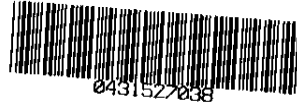


# UNOFFICIAL COPY



Doc#: 0431527038  
Eugene "Gene" Moore Fee: \$72.00  
Cook County Recorder of Deeds  
Date: 11/10/2004 11:01 AM Pg: 1 of 25

Property of Cook County Clerk's Office

## FIFTH AMENDMENT

TO

## DECLARATION OF CONDOMINIUM FOR THE OPTIMA HORIZONS CONDOMINIUM

THIS INSTRUMENT PREPARED  
BY AND MAIL TO:

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

RECORDING FEE 72  
DATE 11/10 COPIES 6  
OK BY W. Wolda

F	72	A
P		P
T		V
I	(N)	

# UNOFFICIAL COPY

## FIFTH AMENDMENT

TO

### DECLARATION OF CONDOMINIUM FOR THE OPTIMA HORIZONS CONDOMINIUM

THIS DECLARATION made and entered into this 8<sup>th</sup> day of November, 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 16, 2004 the Declarant submitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Act"); and,

**WHEREAS**, the Declaration reserves to the Declarant the right to annex and add to the Parcel (as defined in the Declaration) and thereby add to the Condominium created by the Declaration all or any portion of the Future Development Parcel (as defined in the Declaration); and,

**WHEREAS**, the Declarant now desires to so annex and add to the Parcel and submit to the provisions of the Act and the Declaration certain real estate (the "Additional Parcel") described in Exhibit "B1" attached hereto, which Additional Parcel is a portion of said Future Development Parcel; and,

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

1. The Additional Parcel described in Exhibit "B" attached hereto and made a part hereof, is hereby added to the Parcel and the Property, and is hereby submitted to the provisions of the Act, and shall be deemed to be governed by in all respects by the terms and provisions of the Declaration.
2. It is understood that the Added Units, as this term is defined in the Declaration, being hereby added and annexed, consists of space enclosed or bounded by the horizontal and vertical planes set forth in Exhibit "B" attached hereto and made a part hereof. Exhibit "B" to the Declaration is hereby amended by the addition thereto of Exhibit "B" which is attached hereto.
3. Exhibit "C" of the Declaration is hereby amended by deleting said Exhibit "C" and substituting therefore Exhibit "C" that is attached hereto. The Percentage of Ownership in the Common Elements appurtenant to each Unit is hereby shifted to the Percentages set forth in the Exhibit "C" that is attached hereto.
4. Exhibit "D" of the Declaration is hereby amended by deleting said Exhibit "D" and substituting therefore Exhibit "D" that is attached hereto.





# UNOFFICIAL COPY

## EXHIBIT "A"

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

#### LEGAL DESCRIPTION OF THE PREMISES

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

Lot 1 in Optima Horizons Amended and Restate 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, in Cook County, Illinois.

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

## EXHIBIT "B"

### TO FIFTH 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 SUBMITTED TO THE ACT

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

That part of Lot 1 lying below Elevation 130.6 (Evanston Datum) in Optima Horizons Amended and Restated Resubdivision I 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.

# UNOFFICIAL COPY

## EXHIBIT "C"

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

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

Unit Number	Percentage Interest
501	1.03
502	0.63
503	1.51
504	0.42
506	0.64
507	0.57
508	0.54
509	0.75
510	0.70
511	1.24
512	1.16
515	0.46
516	0.43
517	0.71
518	0.60
519	0.70
521	0.79
601	0.87
602	0.53
603	0.90
604	0.36
605	0.59
606	0.55
607	0.49
608	0.46
609	0.65
610	0.60
611	0.56
612	0.53
613	0.48
614	0.45

