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EXHIBIT

ATTACHED TO

09149196

DOCUMENT NUMBER

SEE PLAT BOOK

12-9-99

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203 N. LaSALLE, STE. 1400
CHICAGO, IL 60601
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93/5/0071 53 001 Page 1 of 9
1999-12-09 15:27:17
Cook County Recorder 71.00

PREPARED BY & MAIL TO:
P.D. Hartz Construction Company, Inc.
8995 WEST 95TH STREET
PALOS HILLS, IL 60465
Original Document No. 99333248



**THIRD AMENDMENT TO DECLARATION
OF CONDOMINIUM OWNERSHIP AND OF
EASEMENTS, RESTRICTIONS, AND
COVENANTS FOR KIRBY
CONDOMINIUM ASSOCIATION**

EXHIBIT ATTACHED

THIS DECLARATION is made by
Old Kent Bank, as Successor to First
National Bank of Evergreen Park, as
Trustee under Trust No. 7573, dated
November 1, 1983, hereinafter known
as "Declarant" and P.D. Hartz Construction
Company, Inc., hereinafter known as "Developer".

WITNESSETH

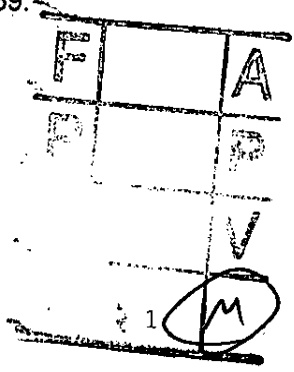
WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 99333248 on April 7, 1999. Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee, under Trust Number 7573, dated November 1, 1983, and not individually, submitted certain real estate to the Condominium Property Act of the State of Illinois (the "Act"), said Condominium being known as Kirby Condominium Association; and

WHEREAS, under Paragraph 1 of Article XIX of the Declaration, the right is reserved by the Developer P.D. Hartz Construction Company, Inc., to annex and add certain real property to the Parcel and Property described in the Declaration, and thereby add to the Condominium; and

WHEREAS, Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee under Trust Agreement dated November 1, 1983, and known as Trust No. 7573, is the legal title holder of the property to be annexed and P.D. Hartz Construction Company, Inc. is the Developer and wishes to annex and add to said Parcel and Property, and thereby submit to the Act as a part of the Condominium the following real property (the "Additional Property"):

Lots 16 and 17 in Town Pointe Multi-Family Unit 1, being a subdivision as recorded per Document No. 98-194139 of part of the South West Quarter (1/4) of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois, recorded on March 11, 1998 as Document No. 98-194139.

PIN: 27-35-301-002-0000



RECORDING FEE \$ 71.00
DATE 12/9/99 COPIES 4
OK gm 9/99

COMMON ADDRESSES:	18118 Kirby Drive	18128 Kirby Drive
	18120 Kirby Drive	18130 Kirby Drive
	18122 Kirby Drive	18132 Kirby Drive
	18124 Kirby Drive	18134 Kirby Drive

which property is a portion of the Development Area described in said Declaration; and

WHEREAS, the Additional Property is now improved with two (2) buildings containing (4) four units each for a total of eight (8) units as defined in the Declaration.

NOW THEREFORE, Old Kent Bank, as Successor to First National Bank of Evergreen Park, as Trustee under Trust Agreement dated November 1, 1983, and known as Trust No. 7573, and not individually, as the legal title holder of the Additional Property and P.D. Hartz Construction Company, Inc. as the Developer, and for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows:

1. The Additional Property is hereby annexed to the parcel and Property as defined in Article I of the Declaration and is hereby submitted to the provisions of the Act as a part of the Condominium in accordance with, and shall be deemed to be governed in all respects by the terms and provisions of the Declaration.
2. The Plat attached to the Declaration as Exhibit "A" showing the boundaries of the Property and delineating and describing the Units contained therein, is hereby amended and supplemented by Exhibit "A" attached hereto showing the boundaries of the annexed Property and Describing the additional units contained in said annexed Property.
3. Exhibit "B" attached to the Declaration setting forth the percentages of the undivided interest in the common elements corresponding to each Unit described in Exhibit "A" prior to this Amendment are hereby reduced to the respective percentage interest in the common elements as set forth in Exhibit "B" attached hereto. Exhibit "C" attached to the Declaration is amended by the substitution of Exhibit "C" attached hereto.
4. The additional common elements added to the Declaration by this Amendment, are hereby granted and conveyed, all as set forth in the Declaration.
5. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

RIDER ATTACHED TO
THE THIRD AMENDMENT TO THE
DECLARATION OF CONDOMINIUM OWNERSHIP

DATED NOVEMBER 1, 1983 UNDER TRUST NO. 7573

Executed and delivered by Old Kent Bank, as Successor to First National Bank of Evergreen Park, not in its individual capacity, but solely in the capacity herein described, for the purpose of binding the herein described property, and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding that each and all of the undertakings and agreements herein made, are made and intended not as personal undertakings and agreements of the Trustee, or for the purpose of binding the Trustee personally, but executed and delivered by the Trustee solely in the exercise of the powers conferred upon it as such Trustee, and no personal liability or personal responsibility is assumed by, or shall at any time be asserted or enforced against said Trustee on account hereof or on account of any undertaking or agreement herein contained, either expressed or implied. All such personal liability, if any being hereby expressly waived and released by all other parties hereto, and those claiming by, through or under them.

Old Kent Bank, as Successor to First National Bank of Evergreen Park, not not individually, but as Trustee under Trust Number 7573

BY: Robert S. Gray
Vice President & Trust Officer

ATTEST:

Nancy Rodriguez
Assistant Trust Officer

EXHIBIT "B"
PERCENTAGE INTERESTS IN COMMON ELEMENTS
FOR KIRBY CONDOMINIUM ASSOCIATION

<u>UNITS</u>	<u>% INTEREST</u>
8412	3.571%
8414	3.571%
8416	3.571%
8418	3.571%
8422	3.571%
8424	3.571%
8426	3.571%
8428	3.571%
8432	3.571%
8434	3.571%
8436	3.571%
8438	3.571%
8442	3.571%
8444	3.571%
8446	3.571%
8448	3.571%
8452	3.571%
8454	3.571%
8456	3.571%
8458	3.571%
18118	3.571%
18120	3.571%
18122	3.571%
18124	3.571%
18128	3.571%
18130	3.571%
18132	3.571%
18134	<u>3.583%</u>
	100.000%

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EXHIBIT "C" **ADDITIONAL LAND**

Lots 18 through 24, both inclusive, in Town Pointe Multi Family Unit 2, being a subdivision as recorded per Document No. 09033230 on November 3, 1999 of part of the Southwest 1/4 of Section 35, Township 36 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

Property of Cook County Clerk's Office