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Doc#: 0621910170 Fee: \$56.50
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 08/07/2006 03:39 PM Pg: 1 of 17

THIS INSTRUMENT PREPARED
BY AND SHOULD BE RETURNED
TO:

Brian Meltzer
MELTZER, PURTILL & STELLE LLC
1515 East Woodfield Road
Suite 250
Schaumburg, Illinois 60173-5431

PINS 10-09-304-026

ABOVE SPACE FOR RECORDER'S USE ONLY

07/31/06

SUPPLEMENT NO. 5 TO COMMUNITY DECLARATION FOR OPTIMA OLD ORCHARD WOODS

This Supplemental Declaration is made and entered into by Optima Old Orchard Woods, LLC, an Illinois limited liability company ("Declarant").

RECITALS

Declarant recorded the Community Declaration for Optima Old Orchard Woods (the "Community Declaration") on February 10, 2006 in the Office of the Recorder of Deeds for Cook County, Illinois as Document No. 0604139026.

In Article Twelve of the Community Declaration, Declarant reserved the right and power to add and submit certain real estate to the Community Declaration by making portions of the Development Area subject to the Community Declaration as part of the Premises. Declarant exercised the right and power reserved in Article Twelve by Recording the following documents:

| <u>Document</u> | <u>Recording Date</u> | <u>Recording No.</u> |
|--------------------------------|-----------------------|----------------------|
| Supplement No. 1 | March 23, 2006 | 0608227163 |
| Supplement No. 2 | April 21, 2006 | 0611118077 |
| Supplement No. 3 | June 7, 2006 | 0615812016 |
| Supplement No. 4 | June 28, 2006 | 0617910123 |
| Correction to Supplement No. 4 | <u>Aug 7, 2006</u> | <u>0621910168</u> |

Declarant once again desires to exercise this right and power to add and submit certain real estate to the provisions of the Community Declaration as part of the Premises.

NOW, THEREFORE, Declarant does hereby supplement and amend the Community Declaration as follows:

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1. Terms. All Terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Community Declaration.
2. Added Premises. Those portions of the Development Area which are legally described in Section I.G. of the Fifth Amended and Restated Exhibit B attached hereto are hereby made part of the Premises as "Added Premises".
3. Added Units. The Dwelling Units in the Added Premises, which are legally described in Section II.A.6. of the Fifth Amended and Restated Exhibit B, are hereby made part of the Premises as "Added Units".
4. Added Commercial Units. There are no additional Commercial Units being added with this Supplement No. 4.
4. Added Utility Units. There are no Utility Units being added with this Supplement No. 4.
6. Added Community Units. There are no additional Community Units being added with this Supplement No. 4.
7. Added Community Area. There is no additional Community Area being added with this Supplement No. 4.
8. Amendment of Exhibit B. To reflect the addition of real estate to the Premises as set forth in the paragraphs above, Exhibit B to the Community Declaration is hereby amended and restated to be as set forth in the Fifth Amended and Restated Exhibit B to the Community Declaration which is attached hereto.
9. Storage Area Assignments. To reflect the Storage Area assignments with respect to the Added Units in the Added Premises, Exhibit C is hereby amended and restated to be as set forth in Fifth Amended and Restated Exhibit C attached hereto.
10. Covenants to Run with Land. The covenants, conditions, restrictions, and easements contained in the Community Declaration, as amended by this Supplemental Declaration, shall run with and bind the Premises, including the Added Premises.

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11. Continuation. As expressly hereby amended, the Community Declaration shall continue in full force and effect in accordance with its terms.