## UNOFFICIAL COPY

615	0.40
616	0.37
617	0.60
618	0.51
619	0.60
620	0.53
621	0.66
701	0.88
702	0.55
703	0.91
704	0.36
705	0.60
706	0.55
707	0.51
708	0.46
709	0.66
710	0.61
711	0.58
712	0.53
713	0.49
714	0.46
715	0.40
716	0.37
717	0.62
718	0.53
719	0.61
720	0.54
721	0.68
801	0.90
802	0.54
803	0.93
804	0.37
805	0.61
806	0.56
807	0.51
808	0.46
809	0.67
810	0.62
811	0.59
812	0.54
813	0.49
814	0.46
815	0.40
816	0.39
817	0.62
818	0.54
819	0.62



## UNOFFICIAL COPY

820	0.54
821	0.68
901	0.90
902	0.54
903	0.93
904	0.37
905	0.60
906	0.56
907	0.51
908	0.48
909	0.66
910	0.62
911	0.59
912	0.54
913	0.49
914	0.47
915	0.42
916	0.39
917	0.63
918	0.54
919	0.62
920	0.54
921	0.69
1001	0.91
1002	0.56
1003	0.94
1004	0.37
1005	0.62
1006	0.56
1007	0.53
1008	0.48
1009	0.68
1010	0.62
1011	0.59
1012	0.56
1013	0.51
1014	0.46
1015	0.42
1016	0.39
1017	0.63
1018	0.54
1019	0.63
1020	0.56
1021	0.70
1101	0.91
1102	0.56
1103	0.96

## UNOFFICIAL COPY

1104	0.37
1105	0.62
1106	0.58
1107	0.53
1108	0.48
1109	0.68
1110	0.63
1111	0.61
1112	0.56
1113	0.51
1114	0.48
1115	0.42
1116	0.40
1117	0.63
1118	0.54
1119	0.63
1120	0.56
1121	0.71
1201	0.92
1202	0.58
1203	0.96
1204	0.39
1205	0.63
1206	0.57
1207	0.53
1208	0.49
1209	0.70
1210	0.63
1211	0.60
1212	0.56
1213	0.51
1214	0.48
1215	0.42
1216	0.40
1217	0.65
1218	0.56
1219	0.64
1220	0.57
1221	0.71
P-001	0.01
P-002	0.01
P-003	0.01
P-004	0.01
P-006	0.01
P-007	0.01
P-008	0.01
P-009	0.01

## UNOFFICIAL COPY

P-010	0.01
P-012	0.01
P-013	0.01
P-014	0.01
P-017	0.01
P-021	0.01
P-022	0.01
P-023	0.01
P-024	0.01
P-025	0.01
P-026	0.01
P-027	0.01
P-028	0.01
P-029	0.01
P-030	0.01
P-031	0.01
P-033	0.01
P-035	0.01
P-036	0.01
P-037	0.01
P-038	0.01
P-042	0.01
P-043	0.01
P-045	0.01
P-046	0.01
P-047	0.01
P-048	0.01
P-049	0.01
P-051	0.01
P-053	0.01
P-054	0.01
P-055	0.01
P-056	0.01
P-057	0.01
P-058	0.01
P-059	0.01
P-060	0.01
P-061	0.01
P-062	0.01
P-063	0.01
P-064	0.01
P-065	0.01
P-067	0.01
P-068	0.01
P-069	0.01
P-070	0.01
P-071	0.01

## UNOFFICIAL COPY

P-072	0.01
P-073	0.01
P-075	0.01
P-077	0.01
P-082	0.01
P-085	0.01
P-086	0.01
P-087	0.01
P-088	0.01
P-089	0.01
P-090	0.01
P-091	0.01
P-092	0.01
P-093	0.01
P-094	0.01
P-095	0.01
P-096	0.01
P-100	0.01
P-101	0.01
P-102	0.01
P-103	0.01
P-106	0.01
P-108	0.01
P-109	0.01
P-111	0.01
P-112	0.01
P-113	0.01
P-114	0.01
P-115	0.01
P-116	0.01
P-117	0.01
P-118	0.01
P-119	0.01
P-120	0.01
P-121	0.01
P-125	0.01
P-126	0.01
P-127	0.01
P-130	0.01
P-131	0.01
P-132	0.01
P-133	0.01
P-134	0.01
P-135	0.01
P-137	0.01
P-138	0.01
P-139	0.01

