENCE SOUTH 86°-34'-29" EAST, ALONG SAID SOUTH LINE, 219.48 FEET, TO THE POINT OF BEGINNING; THENCE NORTH 0°-01'-01" EAST, 110.53 FEET, TO A POINT ON THE AFORESAID SOUTH LINE OF GREENLEAF TRAIL (LOT 10 IN AFORESAID FOREST RIDGE AT WESTGATE VALLEY UNIT II); THENCE SOUTH 89°-58'-59" EAST, ALONG SAID SOUTH LINE, 111.00 FEET; THENCE SOUTH 0°-01'-01" WEST, 107.84 FEET; THENCE SOUTH 81°-57'-32" WEST, 46.70 FEET, TO THE AFORESAID SOUTH LINE OF LOT 9; THENCE NORTH 86°-34'-29" WEST, ALONG SAID SOUTH LINE, 64.87 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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BUILDING 34

THAT PART OF LOT 9 OF FOREST RIDGE AT WESTGATE VALLEY UNIT II, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF GREENLEAF TRAIL (LOT 10 IN AFORESAID FOREST RIDGE AT WESTGATE VALLEY UNIT II) AND THE EAST LINE OF FOREST RIDGE DRIVE (LOT 6 IN FOREST RIDGE AT WESTGATE VALLEY, BEING A SUBDIVISION OF PART OF THE AFORESAID WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 32) AND RUNNING THENCE SOUTH $42^{\circ}-06'-40''$ EAST, ALONG SAID EAST LINE OF FOREST RIDGE DRIVE, 85.89 FEET, TO THE SOUTH LINE OF SAID LOT 9; THENCE NORTH $76^{\circ}-07'-05''$ EAST, ALONG SAID SOUTH LINE, 240.93 FEET; THENCE SOUTH $86^{\circ}-34'-29''$ EAST, ALONG SAID SOUTH LINE, 284.35 FEET; THENCE NORTH $81^{\circ}-57'-32''$ EAST, 46.70 FEET, TO THE POINT OF BEGINNING; THENCE NORTH $0^{\circ}-01'-01''$ EAST, 107.84 FEET, TO A POINT ON THE AFORESAID SOUTH LINE OF GREENLEAF TRAIL (LOT 10 IN AFORESAID FOREST RIDGE AT WESTGATE VALLEY UNIT II); THENCE SOUTH $89^{\circ}-58'-59''$ EAST, ALONG SAID SOUTH LINE, 115.95 FEET, TO A POINT ON THE WEST LINE OF TIMBER COURT (LOT 10 IN AFORESAID FOREST RIDGE AT WESTGATE VALLEY UNIT II); THENCE SOUTH $0^{\circ}-01'-01''$ WEST, ALONG SAID WEST LINE, 107.84 FEET; THENCE NORTH $89^{\circ}-58'-59''$ WEST, 115.95 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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EXHIBIT "C"

List of Units and Percentage Interests in the Common Elements

| | |
|--------------------|-----------------|
| <u>Building 2</u> | |
| 13396 | 6.599614 |
| 13398 | 7.136450 |
| <u>Building 3</u> | |
| 13380 | 7.136450 |
| 13382 | 7.136450 |
| <u>Building 17</u> | |
| 13204 | 6.599614 |
| 13206 | 8.254974 |
| <u>Building 32</u> | |
| 13217 | 7.136450 |
| 13219 | 7.136450 |
| <u>Building 34</u> | |
| 13221 | 8.254974 |
| 13223 | 6.599614 |
| <u>Building 29</u> | |
| 13201 | 7.136450 |
| 13203 | 7.136450 |
| <u>Building 57</u> | |
| 13404 | 6.599614 |
| 13406 | <u>7.136446</u> |
| TOTAL | 100% |