

# UNOFFICIAL COPY



THIS INSTRUMENT PREPARED  
BY AND SHOULD BE RETURNED TO:

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

Doc#: 1022334070 Fee: \$46.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 08/11/2010 01:24 PM Pg: 1 of 6

PINs: See Exhibit B

ABOVE SPACE FOR RECORDER'S USE ONLY

08/05/10

## SPECIAL AMENDMENT NO. 2 TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR WILLOW PLACE CONDOMINIUM

This Special Amendment is made and entered into by Lexington Crossing L.L.C., a Delaware limited liability company ("Declarant").

### RECITALS

1409- 8437510

Declarant Recorded the Declaration of Condominium Ownership for Willow Place Condominium on May 22, 2008, in the Office of the Recorder of Deeds for Cook County, Illinois, as Document No. 0814322018 (the "Condominium Declaration"). The Condominium Declaration submitted certain real estate to the provisions of the Condominium Property Act of the State of Illinois (the "Act") and subjected such real estate to the Condominium Declaration.

In Article Eight of the Condominium Declaration, Declarant reserved the right and power to add portions of the Development Area from time to time to the Condominium Declaration and submit such portions to the provisions of the Act. In Section 9.01 of the Condominium Declaration, Declarant reserved the right and power to record a Special Amendment to the Condominium Declaration to, among other things, bring the Condominium Declaration into compliance with the requirements of Fannie Mae. Declarant exercised the rights and powers reserved in Article Eight and Section 9.01 of the Condominium Declaration by Recording the following documents:

| <u>Document</u>                                 | <u>Recording Date</u> | <u>Recording No.</u> |
|---|-----------------------|----------------------|
| Supplement No. 1                                | 9/26/08               | 0827034037           |
| Supplement No. 2                                | 2/03/09               | 0903434036           |
| Supplement No. 3 and<br>Special Amendment No. 1 | 7/14/09               | 0919529035           |
| Supplement No. 4                                | 9/11/09               | 0925445036           |
| Supplement No. 5                                | 10/13/09              | 0928634027           |
| Supplement No. 6                                | 12/03/09              | 0933716028           |

RECORDING FEE 46  
DATE 8-11-10 COPIES 6  
OK BY TV

# UNOFFICIAL COPY

|                   |          |            |
|-------------------|----------|------------|
| Supplement No. 7  | 1/13/10  | 1001344005 |
| Supplement No. 8  | 3/10/10  | 1006934057 |
| Supplement No. 9  | 4/09/10  | 1009944076 |
| Supplement No. 10 | 05/04/10 | 1012410043 |

In Section 9.01 of the Condominium Declaration, Declarant also reserved the right and power to Record a Special Amendment to the Condominium Declaration in order to correct errors in the Condominium Declaration or any Exhibit thereto or any supplement or amendment thereto. It has come to the attention of the Declarant that points allocated to the two (2) models of Dwelling Units in Section 8.02(c) of the Condominium Declaration were inadvertently reversed and, because of this error, the Undivided Interests assigned to the Dwelling Units in Exhibit D, as amended from time to time, were wrong. Declarant desires to exercise the right and power reserved in Section 9.01 of the Condominium Declaration in order to correct these errors.

**NOW, THEREFORE**, for the reasons set forth above, Declarant does hereby supplement and amend the Condominium Declaration as follows:

1. Terms. All capitalized terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Condominium Declaration.

2. Amendment of Section 8.02(c). Section 8.02(c) of the Condominium Declaration is hereby amended and restated to be and read, in its entirety, as follows:

“8.02(c) Exhibit D may only be amended to reflect the addition of the Added Dwelling Units, to assign to each Added Dwelling Unit an Undivided Interest, and to reassign an Undivided Interest to each Dwelling Unit shown on Exhibit D immediately prior to the Recording of such Supplemental Declaration. Initially, two (2) models of Dwelling Units may be made subject to this Condominium Declaration. Following is a list of the number of points which shall be allocated to each model of Dwelling Unit for the purpose of determining the Undivided Interests allocable to each Dwelling Unit. The points reflect the relative values of the models, as required under the Act. The Undivided Interest of each Dwelling Unit shall be determined by dividing the total number of points of all Dwelling Units subject to this Condominium Declaration into the number of points allocated to the Dwelling Unit in question.

| <u>Model</u> | <u>Points</u> |
|--------------|---------------|
| 320          | 20,120        |
| 310          | 17,890”       |

3. Amendment of Exhibit D. The Final Amended and Restated Exhibit D, which was attached to Supplement No. 10 when Supplement No. 10 was initially Recorded is hereby amended, restated and corrected by replacing it with the Corrected Final Amended and Restated Exhibit D which is attached hereto.

4. Covenants to Run With Land. The covenants, conditions, restrictions and easements contained in the Condominium Declaration, as amended by this Special Amendment, shall run with and bind the Condominium Property.

