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WITH THIS EXHIBIT

EXHIBIT



0335832022

Doc#: 0335832022
Eugene "Gene" Moore Fee: \$66.00
Cook County Recorder of Deeds
Date: 12/24/2003 09:59 AM Pg: 0

ATTACHED TO

DOCUMENT

WITH THIS EXHIBIT

DOCUMENT

SEE PLAT INDEX

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This document was
Prepared by and should
Be returned to:

Michael J. Sreenan, Esq.
853 North Elston Ave.
Chicago, Illinois 60622

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR THE TAMARACK AT RIVER WALK HOMEOWNERS' ASSOCIATION

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE TAMARACK AT RIVER
WALK HOMEOWNERS' ASSOCIATION (the "Second Amendment") is made and entered
into as of 8th day of December 2003, by Western Phase II, L.L.C., an Illinois limited
liability company ("Declarant")

WITNESSETH:

WHEREAS, Declarant did execute a certain Declaration of Covenants, Conditions,
Restrictions and Easements For The Tamarack at River Walk (the "Declaration"), which
Declaration was recorded with the Cook County Recorder on August 23, 2002 as document
number 0020929677;

WHEREAS, Declarant in the Declaration did reserve for itself in Section 11.1 of the
Declaration the right to amend the Declaration to describe additional Lots within the Parcel,
legally described on Exhibit A to the Declaration to be made subject to all terms, provisions and
conditions of the Declaration;

WHEREAS, Declarant did execute a certain First Amendment to Declaration of
Covenants, Conditions, Restrictions and Easements for the Tamarack at River Walk
Homeowners' Association (the "First Amendment"), which Amendment was recorded with the
Cook County Recorder on September 22, 2003 as document number 0326510030

WHEREAS, Declarant desires to exercise its right to amend the Declaration to add
certain Lots to the Declaration.

NOW THEREFORE, Declarant hereby declares as follows:

1. The capitalized terms used herein shall, unless otherwise indicated, have the meaning
as set forth in the Declaration.

2331-2347 W. Genoa St.
2320-42 W. WOLFHAM
2252-58 W. WOLFHAM
2308-2318 W. WOLFHAM

2344A - 2344D W. WOLFHAM
2848-2864 N. RIVER DRIVE
2834-46 N. RIVER WALK DRIVE

RECORDING FEE _____
DATE 12/8/03 COPIES _____
OK BY _____

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2. Exhibit B and Exhibit B-1 of the Declaration as amended by the First Amended are hereby deleted and Exhibit B-2 attached hereto and made a part hereof is hereby substituted in place of Exhibits B and B-1 to the Declaration and all of the Lots legally described in Exhibit B-2 are hereby made part of and subject to all of the terms, provisions and conditions of the Declaration.
3. Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with its terms. The Second Amendment shall be effective from and after the recording of this document with the recorder of Deeds of Cook County, Illinois.

IN WITNESS WHEREOF, the Declarant has caused the Second Amendment to be duly executed on the day and year above written.

WESTERN PHASE II, L.L.C., an Illinois limited liability company

By: Rezmar Corporation, an Illinois corporation, its manager

By: _____

Marinel Mateo, Assistant Secretary

P.I.N.'s of affected real estate:

- 14-30-116-014-0000
- 14-30-116-015-0000
- 14-30-116-016-0000
- 14-30-116-017-0000
- 14-30-116-018-0000
- 14-30-116-025-0000

STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

The undersigned, a Notary Public in and for said County and State aforesaid, certify that Marinel Mateo, the Assistant Secretary of Rezmar Corporation, personally appeared before me this day in person and acknowledge that she signed, sealed and delivered said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal, December 8th, 2003

Maria R. Ramos
 Notary Public



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CONSENT OF MORTGAGEE

INDYMAC BANK, Inc., doing business as Construction Lending Corporation of America, holder of a Mortgage, Security agreement and Financing Statement on the subject property dated April 25, 2001 and recorded May 2, 2001 as Document Number 001361256 and security interest filed May 1, 2001 as Document Number 01U04104 hereby consents to the execution and recording of this Amendment to Declaration and agrees that said Mortgage is subject thereto.

IN WITNESS WHEREOF, Indymac Bank has caused this Consent of Mortgagee to be executed by its duly authorized officers on its behalf this 11th day of December 2003.

Indymac Banc Inc.

By: _____
Its VICE President

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

The undersigned, a Notary Public in and for said County and State, do hereby certify that STEVEN F. ROSA a Vice President of Indymac Mortgage, Inc. doing business as Construction Lending Corporation of America personally 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 use and purposes therein set forth.

GIVEN under my hand and notarial seal, DECEMBER 11, 2003.

Scott W Morris

Notary Public

Seal



