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97470206 27 001 Page 1 of 7
1999-12-21 15:07:02
Cook County Recorder 33.00

THIS INSTRUMENT PREPARED BY:

DAVID I. BADAIN
LOEWS CINEPLEX
711 FIFTH AVENUE
NEW YORK, NEW YORK 10022



AFTER RECORDING TO BE RETURNED TO:

THOMAS P. DUFFY
WILDMAN, HARROLD, ALLEN & DIXON
225 WEST WACKER DRIVE, SUITE 2800
CHICAGO, ILLINOIS 60606

1673

7815057, 655, 82

AMENDMENT TO DECLARATION

Amendment to Declaration (this "Amendment") made as of the 7th day of December, 1999 by County Club Hills, L.L.C. an Illinois limited liability company ("Declarant").

RECITALS

A. Declarant is the declarant under that certain Development Declaration the ("Original Declaration") made April 8, 1999, and recorded May 26, 1999 as Document 99509367, with respect to certain real property located in Country Club Hills, Illinois, a metes and bounds description of which is attached hereto as **Exhibit "A"**. All terms used herein that are defined in the Declaration shall have the meaning set forth therein.

B. Declarant desires that Loews execute a certain First Amendment to Lease of even date herewith (the "**Loews Amendment**").

C. In order to induce Loews to execute the Loews Amendment and to clarify the rights and obligations of TPO, NPO and Loews and their respective Patrons:

1. The reference to 87,000 square feet on Section 9.16 of the Original Development is hereby changed to "77,000 square feet."

2. Declarant hereby represents and warrants to Loews that it is the holder of the interests of EPO and RPO under the Declaration and has the power and authority to modify the Declaration as provided herein.

BOX 333-CTI

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1 3. This Amendment and the annexes attached hereto set forth the entire
2 agreement of Declarant and may not be changed or terminated orally but only by an
3 instrument in writing executed by EPO, RPO and Loews.

4 4. If, as and when the Excluded Area (as defined in the Loews
5 Amendment) is eliminated from the Theatre Component in accordance with the First
6 Amendment, subject to any determination by the arbitrator(s) in accordance with the
7 provisions thereof (i) the Proposed DD Modifications (as defined in the First
8 Amendment) shall be deemed substituted for Exhibit E to the Original Declaration and
9 (ii) for purposes of the Declaration, Theatre Component shall no longer include the
10 Excluded Parcel and the North Component shall be deemed to include the Excluded
11 Parcel.

12 5. The Declaration is hereby ratified and, except as modified herein, the
13 Declaration is unmodified and in full force and effect.

14 6. For all purposes of the Original Declaration, references to the
15 Declaration shall mean the Original Declaration, as modified by this Amendment.

16 IN WITNESS WHEREOF, Declarant has caused this instrument to be
17 executed as of the day and year first above written.

18 COUNTRY CLUB HILLS, L.L.C.

19 By: TDC **COUNTRY CLUB HILLS, L.L.C.**, its Manager

20 By: tucker Development Corporation, its Manager

21
22

By: 

23

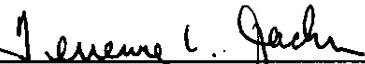
Name: Richard H. Tucker

24

Title: President

25 **CONSENTED TO:**

26
27 **ILLINOIS CINEMAS, INC.**

28
29
30 By: 

31 Name: Terrence L. Jackson

32 Title: SENIOR VICE PRESIDENT

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STATE OF ILLINOIS

COUNTY OF COOK

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that RICHARD H. TUCKER, personally known to me to be the same person whose name is subscribed to the foregoing instrument as President of Tucker Development Corporation, an Illinois corporation, being the sole manager of TDC Country Club Hills, L.L.C., an Illinois limited liability company, being the sole manager of COUNTRY CLUB HILLS, L.L.C., an Illinois limited liability company, appeared before me and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Corporation and Limited Liability Companies, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 9th day of December, 1999.


Notary Public

My Commission Expires:



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Exhibit "A"

LEGAL DESCRIPTION

THAT PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, SOUTH OF THE INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

PARCEL 1 (LOT 1)

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 27 AFORESAID; THENCE SOUTH 00 DEGREES 01 MINUTES 21 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 185.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 50.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 21 SECONDS WEST 40.00 FEET; THENCE NORTH 82 DEGREES 31 MINUTES 09 SECONDS EAST 191.53 FEET TO A POINT 290.00 FEET EAST OF AND 120.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27 (AS MEASURED ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER AND ON A LINE PERPENDICULAR THERETO); THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 804.52 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 174.14 FEET; THENCE SOUTH 48 DEGREES 11 MINUTES 44 SECONDS WEST 81.01 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 141.18 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 983.90 FEET TO A LINE 50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 27 AFORESAID, AS MEASURED PERPENDICULAR THERETO; THENCE NORTH 00 DEGREES 01 MINUTES 21 SECONDS WEST ALONG SAID PARALLEL LINE 304.66 FEET TO THE POINT OF BEGINNING.