# UNOFFICIAL COPY

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

Dated: 8-6, 2010

**DECLARANT:**

**LEXINGTON CROSSING L.L.C.**, a Delaware limited liability company

By: Lexington Homes L.L.C., an Illinois limited liability company, Manager

By: [Signature]  
Its: Member

Property of Cook County Notary Public's Office

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 Jeffrey Bensen, the Member of Lexington Homes L.L.C., an Illinois limited liability company which is the Manager of Lexington Crossing L.L.C., a Delaware limited liability company ("Company"), personally known to me 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 6<sup>th</sup> day of August, 2010.

[Signature]  
Notary Public



# UNOFFICIAL COPY

## FINAL AMENDED AND RESTATED EXHIBIT B TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR WILLOW PLACE CONDOMINIUM

### The Condominium Property

LOTS 1, 2 AND 3 IN THE FINAL PLAT OF SUBDIVISION OF WILLOW PLACE, BEING A RESUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 23 IN TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN RECORDED AS DOCUMENT NUMBER 0727122107 IN COOK COUNTY, ILLINOIS.

PINs: 03-23-109-022, 03-23-109-023, 03-23-203-002

# UNOFFICIAL COPY

## CORRECTED FINAL AMENDED AND RESTATED EXHIBIT D TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR WILLOW PLACE CONDOMINIUM

### Undivided Interests

| <u>Dwelling Unit</u> | <u>Model</u> | <u>Undivided Interest</u> |
|----------------------|--------------|---------------------------|
| 1-1                  | 310          | 1.650%                    |
| 1-2                  | 310          | 1.650%                    |
| 1-3                  | 310          | 1.650%                    |
| 1-4                  | 310          | 1.650%                    |
| 1-5                  | 310          | 1.650%                    |
| 2-1                  | 320          | 1.855%                    |
| 2-2                  | 310          | 1.650%                    |
| 2-3                  | 310          | 1.650%                    |
| 2-4                  | 310          | 1.650%                    |
| 2-5                  | 320          | 1.855%                    |
| 3-1                  | 320          | 1.855%                    |
| 3-2                  | 310          | 1.650%                    |
| 3-3                  | 310          | 1.650%                    |
| 3-4                  | 320          | 1.855%                    |
| 4-1                  | 320          | 1.855%                    |
| 4-2                  | 310          | 1.650%                    |
| 4-3                  | 310          | 1.650%                    |
| 4-4                  | 320          | 1.855%                    |
| 5-1                  | 320          | 1.855%                    |
| 5-2                  | 310          | 1.650%                    |
| 5-3                  | 310          | 1.650%                    |
| 5-4                  | 320          | 1.855%                    |
| 6-1                  | 320          | 1.855%                    |
| 6-2                  | 310          | 1.650%                    |
| 6-3                  | 310          | 1.650%                    |
| 6-4                  | 310          | 1.650%                    |
| 7-1                  | 310          | 1.650%                    |
| 7-2                  | 310          | 1.650%                    |
| 7-3                  | 320          | 1.855%                    |
| 8-1                  | 320          | 1.855%                    |
| 8-2                  | 310          | 1.650%                    |
| 8-3                  | 310          | 1.650%                    |
| 9-1                  | 320          | 1.855%                    |
| 9-2                  | 310          | 1.650%                    |
| 9-3                  | 310          | 1.650%                    |
| 9-4                  | 310          | 1.650%                    |
| 9-5                  | 320          | 1.855%                    |
| 10-1                 | 320          | 1.855%                    |
| 10-2                 | 310          | 1.650%                    |
| 10-3                 | 310          | 1.650%                    |
| 10-4                 | 310          | 1.650%                    |
| 10-5                 | 310          | 1.650%                    |
| 10-6                 | 320          | 1.855%                    |
| 11-1                 | 320          | 1.855%                    |

# UNOFFICIAL COPY

| <u>Dwelling Unit</u> | <u>Model</u> | <u>Undivided Interest</u> |
|----------------------|--------------|---------------------------|
| 11-2                 | 310          | 1.650%                    |
| 11-3                 | 310          | 1.650%                    |
| 11-4                 | 310          | 1.650%                    |
| 11-5                 | 320          | 1.855%                    |
| 12-1                 | 320          | 1.855%                    |
| 12-2                 | 310          | 1.650%                    |
| 12-3                 | 310          | 1.650%                    |
| 12-4                 | 310          | 1.650%                    |
| 12-5                 | 310          | 1.650%                    |
| 12-6                 | 320          | 1.854%                    |
| 13-1                 | 320          | 1.854%                    |
| 13-2                 | 310          | 1.649%                    |
| 13-3                 | 310          | 1.649%                    |
| 13-4                 | 320          | 1.854%                    |
|                      |              | 100.000%                  |

Property of Cook County Clerk's Office