

# UNOFFICIAL COPY



Doc#: 0334344060  
Eugene "Gene" Moore Fee: \$102.00  
Cook County Recorder of Deeds  
Date: 12/09/2003 11:32 AM Pg: 1 of 16

Property of Cook County Clerk's Office

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

F		A
P	102	P
T	<i>[Signature]</i>	V
I	124	<i>[Signature]</i>

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

ADDRESS OF PROPERTY COVERED BY AMENDMENT:

13200, AND 13202 GREEN LEAF TRAILAND 13400 AND 13402 ACORN COURT, PALOS HEIGHTS, ILLINOIS.

RECORDING FEE 102-  
DATE 12-9-03 COPIES 6  
OK BY *[Signature]*

PERMANENT REAL ESTATE INDEX NO.:

24-32-300-009  
- 016  
- 023

10/03

RETURN TO: *BOV15*  
TICOR TITLE INSURANCE  
203 N LA SALLE, STE. 2200  
CHICAGO, IL 60601

RE: *PATRIOT TIME*

*16p*

**UNOFFICIAL COPY****FIFTH 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, as amended per Exhibit "A1" attached hereto; 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,

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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.

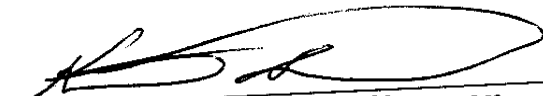
6. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms and, except as herein specifically amended, the Declaration is ratified and confirmed.

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 29th day of October, 2003.

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

By:   
Kenneth S. Struck, Manager

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CONSENT 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 24th day of October, 2003.

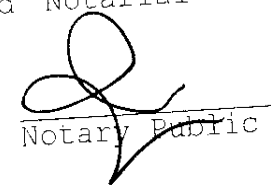
  
ROBERT J. BALDASSARI

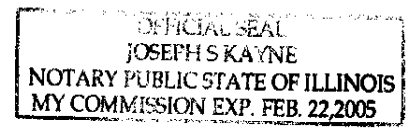
(S E A L)

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 24th day of October, A.D., 2003.

  
Notary Public



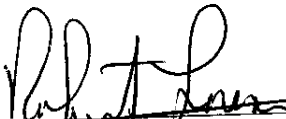
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## CONSENT OF MORTGAGEE

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 October, 2003.

  
\_\_\_\_\_  
ROBERT LORENZ

(S E A L)

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 October, A.D., 2003.

  
\_\_\_\_\_  
Notary Public





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## CONSENT OF MORTGAGEE

HINSBROOK BANK AND TRUST COMPANY, an Illinois corporation, is the holder of <sup>two</sup> mortgages encumbering the Property dated 5-9-03 + 7-1-03, and recorded 6-12-03 + 9-19-03 as Document No. 031634239+0326220228, 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 27<sup>th</sup> day of October, 2003.

HINSBROOK BANK AND TRUST COMPANY  
an Illinois corporation

(S E A L)

Its

Kevin Cox  
Vice President

ATTEST:

By:

[Signature]

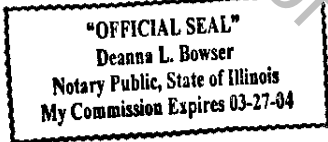
Its:

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STATE OF ILLINOIS )  
 ) SS  
COUNTY OF DUPAGE )

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, V. President and S.R.V.P. Secretary, 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 27<sup>th</sup> day of October, A.D. 2003.



Deanna L. Bowser  
Notary Public

My Commission expires:

3-27-04

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## EXHIBIT A1

<u>Amendment</u>	<u>Building No. Added</u>	<u>Document No.</u>	<u>Date Recorded</u>
First Amendment	33	0030323213	03/07/03
Second Amendment	34	0314332142	05/23/03
Third Amendment	29 & 57	0325318077	09/10/03
Fourth Amendment	18	0329531088	10/22/03

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**UNOFFICIAL COPY****EXHIBIT "C"**List of Units and Percentage  
Interests in the Common Elements

<u>Building 2</u>	
13396	4.637162
13398	6.274442
<u>Building 3</u>	
13380	6.274442
13382	6.274442
<u>Building 17</u>	
13204	4.637162
13206	5.799899
<u>Building 33</u>	
13217	6.274442
13219	6.274442
<u>Building 34</u>	
13221	5.799899
13223	4.637162
<u>Building 29</u>	
13201	6.274442
13203	6.274442
<u>Building 57</u>	
13404	4.637162
13406	6.274442
<u>Building 18</u>	
13208	6.274442
13210	4.637162
<u>Building 1</u>	
13400	5.799899
13402	4.637162
<u>Building 16</u>	
13200 /	4.637162
13202 /	<u>5.014016</u>
TOTAL	100%

**UNOFFICIAL COPY**  
**DOCUMENT**  
**WITH THIS EXHIBIT**

**EXHIBIT**

**ATTACHED TO**



**DOCUMENT**  
**WITH THIS EXHIBIT**

**DOCUMENT**

**SEE PLAT INDEX**

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