



Doc#: 0422931035  
Eugene "Gene" Moore Fee: \$40.00  
Cook County Recorder of Deeds  
Date: 08/16/2004 11:15 AM Pg: 1 of 9

Property of Cook County Clerk's Office

FIRST SPECIAL AMENDMENT

TO

DECLARATION OF CONDOMINIUM FOR  
THE OPTIMA HORIZONS CONDOMINIUM

RECORDING FEE 40-  
DATE 8/16 COPIES 6  
OK BY N. Molda

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THIS INSTRUMENT PREPARED  
BY AND MAIL TO:

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

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## FIRST SPECIAL AMENDMENT

TO

### DECLARATION OF CONDOMINIUM FOR THE OPTIMA HORIZONS CONDOMINIUM

THIS DECLARATION made and entered into this 16<sup>th</sup> day of August, 2004, by OPTIMA HORIZONS LIMITED PARTNERSHIP (the "Declarant").

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 0421734058, on August 4, 2004 the Declarant submitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Act"); and,

**WHEREAS**, Article Thirteen, Paragraph 7 of the Declaration reserves to the Declarant the right to amend the Declaration to conform with the requirements of the Act and to insert omitted data required by the Act; and,

**WHEREAS**, the Declarant now desires to amend the Declaration to conform with the requirements of the Act, and add omitted data required by the Act; and,

**NOW, THEREFORE**, the Declarant does hereby amend the Declaration as follows:

1. The Declaration is hereby amended by deleting Exhibit "B" and Sheet 2 of the surveys that were attached and substituting therefore Exhibit "B" and Sheet 2 the surveys attached hereto and marked as Exhibit "B1", which corrects a drafting error, whereby the size of parking space P-189 was inaccurately shown.
2. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

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IN WITNESS WHEREOF, OPTIMA HORIZONS L.P., AN Illinois limited partnership as Declarant has executed this document this 16<sup>th</sup> day of August, 2004.

OPTIMA HORIZONS L.P.,  
An Illinois Limited partnership

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

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

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 HORIZONS DEVELOPMENT, L.C.C.**, General Partner of **OPTIMA HORIZONS EVANSTON L.P.**, 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 16<sup>th</sup> day of August, 2004.



*Kathy Zaczynski*  
Notary Public

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CONSENT OF MORTGAGEE

Fifth Third Bank, a National Banking Association, holder of a Mortgage on the Property dated May 23, 2003, and recorded on May 27, 2003 as Document Number 0314732022, hereby consents to the execution and recording of the within Declaration of Condominium Ownership and Easements, Restrictions, Covenants and By-Laws for the Optima Horizons Condominium 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, Fifth Third Bank, has caused this Consent of Mortgagee to be signed by its duly authorized officers on its behalf; all done at Cicero, Illinois, on this 16<sup>th</sup> day of August, 2004.

Fifth Third Bank, a National Banking Association

By: Kevin P. Harnedy  
Its: VICE PRESIDENT

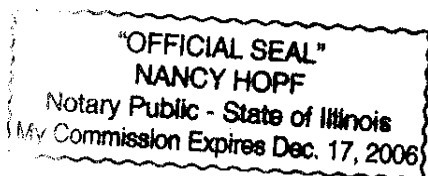
ATTEST:

[Signature]  
As: Notary Public

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COOK )

I, Nancy Hopf, a Notary Public in and for said County and State, do hereby certify that Kevin Harnedy and Vice President, respectively of Fifth Third Bank, 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 16<sup>th</sup> day of August, 2004.



Nancy Hopf  
Notary Public

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## EXHIBIT "B"

**TO FIRST SPECIAL AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF  
EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR  
OPTIMA HORIZONS CONDOMINIUM**

PLATS OF SURVEY OF THE PARCEL, OR  
PORTIONS THEREOF, PREVIOUSLY SUBMITTED TO THE ACT

Permanent Index Number: 11-18-119-029-0000

That part of Lot 1 lying below Elevation 78.6 (Evanston Datum) in Optima Horizons Amended and Restated Resubdivision in Block 8 in the Village of Evanston, in the Northwest Quarter of Section 18, Township 41 North, Range 14, East of the Third Principal Meridian, according to the Plat thereof recorded 13 July 2004 as Document 0419510103 in Cook County, Illinois.

Surveys attached only to original Declaration and Amendments thereto recorded with the Recorder of Deeds of Cook County, Illinois.

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## EXHIBIT "C"

### TO FIRST SPECIAL AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR OPTIMA HORIZONS CONDOMINIUM

#### PERCENTAGE INTEREST OF UNITS SUBMITTED TO THE ACT

Unit Number	Percentage Interest
501	4.03
502	2.43
503	5.91
504	1.66
506	2.54
507	2.25
508	2.14
509	2.97
510	2.78
511	4.92
512	4.57
515	1.84
516	1.72
517	2.79
518	2.37
519	2.78
521	2.09
601	3.44
602	2.08
603	3.56
604	1.42
605	2.36
606	2.19
607	1.96
608	1.84
609	2.60
610	2.37
611	2.25
612	2.08
613	1.95
614	1.78
615	1.60
616	1.48
617	2.37
618	2.02
619	2.37

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620	2.13
621	2.61
702	2.19
P-023	0.01
P-024	0.01
P-028	0.01
P-035	0.01
P-051	0.01
P-054	0.01
P-068	0.01
P-069	0.01
P-091	0.01
P-092	0.01
P-094	0.01
P-095	0.01
P-103	0.01
P-106	0.01
P-131	0.01
P-135	0.01
P-138	0.01
P-139	0.01
P-142	0.01
P-147	0.01
P-151	0.01
P-152	0.01
P-153	0.01
P-154	0.01
P-157	0.01
P-158	0.01
P-167	0.01
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P-177	0.01
P-179	0.01
P-180	0.01
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P-255	0.01

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P-257	0.01
P-267	0.01
P-268	0.01
P-281	0.01
P-282	0.01
P-283	0.01
P-286	0.01
P-305	0.01
P-310	0.01
P-325	0.01
P-326	0.01
P-328	0.01
P-329	0.01
	100.00

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**EXHIBIT**

**ATTACHED TO**

8 Pages

1 ~~EX~~

9 total

**DOCUMENT**

**SEE PLAT INDEX**

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