Dated: AUGUST 1, 2006

DECLARANT:

OPTIMA OLD ORCHARD WOODS, LLC,
An Illinois Limited Liability Company

By: OPTIMA OLD ORCHARD WOODS
DEVELOPMENT, LLC,
An Illinois Limited Liability Company

Its: Manager

By: [Signature]
Name: David C. Hovey
Its: Manager

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 David C. Hovey, the Manager of Optima Old Orchard Woods Development, LLC, an Illinois limited liability company, which is the Manager of Optima Old Orchard Woods, LLC, an Illinois limited liability company (the "Company"), personally known to be to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of the Company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 1st day of AUGUST 2006



[Signature]
Notary Public

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CONSENT OF MORTGAGEE

Wachovia Bank National Association, as holder of a mortgage dated October 27, 2004, and recorded in the office of the Recorder of Deeds of Cook County, Illinois, on October 28, 2004, as Document No. 0430234062, with respect to the Premises, hereby consents to the recording of the Supplemental Declaration to which this Consent is attached and agrees that its mortgage shall be subject to the terms of this Declaration, as supplemented and amended from time to time.

Dated: 8/2, 2006

WACHOVIA BANK NATIONAL ASSOCIATION

By: [Signature]
Its: Senior Vice President

ATTEST:

By: _____
Its: _____

STATE OF CT)
) SS.
COUNTY OF HARTFORD

The undersigned, a Notary Public in and for said County and State, do hereby certify that David R. McLellan and _____, the _____ and _____, respectively, of Wachovia Bank National Association (the "Bank"), and, as such Senior Vice President and _____ 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 the Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 2 day of AUG, 2006

[Signature]
Notary Public

JUDITH L. BIGDA
NOTARY PUBLIC
My commission expires 2/28/2008

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FIFTH AMENDED AND RESTATED EXHIBIT B TO COMMUNITY DECLARATION FOR OPTIMA OLD ORCHARD WOODS

The Premises

I. THE PREMISES

A. PHASE 1 - COMMUNITY AREA:

THAT PART OF LOT 2 (EXCEPT THAT PART DEDICATED FOR WOODS DRIVE) IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2004 AS DOCUMENT 0422518103, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

ABOVE ELEVATION 628.5 AND BELOW ELEVATION 647.7, (GRADE LEVEL THRU 2ND FLOOR) COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORDED BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 198.89 FEET FOR A POINT OF BEGINNING; THENCE EAST, 169.68 FEET; THENCE SOUTH 157.12 FEET; THENCE WEST, 75.30 FEET; THENCE SOUTH, 151.38 FEET; THENCE WEST, 59.13 FEET; THENCE NORTH 93.63 FEET; THENCE WEST 35.25 FEET; THENCE SOUTH, 163.50 FEET; THENCE EAST, 246.36 FEET; THENCE NORTHEASTERLY, 102.92 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE NEXT DESCRIBED COURSE, 49.07 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF LOT 2 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID LINE, 129.77 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF LOT 2; THENCE WESTERLY ALONG SAID SOUTH LINE, 323.21 FEET TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 428.33 FEET; THENCE EAST, 49.77 FEET TO THE POINT OF BEGINNING; AND ALSO:

ABOVE ELEVATION 647.7 AND BELOW ELEVATION 655.7, (3RD FLOOR) COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORDED BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 198.89 FEET FOR A POINT OF BEGINNING; THENCE EAST, 169.68 FEET; THENCE SOUTH 123.25 FEET; THENCE WEST, 75.30 FEET; THENCE SOUTH, 185.25 FEET; THENCE WEST, 94.38 FEET; THENCE SOUTH, 69.87 FEET; THENCE EAST, 246.36 FEET; THENCE NORTHEASTERLY, 102.92 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE NEXT DESCRIBED COURSE, 49.07 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF LOT 2 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID LINE, 129.77 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF LOT 2; THENCE WESTERLY ALONG SAID SOUTH LINE, 323.21 FEET TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 428.33 FEET; THENCE EAST, 49.77 FEET TO THE POINT OF BEGINNING.

