

UNOFFICIAL COPY

THIS INSTRUMENT PREPARED
BY AND RETURN TO:
GARY L. PLOTNICK
Schain, Burney, Ross & Citron Ltd.
222 North LaSalle Street
Suite 1910
Chicago, Illinois 60601



Doc#: 0529403006 Fee: \$118.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/21/2005 09:41 AM Pg: 1 of 20

RECORDING FEE 128
DATE 10-21-05 COPIES 6x
OK BY [Signature]

F	128	A
P		P
T		V
I		

FORTY NINTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND OF EASEMENTS, RESTRICTIONS, COVENANTS AND BY-LAWS FOR THE ESTATES AT INVERNESS RIDGE CONDOMINIUMS

THIS FORTY NINTH AMENDMENT TO DECLARATION ("Forty Ninth Amendment") is made and entered into this 14th day of October, 2005 by the TOLL IL II, L.P., an Illinois limited partnership (hereinafter referred to as the "Declarant").

WITNESSETH:

WHEREAS, by a Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates at Inverness Ridge Condominiums dated the 18th day of September, 2002 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 2nd day of October, 2002, as Document Number 0021080525 (hereinafter referred to as the "Declaration"), certain real estate was submitted to the Condominium Property Act of the State of Illinois (hereinafter referred to as the "Act"), said real estate being commonly known as the Estates at Inverness Ridge Condominiums (hereinafter referred to as the "Condominium"); and

WHEREAS, by a First Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates at Inverness Ridge Condominiums dated the 30th day of October, 2002 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 12th day of November, 2002 as Document Number 0021242266 (hereinafter referred to as the "First Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates at Inverness Ridge Condominiums dated the 31st day of December, 2002 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 31st day of December, 2002 as Document Number 0021461753 (hereinafter referred to as the "Second Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Third Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates at Inverness

[Handwritten initials]

UNOFFICIAL COPY

Ridge Condominiums dated the 18th day of February, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 6th day of March, 2003 as Document Number 0030313407 (hereinafter referred to as the "Third Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Fourth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates at Inverness Ridge Condominiums dated the 5th day of March, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 19th day of March, 2003 as Document Number 0030375529 (hereinafter referred to as the "Fourth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Fifth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates at Inverness Ridge Condominiums dated the 28th day of April, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 29th day of April, 2003 as Document Number 0311945048 (hereinafter referred to as the "Fifth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Sixth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates at Inverness Ridge Condominiums dated the 6th day of May, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 30th day of May, 2003 as Document Number 0315039031 (hereinafter referred to as the "Sixth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Seventh Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 1st day of July, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 10th day of July, 2003 as Document Number 0319119162 (hereinafter referred to as the "Seventh Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by an Eighth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated July, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 30th day of July, 2003 as Document Number 0321139039 (hereinafter referred to as the "Eighth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Ninth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 4th day of August, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 26th day of August, 2003 as Document Number 0323834000 (hereinafter referred to as the "Ninth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Tenth Amendment to Declaration of Condominium Ownership

UNOFFICIAL COPY

and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 28th day of August, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 19th day of September, 2003 as Document Number 0326234178 (hereinafter referred to as the "Tenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by an Eleventh Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 10th day of September, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 8th day of October, 2003 as Document Number 0328118001 (hereinafter referred to as the "Eleventh Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twelfth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 1st day of October, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on the 16th day of October, 2003 as Document Number 0328918005 (hereinafter referred to as the "Twelfth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirteenth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 21st day of October, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document Number 0330332011 (hereinafter referred to as the "Thirteenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Fourteenth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 10th day of November, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on November 19, 2003 as Document Number 0332339031 (hereinafter referred to as the "Fourteenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Fifteenth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 10th day of November, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on December 16, 2003 as Document Number 0335039029 (hereinafter referred to as the "Fifteenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Sixteenth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 24th day of December, 2003 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on January 26, 2004 as Document Number 0402610031 (hereinafter referred to as the "Sixteenth Amendment") certain real estate was submitted to the Act and the Condominium; and