## UNOFFICIAL COPY

P-140	0.01
P-141	0.01
P-142	0.01
P-143	0.01
P-146	0.01
P-147	0.01
P-148	0.01
P-149	0.01
P-150	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-162	0.01
P-163	0.01
P-167	0.01
P-168	0.01
P-169	0.01
P-173	0.01
P-174	0.01
P-175	0.01
P-177	0.01
P-178	0.01
P-179	0.01
P-180	0.01
P-182	0.01
P-183	0.01
P-184	0.01
P-189	0.01
P-190	0.01
P-191	0.01
P-192	0.01
P-195	0.01
P-196	0.01
P-197	0.01
P-198	0.01
P-201	0.01
P-202	0.01
P-203	0.01
P-206	0.01
P-207	0.01
P-208	0.01
P-209	0.01
P-212	0.01
P-215	0.01

# UNOFFICIAL COPY

P-216	0.01
P-217	0.01
P-218	0.01
P-220	0.01
P-222	0.01
P-226	0.01
P-233	0.01
P-234	0.01
P-236	0.01
P-237	0.01
P-238	0.01
P-239	0.01
P-240	0.01
P-242	0.01
P-243	0.01
P-244	0.01
P-245	0.01
P-246	0.01
P-247	0.01
P-248	0.01
P-249	0.01
P-254	0.01
P-255	0.01
P-257	0.01
P-258	0.01
P-259	0.01
P-261	0.01
P-263	0.01
P-264	0.01
P-265	0.01
P-266	0.01
P-267	0.01
P-268	0.01
P-269	0.01
P-270	0.01
P-271	0.01
P-272	0.01
P-273	0.01
P-275	0.01
P-276	0.01
P-279	0.01
P-280	0.01
P-281	0.01
P-282	0.01
P-283	0.01
P-284	0.01
P-285	0.01

# UNOFFICIAL COPY

P-286	0.01
P-287	0.01
P-288	0.01
P-289	0.01
P-293	0.01
P-294	0.01
P-295	0.01
P-299	0.01
P-300	0.01
P-305	0.01
P-307	0.01
P-308	0.01
P-310	0.01
P-311	0.01
P-312	0.01
P-313	0.01
P-316	0.01
P-317	0.01
P-318	0.01
P-319	0.01
P-324	0.01
P-325	0.01
P-326	0.01
P-327	0.01
P-328	0.01
P-329	0.01
P-330	0.01
P-331	0.01
P-337	0.01
P-338	0.01
P-340	0.01
	100.00

**UNOFFICIAL COPY****EXHIBIT "D"**

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

**STORAGE ROOM LIMITED COMMON ELEMENTS**

<b>Unit Number</b>	<b>Storage Room Limited Common Element</b>	<b>Other Limited Common Element</b>
501	S029	Terrace
502	S245	Terrace
503	S178, S179	Terrace
504	S035	Terrace
506	S074	Terrace
507	S202	Terrace
508	S158	Terrace
509	S010	Terrace
510	S161	Terrace
511	S021, S022	Terrace
512	S007, S008	Terrace
515	S134	Terrace
516	S220	Terrace
517	S247	Terrace
518	S236	Terrace
519	S003	Terrace
521	S249	Terrace
601	S078	Balcony
602	S100	Balcony
603	S077	Balcony
604	S198	Balcony
605	S075	Balcony
606	S036	Balcony
607	S159	Balcony
608	S197	Balcony
609	S056	Balcony
610	S083	Balcony
611	S051	Balcony
612	S135	Balcony
613	S138	Balcony
614	S132	Balcony
615	S014	Balcony
616	S126	Balcony