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BELOW ELEVATION 628.5, (BELOW GRADE) COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORDED BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 198.89 FEET FOR A POINT OF BEGINNING; THENCE EAST, 169.68 FEET; THENCE SOUTH 157.12 FEET; THENCE WEST, 169.68 FEET; THENCE SOUTH, 221.25 FEET; THENCE EAST, 246.36 FEET; THENCE NORTHEASTERLY, 102.92 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE NEXT DESCRIBED COURSE, 49.07 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF LOT 2 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID LINE, 129.77 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF LOT 2; THENCE WESTERLY ALONG SAID SOUTH LINE, 323.21 FEET TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 428.33 FEET; THENCE EAST, 49.77 FEET TO THE POINT OF BEGINNING.

B. PHASE 1 – OAK CONDOMINIUM:

THAT PART OF LOT 2 (EXCEPT THAT PART DEDICATED FOR WOODS DRIVE) IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2004 AS DOCUMENT 0422518103, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

(LOWER LEVEL) BELOW ELEVATION 628.5, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH, 356.01 FEET FOR A POINT OF BEGINNING; THENCE EAST, 243.46'; THENCE SOUTH 89.25'; THENCE EAST 65.67'; THENCE SOUTH 50.43'; THENCE SOUTH 37 DEGREES 34 MINUTES 38 SECONDS WEST, 102.92'; THENCE WEST 246.36'; THENCE NORTH 221.25' TO THE POINT OF BEGINNING; AND ALSO:

(GRADE LEVEL – FIRST FLOOR) ABOVE ELEVATION 628.5 AND BELOW ELEVATION 638.9, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH, 413.76 FEET FOR A POINT OF BEGINNING; THENCE EAST, 35.25'; THENCE SOUTH 93.63'; THENCE EAST 59.13'; THENCE NORTH, 151.38'; THENCE EAST, 147.83'; THENCE SOUTH, 138.00'; THENCE EAST, 17.54'; THENCE SOUTH, 22.83'; THENCE EAST, 33.10'; THENCE SOUTH 37 DEGREES 34 MINUTES 38 SECONDS WEST, 76.23'; THENCE WEST, 246.36'; THENCE NORTH, 163.50' TO THE POINT OF BEGINNING; AND ALSO:

(SECOND FLOOR) ABOVE ELEVATION 638.9 AND BELOW ELEVATION 647.7, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH, 413.76 FEET FOR A POINT OF BEGINNING; THENCE EAST, 35.25'; THENCE SOUTH, 93.63'; THENCE EAST, 59.13'; THENCE NORTH, 151.38'; THENCE EAST, 149.25'; THENCE SOUTH, 137.75'; THENCE EAST, 66.99'; THENCE SOUTH 37 DEGREES 34 MINUTES 38 SECONDS WEST, 105.36';

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THENCE WEST 246.36'; THENCE NORTH, 163.50' TO THE POINT OF BEGINNING; AND ALSO:

(THIRD FLOOR) ABOVE ELEVATION 647.7 AND BELOW ELEVATION 658.2, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH, 507.39 FEET FOR A POINT OF BEGINNING; THENCE EAST, 94.38'; THENCE NORTH, 185.25'; THENCE EAST, 123.50'; THENCE SOUTH, 37.29'; THENCE EAST 25.75'; THENCE SOUTH, 145.08'; THENCE EAST, 58.71'; THENCE SOUTH 37 DEGREES 34 MINUTES 38 SECONDS WEST, 91.79'; THENCE WEST 246.36'; THENCE NORTH, 69.87' TO THE POINT OF BEGINNING; AND ALSO:

(FOURTH FLOOR) ABOVE ELEVATION 658.2 AND BELOW ELEVATION 667.1, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH, 507.39 FEET FOR A POINT OF BEGINNING; THENCE EAST, 94.38'; THENCE NORTH, 185.25'; THENCE EAST, 101.75'; THENCE SOUTH, 255.13'; THENCE WEST 196.13'; THENCE NORTH, 69.87' TO THE POINT OF BEGINNING; AND ALSO:

(FIFTH FLOOR) ABOVE ELEVATION 667.1 AND BELOW ELEVATION 676.0, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 196.12'; THENCE SOUTH, 309.23' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 250.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING.