PARCEL 2 (LOT 2)

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 27 AFORESAID; THENCE SOUTH 00 DEGREES 01 MINUTES 21 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 185.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER 50.00 FEET; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 50.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 21 SECONDS WEST 40.00 FEET; THENCE NORTH 82 DEGREES 31 MINUTES 09 SECONDS EAST 191.53 FEET TO A POINT 290.00 FEET EAST OF AND 120.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27 (AS MEASURED ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER AND ON A LINE PERPENDICULAR THERETO); THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 804.52 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 174.14 FEET; THENCE SOUTH 48 DEGREES 11 MINUTES 44 SECONDS WEST 81.01 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 141.18 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 220.32 FEET; THENCE SOUTH 19 DEGREES 09 MINUTES 36 SECONDS EAST 41.29 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 499.92 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 997.15 FEET TO A LINE 50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 27 AFORESAID, AS MEASURED PERPENDICULAR THERETO; THENCE NORTH 00 DEGREES 01 MINUTES 21 SECONDS WEST ALONG SAID PARALLEL LINE 759.24 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 983.90 FEET TO THE POINT OF BEGINNING.

Permanent Index Number:

28-27-200-003

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Exhibit "A"

LEGAL DESCRIPTION

RETAIL PARCEL (LOT 3)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, SOUTH OF THE INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 27 AFORESAID; THENCE SOUTH 00 DEGREES 01 MINUTES 21 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 185.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER 50.00 FEET; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 50.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 21 SECONDS WEST 40.00; THENCE NORTH 82 DEGREES 31 MINUTES 09 SECONDS EAST 191.53 FEET A POINT 290.00 FEET EAST OF AND 120.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27 (AS MEASURED ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER AND ON A LINE PERPENDICULAR THERETO); THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 804.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 171.48 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 08 SECONDS EAST 70.00 FEET TO A LINE 50.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 1326.02 FEET TO A POINT 60.00 FEET WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER, AS MEASURED PERPENDICULAR THERETO; THENCE SOUTH 45 DEGREES 02 MINUTES 23 SECONDS EAST 14.16 FEET TO A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, AS MEASURED PERPENDICULAR THERETO; THENCE SOUTH 00 DEGREES 05 MINUTES 55 SECONDS EAST ALONG SAID PARALLEL LINE 1188.06 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 1556.43 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 499.92 FEET; THENCE NORTH 19 DEGREES 09 MINUTES 36 SECONDS WEST 41.29 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 361.50 FEET; THENCE NORTH 48 DEGREES 11 MINUTES 44 SECONDS EAST 81.01 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 174.14 FEET TO THE POINT OF BEGINNING.

DETENTION PARCEL (LOT 4)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, SOUTH OF THE INDIAN BOUNDARY LINE, IN COOK COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 27 AFORESAID; THENCE SOUTH 00 DEGREES 01 MINUTES 21 SECONDS EAST ALONG THE WEST LINE OF SAID NORTHEAST QUARTER 185.00 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER 50.00 FEET; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 50.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 21 SECONDS WEST 40.00; THENCE NORTH 82 DEGREES 31 MINUTES 09 SECONDS EAST 191.53 FEET A POINT 290.00 FEET EAST OF AND 120.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHEAST

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QUARTER OF SAID SECTION 27 (AS MEASURED ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER AND ON A LINE PERPENDICULAR THERETO); THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 976.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 08 SECONDS EAST 70.00 FEET TO A LINE 50.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 58 MINUTES 52 SECONDS EAST 1326.02 FEET TO A POINT 60.00 FEET WEST OF THE EAST LINE OF SAID NORTHEAST QUARTER, AS MEASURED PERPENDICULAR THERETO; THENCE SOUTH 45 DEGREES 02 MINUTES 23 SECONDS EAST 14.16 FEET TO A LINE 50.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHEAST QUARTER, AS MEASURED PERPENDICULAR THERETO; THENCE SOUTH 00 DEGREES 05 MINUTES 55 SECONDS EAST ALONG SAID PARALLEL LINE 1188.06 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 196.43 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 600.00 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 700.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 600.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 700.00 FEET TO THE POINT OF BEGINNING.

Permanent Index Numbers:

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