UNOFFICIAL COPY

WHEREAS, by a Seventeenth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 21st day of January, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on February 19, 2004 as Document Number 0405018036 (hereinafter referred to as the "Seventeenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by an Eighteenth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 19th day of January, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 17, 2004 as Document Number 0407741097 (hereinafter referred to as the "Eighteenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Nineteenth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 26th day of March, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 31, 2004 as Document Number 0409119037 (hereinafter referred to as the "Nineteenth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twentieth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 26th day of March, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 8, 2004 as Document Number 0409931002 (hereinafter referred to as the "Twentieth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty First Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 16th day of April, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 29, 2004 as Document Number 0412032106 (hereinafter referred to as the "Twenty First Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 13th day of May, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 1, 2004 as Document Number 0415344071 (hereinafter referred to as the "Twenty Second Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty Third Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 16th day of June, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 30, 2004 as Document Number 0418245030 (hereinafter referred to as the "Twenty Third Amendment"); certain

UNOFFICIAL COPY

real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty Fourth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 6th day of July, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on July 23, 2004 as Document Number 0420545099 (hereinafter referred to as the "Twenty Fourth Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty Fifth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 22nd day of July, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on July 30, 2004 as Document Number 0421245029 (hereinafter referred to as the "Twenty Fifth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty Sixth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 24th day of August, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 10, 2004 as Document Number 0425418009 (hereinafter referred to as the "Twenty Sixth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty Seventh Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 2nd day of September, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 24, 2004 as Document Number 0426819001 (hereinafter referred to as the "Twenty Seventh Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty Eighth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 21st day of September, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 13, 2004 as Document Number 0428744000 (hereinafter referred to as the "Twenty Eighth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Twenty Ninth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 11th day of October, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 19, 2004 as Document Number 0429319000 (hereinafter referred to as the "Twenty Ninth Amendment"); and

WHEREAS, by a Thirtieth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 15th day of October, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 29, 2004 as

UNOFFICIAL COPY

Document Number 0430344036 (hereinafter referred to as the "Thirtieth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty First Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 8th day of December, 2004 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on December 21, 2004 as Document Number 0435619002 (hereinafter referred to as the "Thirty First Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 12th day of January, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on January 26, 2005 as Document Number 0502619004 (hereinafter referred to as the "Thirty Second Amendment"); certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty Third Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 27th day of January, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on February 1, 2005 as Document Number 0503219000 (hereinafter referred to as the "Thirty Third Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty Fourth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 16th day of February, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on February 17, 2005 as Document Number 0504818003 (hereinafter referred to as the "Thirty Fourth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty Fifth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 3rd day of March, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 23, 2005 as Document Number 0508245011 (hereinafter referred to as the "Thirty Fifth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty Sixth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 6th day of April, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 25, 2005 as Document Number 0511519000 (hereinafter referred to as the "Thirty Sixth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty Seventh Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 10th day of April, 2005 and recorded in the

UNOFFICIAL COPY

Office of the Recorder of Deeds of Cook County, Illinois on April 26, 2005 as Document Number 0511619003 (hereinafter referred to as the "Thirty Seventh Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty Eighth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 13th day of May, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on May 26, 2005 as Document Number 0514645006 (hereinafter referred to as the "Thirty Eighth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Thirty Ninth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 26th day of May, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 10, 2005 as Document Number 0516145024 (hereinafter referred to as the "Thirty Ninth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Fortieth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 10th day of June, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 30, 2005 as Document Number 0518134069 (hereinafter referred to as the "Fortieth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Forty First Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 20th day of July, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on July 22, 2005 as Document Number 0520332000 (hereinafter referred to as the "Forty First Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Forty Second Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 21st day of July, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on July 29, 2005 as Document Number 0521032000 (hereinafter referred to as the "Forty Second Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Forty Third Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 2nd day of August, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 15, 2005 as Document Number 0522718049 (hereinafter referred to as the "Forty Third Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Forty Fourth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of

UNOFFICIAL COPY

Inverness Ridge Condominiums dated the 12th day of August, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 25, 2005 as Document Number 0523745023 (hereinafter referred to as the "Forty Fourth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Forty Fifth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 26th day of August, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 1, 2005 as Document Number 0524432000 (hereinafter referred to as the "Forty Fifth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Forty Sixth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Estates of Inverness Ridge Condominiums dated the 8th day of September, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 14, 2005 as Document Number 0525710000 (hereinafter referred to as the "Forty Sixth Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Forty Seventh Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Law for the Estates of Inverness Ridge Condominiums dated the 14th day of September, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 22, 2005 as Document Number 0526519105 (hereinafter referred to as the "Forty Seventh Amendment") certain real estate was submitted to the Act and the Condominium; and