C. PHASE 2 – OAK CONDOMINIUM:

THAT PART OF LOT 2 (EXCEPT THAT PART DEDICATED FOR WOODS DRIVE) IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2004 AS DOCUMENT 0422518103, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

(SIXTH FLOOR) ABOVE ELEVATION 676.0 AND BELOW ELEVATION 684.9, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 189.12'; THENCE SOUTH, 309.20' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 243.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING.

(SEVENTH FLOOR) ABOVE ELEVATION 684.9 AND BELOW ELEVATION 693.7, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID;

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THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 196.12'; THENCE SOUTH, 309.23' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 250.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING.

D. PHASE 3 – OAK CONDOMINIUM:

THAT PART OF LOT 2 (EXCEPT THAT PART DEDICATED FOR WOODS DRIVE) IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2004 AS DOCUMENT 0422518103, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

(EIGHTH FLOOR) ABOVE ELEVATION 693.7 AND BELOW ELEVATION 702.6, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 203.12'; THENCE SOUTH, 309.26' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 257.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING;

(NINTH FLOOR) ABOVE ELEVATION 702.6 AND BELOW ELEVATION 711.5, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 196.12'; THENCE SOUTH, 309.23' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 250.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING;

(TENTH FLOOR) ABOVE ELEVATION 711.5 AND BELOW ELEVATION 720.4, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 196.12'; THENCE SOUTH, 309.23' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 250.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING.

E. PHASE 4 – OAK CONDOMINIUM

THAT PART OF LOT 2 (EXCEPT THAT PART DEDICATED FOR WOODS DRIVE) IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT

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THEREOF RECORDED AUGUST 12, 2004 AS DOCUMENT 0422518103, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

(ELEVENTH AND TWELFTH FLOOR) ABOVE ELEVATION 720.4 AND BELOW ELEVATION 738.1, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 196.12'; THENCE SOUTH, 309.23' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 250.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING; AND ALSO:

(PORTION OF THIRTEENTH FLOOR) ABOVE ELEVATION 738.1 AND BELOW ELEVATION 747.0, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 127.62'; THENCE SOUTH, 33.50'; THENCE EAST, 3.91'; THENCE SOUTH, 7.45'; THENCE EAST, 5.67'; THENCE SOUTH, 37.67'; THENCE EAST, 58.91'; THENCE SOUTH, 230.60' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 250.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING.

F. PHASE 5 – OAK CONDOMINIUM

THAT PART OF LOT 2 (EXCEPT THAT PART DEDICATED FOR WOODS DRIVE) IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2004 AS DOCUMENT 0422518103, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

(PORTION OF EACH OF FOURTEENTH, FIFTEENTH AND SIXTEENTH FLOORS) ABOVE ELEVATION 747.0 AND BELOW ELEVATION 773.6, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 127.62'; THENCE SOUTH, 33.50'; THENCE EAST, 3.91'; THENCE SOUTH, 7.45'; THENCE EAST, 5.67'; THENCE SOUTH, 37.67'; THENCE EAST, 58.91'; THENCE SOUTH, 230.60' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 250.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING.

G. PHASE 6 – OAK CONDOMINIUM

THAT PART OF LOT 2 (EXCEPT THAT PART DEDICATED FOR WOODS DRIVE) IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 14

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EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2004 AS DOCUMENT 0422518103, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

(PORTION OF EACH OF SEVENTEENTH AND EIGHTEENTH) ABOVE ELEVATION 773.6 AND BELOW ELEVATION 792.4, COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORD BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 319.14 FEET FOR A POINT OF BEGINNING; THENCE EAST, 127.62'; THENCE SOUTH, 33.50'; THENCE EAST, 3.91'; THENCE SOUTH, 7.45'; THENCE EAST, 5.67'; THENCE SOUTH, 37.67'; THENCE EAST, 58.91'; THENCE SOUTH, 230.60' TO THE SOUTH LINE OF LOT 2 AFORESAID; THENCE WESTERLY ALONG SAID SOUTH LINE, 250.17' TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 308.08'; THENCE EAST, 50.97' TO THE POINT OF BEGINNING.