## UNOFFICIAL COPY

617	S001	Balcony
618	S226	Balcony
619	S152	Balcony
620	S144	Balcony
621	S248	Balcony
701	S027	Balcony
702	S082	Balcony
703	S023	Balcony
704	S200	Balcony
705	S173	Balcony
706	S156	Balcony
707	S071	Balcony
708	S103	Balcony
709	S162	Balcony
710	S196	Balcony
711	S153	Balcony
712	S095	Balcony
713	S136	Balcony
714	S163	Balcony
715	S131	Balcony
716	S127	Balcony
717	S235	Balcony
718	S227	Balcony
719	S150	Balcony
720	S224	Balcony
721	S005	Balcony
801	S190	Balcony
802	S122	Balcony
803	S030	Balcony
804	S199	Balcony
805	S118	Balcony
806	S105	Balcony
807	S185	Balcony
808	S106	Balcony
809	S119	Balcony
810	S172	Balcony
811	S234	Balcony
812	S143	Balcony
813	S142	Balcony
814	S155	Balcony
815	S097	Balcony
816	S128	Balcony
817	S050	Balcony
818	S096	Balcony
819	S237	Balcony
820	S148	Balcony
821	S250	Balcony

## UNOFFICIAL COPY

901	S115	Balcony
902	S207	Balcony
903	S058	Balcony
904	S201	Balcony
905	S112	Balcony
906	S070	Balcony
907	S109	Balcony
908	S170	Balcony
909	S166	Balcony
910	S157	Balcony
911	S238	Balcony
912	S139	Balcony
913	S219	Balcony
914	S130	Balcony
915	S013	Balcony
916	S215	Balcony
917	S054	Balcony
918	S223	Balcony
919	S046	Balcony
920	S223	Balcony
921	S062	Balcony
1001	S175	Balcony
1002	S110	Balcony
1003	S079	Balcony
1004	S180	Balcony
1005	S210	Balcony
1006	S203	Balcony
1007	S072	Balcony
1008	S125	Balcony
1009	S211	Balcony
1010	S124	Balcony
1011	S240	Balcony
1012	S141	Balcony
1013	S228	Balcony
1014	S088	Balcony
1015	S129	Balcony
1016	S216	Balcony
1017	S241	Balcony
1018	S232	Balcony
1019	S231	Balcony
1020	S233	Balcony
1021	S251	Balcony
1101	S076	Balcony
1102	S111	Balcony
1103	S177	Balcony
1104	S168	Balcony
1105	S117	Balcony

## UNOFFICIAL COPY

1106	S107	Balcony
1107	S034	Balcony
1108	S084	Balcony
1109	S167	Balcony
1110	S108	Balcony
1111	S068	Balcony
1112	S041	Balcony
1113	S140	Balcony
1114	S222	Balcony
1115	S137	Balcony
1116	S015	Balcony
1117	S246	Balcony
1118	S146	Balcony
1119	S242	Balcony
1120	S090	Balcony
1121	S006	Balcony
1201	S192	Balcony
1202	S026	Balcony
1203	S183	Balcony
1204	S169	Balcony
1205	S073	Balcony
1206	S204	Balcony
1207	S205	Balcony
1208	S102	Balcony
1209	S174	Balcony
1210	S160	Balcony
1211	S243	Balcony
1212	S039	Balcony
1213	S037	Balcony
1214	S016	Balcony
1215	S089	Balcony
1216	S151	Balcony
1217	S048	Balcony
1218	S040	Balcony
1219	S043	Balcony
1220	S047	Balcony
1221	S060	Balcony

# UNOFFICIAL COPY

## EXHIBIT "E"

**TO FIFTH AMENDMENT TO  
THE DECLARATION OF CONDOMINIUM OWNERSHIP  
AND  
BY-LAWS, EASEMENTS, RESTRICTIONS AND COVENANTS  
FOR THE  
OPTIMA HORIZONS CONDOMINIUM  
FUTURE DEVELOPMENT PARCEL**

That part of Lot 1 lying above Elevation 130.6 (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.

THIS INSTRUMENT PREPARED  
BY AND MAIL TO:

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

**UNOFFICIAL COPY**

**EXHIBIT**

**ATTACHED TO**

20 Pages  
5 Ex  

---

25 total

**DOCUMENT**

**SEE PLAT INDEX**