WHEREAS, by a Forty Eighth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Law for the Estates of Inverness Ridge Condominiums dated the 11th day of October, 2005 and recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 17, 2005 as Document Number 0529034001 (hereinafter referred to as the "Forty Eighth Amendment"; the Declaration, the First Amendment, the Second Amendment, the Third Amendment, the Fourth Amendment, the Fifth Amendment, the Sixth Amendment, the Seventh Amendment, the Eighth Amendment, the Ninth Amendment, the Tenth Amendment, the Eleventh Amendment, the Twelfth Amendment, the Thirteenth Amendment, the Fourteenth Amendment, the Fifteenth Amendment, the Sixteenth Amendment, the Seventeenth Amendment, Eighteenth Amendment, Nineteenth Amendment, Twentieth Amendment, Twenty First Amendment, Twenty Second Amendment, Twenty Third Amendment, Twenty Fourth Amendment, Twenty Fifth Amendment, Twenty Sixth Amendment, Twenty Seventh Amendment, Twenty Eighth Amendment, Twenty Ninth Amendment, Thirtieth Amendment, Thirty First Amendment, Thirty Second Amendment, Thirty Third Amendment, Thirty Fourth Amendment, Thirty Fifth Amendment, Thirty Sixth Amendment, Thirty Seventh Amendment, Thirty Eighth Amendment, Thirty Ninth Amendment, Fortieth Amendment, Forth First Amendment, Forty Second Amendment, Forty Third Amendment, Forty Fourth Amendment, Forty Fifth Amendment, Forty Sixth Amendment, Forty Seventh Amendment and Forty Eighth Amendment shall be collectively referred to as the "Declaration") certain real estate was submitted to the Act and the Condominium; and

UNOFFICIAL COPY

WHEREAS, the Declarant is the legal holder of and wishes to annex and add to the Parcel and the Property, as these terms are defined in the Declaration, and thereby submit same to the Act, the real estate described in Exhibit "A", attached hereto and made a part hereof (hereinafter referred to as "Additional Parcel").

NOW, THEREFORE, the Declarant, as the legal title holder of the Additional Property, and for the purposes set forth hereinabove, hereby declares that the Declaration be, and the same is hereby, amended as follows:

1. The Additional Parcel described in Exhibit "A" 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" to the Declaration is hereby amended and superseded in its entirety by Exhibit "C", which is attached hereto and made a part hereof, and the respective percentages of ownership in the common elements appurtenant to each Unit described in former Exhibit "C" prior to this Amendment are hereby adjusted to the respective percentages set forth in the attached Exhibit "C".

4. The Added Common Elements, as that term is defined in the Declaration, are hereby granted and conveyed to the grantees of Units heretofore conveyed, all as set forth in the Declaration.

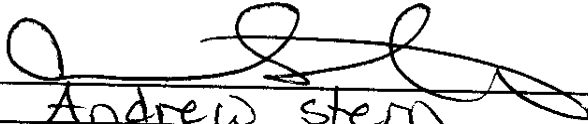
[SIGNATURES APPEAR ON NEXT PAGE]

UNOFFICIAL COPY

IN WITNESS WHEREOF, TOLL IL II, L.P., an Illinois limited partnership, executed this document as of the 14 day of October, 2005.

TOLL IL II, L.P.,
an Illinois limited partnership

By: Toll IL GP Corp., an Illinois corporation
Its: General Partner

By: 
Name: Andrew Stern
Its: Vice President

G:\HOME\GLP\DECLARAT\Toll-Inverness 49th-AMD.doc

Property of Cook County Clerk's Office

UNOFFICIAL COPY

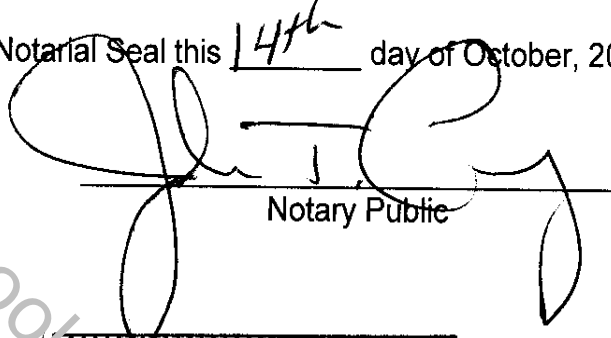
STATE OF ILLINOIS

)
) SS.

COUNTY OF COOK

I, John T. Casey a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Andrew Stern, as Vice President of Toll IL GP Corp., an Illinois corporation, as General Partner of **TOLL IL II, L.P.**, an Illinois limited partnership, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the same instrument as his own 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 14th day of October, 2005.