II. UNITS

A. Dwelling Units

1. Dwelling Units 301, 302, 304, 306, 308, 401 through 411, both inclusive, 511 through 517, both inclusive, created pursuant to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, Recorded on February 10, 2006, as Document No. 0604139025.
2. Dwelling Units 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716 and 717, created pursuant to Supplement No. 1 to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, Recorded March 23, 2006, as Document No. 0608227162.
3. Dwelling Units 801, 802, 803, 804, 805, 806, 807, 808, 909, 910, 811, 812, 81315, 814, 816, 817, 901, 902, 903, 904, 905, 906, 907, 908, 909, 91011, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, and 1011, created pursuant to Supplement No. 2 to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, Recorded April 21, 2006, as Document No. 0611118077.
4. Dwelling Units 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1201, 1202, 1203, 1204, 120507, 1206, 1208, 1209, 1210, 1211, 1302, 1304, 1305, 1306, 1307, 1308, 1309, 1310 and 1311, created pursuant to Supplement No. 3 and Special Amendment No. 2 to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, Recorded June 7, 2006, as Document No. 0615812016.

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5. Dwelling Units 1402, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1502, 150406, 1505, 1507, 1508, 1509, 1510, 1511, 1602, 1604, 1605, 1606, 1607, 1608, 1609, 1610 and 1611, created pursuant to Supplement No. 4 to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, Recorded June 28, 2006, as Document No. 0617910122.
6. Dwelling Units 1702, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1802, 1804, 1805, 1806, 1807, 1808, 1809, 1810 and 1811 created pursuant to Supplement No. 5 to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, recorded immediately prior to the recording of Supplement No. 5 to Community Declaration.

B. Parking Units

1. Units P-254, P-255, P-272, P-273, P-280, P-281, P-294(HC), P-298, P-300, P-306, P-328, P-329, P-330, P-337, P-350, P-351, P-355, P-540, P-793, P-794, P-795, P-796, P-797(HC), P-798, P-799, P-800, P-804, P-805, P-811, P-812, P-815, P-820, P-821, created pursuant to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, recorded immediately prior to the recording of the Community Declaration.
2. Units P-241, P-242, P-267, P-268, P-274, P-276(HC), P-282, P-283, P-286, P-287, P-288, P-289, P-295, P-296, P-297, P-304, P-305(HC), P-307, P-314, P-319, P-320, P-322, P-324, P-326, P-327, P-331, P-334, P-344, P-347, P-352, P-353, P-354, P-541, P-542, P-806, P-813, P-814, P-822(HC), P-823, P-830 and P-831, created pursuant to Supplement No. 1 to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, recorded immediately prior to the recording of Supplement No. 1 to Community Declaration.
3. Parking Units P-229, P-230, P-231, P-232, P-233, P-234, P-235, P-236, P-237, P-238, P-239, P-240, P-241, P-242, P-243, P-244, P-245, P-246, P-247, P-248, P-249, P-250, P-251, P-252, P-253, P-254, P-255, P-256, P-257, P-258, P-259, P-260, P-261, P-262, P-263, P-264, P-265, P-266, P-267, P-268, P-269, P-270, P-271, P-272, P-273, P-274, P-275, P-276(HC), P-277, P-278, P-279, P-280, P-281, P-282, P-283, P-284, P-285, P-286, P-287, P-288, P-289, P-290, P-291, P-292, P-293, P-294(HC), P-295, P-296, P-297, P-298, P-299, P-300, P-301, P-302, P-303, P-304, P-305(HC), P-306, P-307, P-308, P-309, P-310, P-311, P-312(HC), P-313, P-314, P-315, P-316, P-317, P-318, P-319, P-320, P-321, P-322, P-323, P-324, P-325, P-326, P-327, P-328, P-329, P-330, P-331, P-332, P-333, P-334, P-335, P-336, P-337, P-338, P-339, P-340, P-341, P-342, P-343, P-344, P-345, P-346, P-347, P-348, P-349, P-350, P-351, P-352, P-353, P-354, P-355, P-356, P-357, P-358, P-359, P-360, P-361, P-362, P-363, P-364, P-365, P-366, P-367, P-368, P-369, P-370, P-371, P-532, P-533, P-534, P-535, P-536, P-537, P-538, P-539, P-540, P-541, P-542, P-543, P-544, P-545, P-

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546, P-547, P-548, P-549, P-550, P-551, P-552, P-553, P-554, P-555, P-556, P-557, P-558, P-559, P-560, P-561, P-562, P-563, P-564, P-565, P-566, P-567, P-568, P-569, P-570, P-571, P-572, P-573, P-574, P-575, P-576, P-577, P-578, P-579, P-580, P-581, P-582, P-583, P-584, P-585, P-586, P-587, P-588, P-589, P-590, P-591, P-592, P-593, P-594, P-595, P-596, P-597, P-598, P-599, P-600, P-601, P-602, P-603, P-776, P-777, P-778, P-779, P-780, P-781, P-782, P-783, P-784, P-785, P-786, P-787, P-788, P-789, P-790, P-791, P-792, P-793, P-794, P-795, P-796, P-797(HC), P-798, P-799, P-800, P-801, P-802, P-803, P-804, P-805, P-806, P-807, P-808, P-809, P-810, P-811, P-812, P-813, P-814, P-815, P-816, P-817, P-818, P-819, P-820, P-821, P-822(HC), P-823, P-824, P-825, P-826, P-827, P-828, P-829, P-830, P-831, P-832, P-833, P-834 and P-835 created pursuant to Supplement No. 2 to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, recorded immediately prior to the recording of Supplement No. 2 to Community Declaration.

C. Commercial Units

1. CR-1 and CR-2, created pursuant to Declaration of Condominium Ownership for Optima Old Orchard Woods Oak Condominium, recorded immediately prior to the recording of the Community Declaration.

D. Utility Units

None at this time.

E. Community Units

1. CN-1 (Storage Room), CN-2 (Storage Room), CN-3 (Storage Room), CN-4 (Storage Room), CN-5 (Storage Room), CN-6 (Storage Room), CN-7, (Storage Room), CN-8 (Storage Room), CN-9 (Storage Room), CN-10 (Party Room), CN-11 (Storage Room), CN-12 (Storage Room), CN-13 (Storage Room) and CN-14 (Pool Room), Recorded on February 10, 2006, as Document No. 0604139025.

III. COMMUNITY AREA

- A. THAT PART OF LOT 2 (EXCEPT THAT PART DEDICATED FOR WOODS DRIVE) IN OLD ORCHARD WOODS SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 12, 2004 AS DOCUMENT 0422518103, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

ABOVE ELEVATION 628.5 AND BELOW ELEVATION 647.7, (GRADE LEVEL THRU 2ND FLOOR) COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORDED BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 198.89 FEET FOR A POINT OF

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BEGINNING; THENCE EAST, 169.68 FEET; THENCE SOUTH 157.12 FEET; THENCE WEST, 75.30 FEET; THENCE SOUTH, 151.38 FEET; THENCE WEST, 59.13 FEET; THENCE NORTH 93.63 FEET; THENCE WEST 35.25 FEET; THENCE SOUTH, 163.50 FEET; THENCE EAST, 246.36 FEET; THENCE NORTHEASTERLY, 102.92 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE NEXT DESCRIBED COURSE, 49.07 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF LOT 2 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID LINE, 129.77 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF LOT 2; THENCE WESTERLY ALONG SAID SOUTH LINE, 323.21 FEET TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 428.33 FEET; THENCE EAST, 49.77 FEET TO THE POINT OF BEGINNING;