Notary Public



Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT "A"

ADDITIONAL PARCEL

THAT PORTION OF LOT 1 IN THE ESTATES AT INVERNESS RIDGE - UNIT 1 BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED APRIL 11, 2001 AS DOCUMENT NUMBER 0010292526 LYING IN THE VILLAGE OF INVERNESS, COOK COUNTY, ILLINOIS. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, THENCE SOUTH 88 DEGREES 48 MINUTES 35 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 389.82 FEET; THENCE SOUTH 01 DEGREES 11 MINUTES 25 SECONDS EAST, A DISTANCE OF 150.03 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 175.00 FEET, A DISTANCE OF 269.71 FEET TO A POINT OF TANGENCY; THENCE SOUTH 87 DEGREES 06 MINUTES 55 SECONDS WEST, A DISTANCE OF 279.92 FEET TO A POINT OF CURVATURE; THENCE WESTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 125.00 FEET, A DISTANCE OF 58.68 FEET TO A POINT OF TANGENCY; THENCE SOUTH 60 DEGREES 13 MINUTES 05 SECONDS WEST, A DISTANCE OF 96.54 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE EAST AND HAVING A RADIUS OF 225.00 FEET, A DISTANCE OF 278.78 FEET TO A POINT OF TANGENCY; THENCE SOUTH 10 DEGREES 46 MINUTES 25 SECONDS EAST, A DISTANCE OF 239.80 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 225.00 FEET, A DISTANCE OF 142.91 FEET; THENCE SOUTH 49 DEGREES 12 MINUTES 53 SECONDS WEST, A DISTANCE OF 50.25 FEET TO A POINT ON THE ARC OF A CURVE; THENCE SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 275.00 FEET, A DISTANCE OF 171.27 FEET AND WHOSE CHORD LENGTH OF 168.52 FEET BEARS SOUTH 63 DEGREES 50 MINUTES 37 SECONDS EAST; THENCE SOUTH 03 DEGREES 05 MINUTES 53 SECONDS WEST, A DISTANCE OF 111.67 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE WEST AND HAVING A RADIUS OF 125.00 FEET, A DISTANCE OF 12.14 FEET TO A POINT OF TANGENCY; THENCE SOUTH 08 DEGREES 39 MINUTES 51 SECONDS WEST, A DISTANCE OF 136.60 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE EAST AND HAVING A RADIUS OF 275.00 FEET, A DISTANCE OF 102.91 FEET TO A POINT OF TANGENCY; THENCE SOUTH 12 DEGREES 46 MINUTES 38 SECONDS EAST, A DISTANCE OF 8.26 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 175.00 FEET, A DISTANCE OF 188.46 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG SAID CURVE HAVING A RADIUS OF 175.00 FEET, A DISTANCE OF 31.94 FEET TO A POINT OF TANGENCY; THENCE SOUTH 84

UNOFFICIAL COPY

DEGREES 56 MINUTES 17 SECONDS EAST, A DISTANCE OF 53.33 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE SOUTHWEST AND HAVING A RADIUS OF 125.00 FEET, A DISTANCE OF 26.45 FEET TO A POINT OF TANGENCY; THENCE SOUTH 72 DEGREES 48 MINUTES 53 SECONDS EAST, A DISTANCE OF 27.51 FEET; THENCE SOUTHERLY ALONG THE ARC OF A NON-TANGENTIAL CURVE, CONCAVE TO THE EAST AND HAVING A RADIUS OF 275.00 FEET, A DISTANCE OF 53.53 FEET AND HAVING A RADIUS OF 275.00 FEET AND WHOSE CHORD LENGTH OF 53.44 FEET BEARS SOUTH 06 DEGREES 23 MINUTES 36 SECONDS WEST TO A POINT OF TANGENCY; THENCE SOUTH 00 DEGREES 49 MINUTES 02 SECONDS WEST, A DISTANCE OF 36.27 FEET; THENCE NORTH 85 DEGREES 26 MINUTES 45 SECONDS WEST, A DISTANCE OF 138.78 FEET; THENCE NORTH 04 DEGREES 33 MINUTES 15 SECONDS EAST, A DISTANCE OF 102.30 FEET TO THE POINT OF BEGINNING, CONTAINING 0.3073 ACRES, MORE OR LESS, AND LYING IN THE VILLAGE OF INVERNESS, COOK COUNTY, ILLINOIS.