ABOVE ELEVATION 647.7 AND BELOW ELEVATION 655.7, (3RD FLOOR) COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORDED BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 198.89 FEET FOR A POINT OF BEGINNING; THENCE EAST, 169.68 FEET; THENCE SOUTH 123.25 FEET; THENCE WEST, 75.30 FEET; THENCE SOUTH, 185.25 FEET; THENCE WEST, 94.38 FEET; THENCE SOUTH, 69.87 FEET; THENCE EAST, 246.36 FEET; THENCE NORTHEASTERLY, 102.92 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE NEXT DESCRIBED COURSE, 49.07 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF LOT 2 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID LINE, 129.77 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF LOT 2; THENCE WESTERLY ALONG SAID SOUTH LINE, 323.21 FEET TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 428.33 FEET; THENCE EAST, 49.77 FEET TO THE POINT OF BEGINNING

BELOW ELEVATION 628.5, (BELOW GRADE) COMMENCING AT THE NORTHWEST CORNER OF LOT 2 AFORESAID; THENCE ON A RECORDED BEARING OF SOUTH 89 DEGREES 26 MINUTES 50 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 108.67 FEET; THENCE SOUTH 198.89 FEET FOR A POINT OF BEGINNING; THENCE EAST, 169.68 FEET; THENCE SOUTH 157.12 FEET; THENCE WEST, 169.68 FEET; THENCE SOUTH, 221.25 FEET; THENCE EAST, 246.36 FEET; THENCE NORTHEASTERLY, 102.92 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE NEXT DESCRIBED COURSE, 49.07 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF LOT 2 AFORESAID; THENCE SOUTHWESTERLY ALONG SAID LINE, 129.77 FEET TO ITS INTERSECTION WITH THE SOUTH LINE OF LOT 2; THENCE WESTERLY ALONG SAID SOUTH LINE, 323.21 FEET TO THE EAST LINE OF WOODS DRIVE; THENCE NORTHERLY ALONG SAID EAST LINE, 428.33 FEET; THENCE EAST, 49.77 FEET TO THE POINT OF BEGINNING.

PINS: 10-09-304-026-000

ADDRESS: 9655, 9665 and 9675 Woods Drive, Skokie, Illinois 60077.

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EXHIBIT C TO COMMUNITY DECLARATION
FOR OPTIMA OLD ORCHARD WOODS**Storage Area Assignments

| <u>Dwelling Unit</u> | <u>Storage Area</u> |
|----------------------|---------------------|
| 301 | S-361 |
| 302 | S-354 |
| 304 | S-340 |
| 306 | S-360 |
| 308 | S-350 |
| 401 | S-344 |
| 402 | S-345 |
| 403 | S-123 |
| 404 | S-162 |
| 405 | S-126 |
| 406 | S-022 |
| 407 | S-178 |
| 408 | S-127 |
| 409 | S-341 |
| 411 | S-099 |
| 501 | S-084 |
| 502 | S-145 |
| 503 | S-357 |
| 504 | S-327 |
| 505 | S-352 |
| 506 | S-029 |
| 507 | S-116 |
| 508 | S-113 |
| 509 | S-347 |
| 510 | S-164 |
| 511 | S-165 |
| 512 | S-051 |
| 513 | S-134 |
| 514 | S-130 |
| 515 | S-139 |
| 516 | S-166 |
| 517 | S-118 |
| 601 | S-085 |
| 602 | S-154 |
| 603 | S-064 |
| 604 | S-112 |
| 605 | S-063 |
| 606 | S-124 |
| 607 | S-157 |
| 608 | S-159 |
| 609 | S-111 |
| 610 | S-153 |

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| Dwelling Unit | Storage Area |
|---------------|--------------|
| 611 | S-167 |
| 612 | S-348 |
| 613 | S-128 |
| 614 | S-131 |
| 615 | S-138 |
| 616 | S-168 |
| 617 | S-149 |
| 701 | S-155 |
| 702 | S-147 |
| 703 | S-188 |
| 704 | S-187 |
| 705 | S-143 |
| 706 | S-027 |
| 707 | S-179 |
| 708 | S-177 |
| 709 | S-110 |
| 710 | S-105 |
| 711 | S-169 |
| 712 | S-065 |
| 713 | S-132 |
| 714 | S-140 |
| 715 | S-033 |
| 716 | S-151 |
| 717 | S-183 |
| 801 | S-026 |
| 802 | S-116 |
| 803 | S-346 |
| 804 | S-049 |
| 805 | S-353 |
| 806 | S-053 |
| 807 | S-158 |
| 808 | S-129 |
| 809 | S-351 |
| 810 | S-100 |
| 811 | S-170 |
| 812 | S-104 |
| 81315 | S-077, S-078 |
| 814 | S-114 |
| 816 | S-056 |
| 817 | S-103 |
| 901 | S-115 |
| 902 | S-088 |
| 903 | S-343 |
| 904 | S-356 |
| 905 | S-060 |
| 906 | S-171 |
| 907 | S-142 |
| 908 | S-034 |
| 909 | S-125 |

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| Dwelling Unit | Storage Area |
|---------------|--------------|
| 91011 | S-081, S-082 |
| 1001 | S-184 |
| 1002 | S-121 |
| 1003 | S-172 |
| 1004 | S-156 |
| 1005 | S-359 |
| 1006 | S-021 |
| 1007 | S-117 |
| 1008 | S-141 |
| 1009 | S-144 |
| 1010 | S-054 |
| 1011 | S-148 |
| 1101 | S-086 |
| 1102 | S-089 |
| 1103 | S-087 |
| 1104 | S-186 |
| 1105 | S-030 |
| 1106 | S-107 |
| 1107 | S-135 |
| 1108 | S-180 |
| 1109 | S-186 |
| 1110 | S-083 |
| 1111 | S-120 |
| 1201 | S-189 |
| 1202 | S-023 |
| 1203 | S-151 |
| 1204 | S-048 |
| 120507 | S-079, S-080 |
| 1206 | S-028 |
| 1208 | S-176 |
| 1209 | S-066 |
| 1210 | S-093 |
| 1211 | S-337 |
| 1303 | S-024 |
| 1304 | S-052 |
| 1305 | S-019 |
| 1306 | S-050 |
| 1307 | S-137 |
| 1308 | S-055 |
| 1309 | S-058 |
| 1310 | S-336 |
| 1311 | S-098 |
| 1401 | S-332 |
| 1402 | S-059 |
| 1403 | S-025 |
| 1404 | S-089 |
| 1405 | S-020 |
| 1406 | S-133 |
| 1407 | S-163 |

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| Dwelling Unit | Storage Area |
|---------------|--------------|
| 1408 | S-067 |
| 1409 | S-032 |
| 1410 | S-095 |
| 1411 | S-091 |
| 1501 | S-090 |
| 1502 | S-119 |
| 1503 | S-339 |
| 150406 | S-330, S-331 |
| 1505 | S-175 |
| 1507 | S-358 |
| 1508 | S-106 |
| 1509 | S-174 |
| 1510 | S-336 |
| 1511 | S-122 |
| 1601 | S-333 |
| 1602 | S-150 |
| 1603 | S-338 |
| 1604 | S-181 |
| 1605 | S-316 |
| 1606 | S-173 |
| 1607 | S-136 |
| 1608 | S-318 |
| 1609 | S-109 |
| 1610 | S-298 |
| 1611 | S-299 |
| 1701 | S-306 |
| 1702 | S-300 |
| 1703 | S-097 |
| 1704 | S-313, S-314 |
| 1705 | S-031 |
| 1707 | S-160 |
| 1708 | S-303 |
| 1709 | S-057 |
| 1710 | S-317 |
| 1711 | S-309 |