AND

THAT PORTION OF LOT 1 IN THE ESTATES AT INVERNESS – UNIT 1 BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 24, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED APRIL 11, 2001 AS DOCUMENT NUMBER 0010292526 LYING IN THE VILLAGE OF INVERNESS, COOK COUNTY, ILLINOIS. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1, THENCE SOUTH 88 DEGREES 48 MINUTES 35 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID LOT 1, A DISTANCE OF 389.82 FEET; THENCE SOUTH 01 DEGREES 11 MINUTES 25 SECONDS EAST, A DISTANCE OF 150.03 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 175.00 FEET, A DISTANCE OF 269.71 FEET TO A POINT OF TANGENCY; THENCE SOUTH 87 DEGREES 06 MINUTES 55 SECONDS WEST, A DISTANCE OF 279.92 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 125.00 FEET, A DISTANCE OF 58.68 FEET TO A POINT OF TANGENCY; THENCE SOUTH 60 DEGREES 13 MINUTES 05 SECONDS WEST, A DISTANCE OF 96.54 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 225.00 FEET, A DISTANCE OF 278.78 FEET TO A POINT OF TANGENCY; THENCE SOUTH 10 DEGREES 46 MINUTES 25 SECONDS EAST, A DISTANCE OF 239.80 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 225.00 FEET, A DISTANCE OF 142.91 FEET; THENCE SOUTH 49 DEGREES 12 MINUTES 53 SECONDS WEST, A

UNOFFICIAL COPY

DISTANCE OF 50.25 FEET TO THE POINT OF BEGINNING; THENCE SOUTHEASTERLY ALONG THE ARC OF A NON-TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 275.00 FEET, A DISTANCE OF 82.28 FEET AND WHOSE CHORD LENGTH OF 81.97 FEET BEARS SOUTH 54 DEGREES 34 MINUTES 21 SECONDS EAST; THENCE SOUTH 15 DEGREES 46 MINUTES 58 SECONDS WEST, A DISTANCE OF 87.32 FEET; THENCE NORTH 73 DEGREES 40 MINUTES 23 SECONDS WEST, A DISTANCE OF 106.46 FEET; THENCE NORTH 03 DEGREES 30 MINUTES 12 SECONDS EAST, A DISTANCE OF 0.84 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 125.00 FEET, A DISTANCE OF 99.73 FEET TO A POINT OF TANGENCY, THENCE NORTH 49 DEGREES 12 MINUTES 53 SECONDS EAST, A DISTANCE OF 21.07 FEET TO THE POINT OF BEGINNING, CONTAINING 0.2373 ACRES, MORE OR LESS, AND LYING IN THE VILLAGE OF INVERNESS, COOK COUNTY, ILLINOIS.

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT "C"

PERCENTAGE OWNERSHIP

<u>Unit</u>	<u>Percentage Interest In Common Elements</u>
1	1.28
2	1.44
3	1.48
4	1.54
5	1.31
6	1.44
7	1.28
8	1.54
9	1.40
10	1.34
11	1.53
14	1.40
17	1.30
18	1.33
19	1.53
20	1.60
21	1.44
22	1.47
23	1.41
24	1.30
25	1.31
26	1.45
27	1.50
28	1.28
29	1.44
30	1.48
31	1.47
34	1.55
35	1.55
37	1.30
38	1.45
41	1.33
42	1.44
43	1.44
45	1.60
46	1.30
47	1.47
48	1.53
49	1.32
51	1.44
52	1.41
53	1.45
54	1.28
55	1.53

UNOFFICIAL COPY

56	1.31
58	1.30
59	1.28
60	1.46
67	1.46
68	1.28
69	1.31
73	1.30
75	1.46
76	1.47
79	1.45
80	1.44
81	1.32
82	1.33
83	1.48
84	1.53
85	1.47
86	1.30
87	1.54
88	1.41
89	1.28
93	1.44
100	1.44
101	1.32
105	1.33
108	1.31
110	<u>1.30</u>

Total: 100.00

Property of Cook County Clerk's Office

UNOFFICIAL COPY

EXHIBIT

ATTACHED TO

Property of COOK COUNTY Clerk's Office

COMPY
+ 3 EX PG.
20 PG. Total

DOCUMENT

Doc#: 0529403006 Fee: \$118.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 10/21/2005 09:41 AM Pg: 1 of 20

SEE PLAT INDEX