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SECOND AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP FOR
HEARTHWOOD FARMS CONDOMINIUM - PHASE II

THIS AMENDMENT to the Declaration of Condominium Ownership for Hearthwood Farms Condominium - Phase II (hereinafter referred to as the "Amendment") is executed by **LaSALLE NATIONAL BANK**, not individually, but as Trustee under Trust Agreement dated August 29, 1986 and known as Trust No. 111510 (hereinafter referred to as the "Declarant").

W I T N E S S E T H:

WHEREAS, U.S. Home Corporation, a Delaware corporation, as Original Declarant, recorded the Declaration of Condominium Ownership for Hearthwood Farms Condominium - Phase II (hereinafter referred to as the "Declaration") on December 12, 1985 in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 85-321490; and

WHEREAS, the Declaration, as amended, submitted certain real estate to the provisions of the Condominium Property Act of the State of Illinois (hereinafter referred to as the "Act") described in Exhibit 1 attached hereto (hereinafter referred to as the "Submitted Parcel"); and

WHEREAS, Declarant has assumed the rights, powers and responsibilities of the Original Declarant under the Declaration by agreement between them and pursuant to Article I, Section 1.02 and Article XII, Section 12.16 of the Declaration, whereby Declarant is to continue development of the Development Area (as defined in the Declaration and as further defined hereinbelow); and

WHEREAS, pursuant to the Act, as amended, under Article XI of the Declaration, Trustee reserved the rights and powers to annex, add, submit and subject to the provisions of the Act and the Declaration any part or all of the Development Area, as

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THE STATE OF ILLINOIS
COUNTY OF COOK

IN SENATE,
January 10, 1908.

REPORT
OF THE
COMMISSIONERS OF THE
LAND OFFICE,
IN RESPONSE TO A RESOLUTION
PASSED BY THE SENATE
MAY 15, 1907.

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described in Exhibit "A-1" of the Declaration, to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration; and

WHEREAS, the Trustee, pursuant to Article XI of the Declaration, desires to annex, add, submit and subject a portion of the Development Area described in Exhibit "B", Page 2, attached hereto (hereinafter referred to as the "Additional Parcel") to the Declaration and the Act and add to the plan of condominium ownership; and

WHEREAS, the Additional Parcel is now improved with one (1) building for a total of eight (8) residential units; and

WHEREAS, the Declarant desires to amend the Declaration as it relates to the Plat of Condominium Survey (Exhibit "B" of the Declaration) and to the percentage of ownership interest in the Common Elements for the condominium units (Exhibit "C" of the Declaration).

NOW, THEREFORE, the Declarant does hereby declare that the Declaration is amended as follows:

1. The Additional Parcel is hereby annexed to and made a part of the real estate described in the Declaration and in Exhibit "1" as attached hereto and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Act.

2. Exhibit "B" of the Declaration, the "Plat of Condominium Survey", is hereby amended by adding the Additional Parcel as described and delineated in the Plat of Survey attached hereto as Exhibit "B", Page 2, together with the Units depicted thereon. The resulting delineation of the condominium area is shown on the Plat of Survey attached hereto as Exhibit "B", Page 1.

3. Exhibit "C" of the Declaration, "Percentage of Ownership Interest in the Common Elements for Condominium

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Units..." is hereby deleted and an amended Exhibit "C", attached hereto as Exhibit "C", is substituted therefor.

4. The Common Elements contained in the Additional Parcel are hereby granted and conveyed to the Unit Owners subject to the provisions of the Act and the Declaration.

5. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this instrument, shall run with and bind the Condominium Property, including the Additional Parcel.

6. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms and except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Amendment and the Declaration, this Amendment shall control.

TITLE IN TRUST. In the event title to any Unit Ownership is conveyed to a land holding under the terms of which all powers of management, operation and control of the Unit Ownership remain vested in the trust beneficiary or beneficiaries, then the Unit Ownership under such trust and the beneficiaries thereunder from time to time shall be responsible for payment of all obligations, liens, or indebtedness and for the performance of all agreements, covenants and undertakings chargeable or created under this Declaration against such Unit Ownership. No claim shall be made against any such title holding trustee personally for payment of any lien or obligation hereunder created and the trustee shall not be obligated to sequester funds or trust property to apply in whole or in part against such lien or obligation. The amount of such lien or obligation shall continue to be charge or lien upon the Unit Ownership and the beneficiaries of such trust, notwithstanding any transfers of the beneficial interest of any such trust or any transfers of title of such Unit Ownership.

SIGNATURE BY TRUSTEE. Anything in this Declaration to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements of the Trustee, while in form purporting to be the representations, covenants, undertakings and agreements of the Trustee, are nevertheless, each and every one of them, made and intended not as personal representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding the Trustee personally, but are made and intended for the purpose of binding only that portion of the trust property specifically described herein. This Declaration is executed and delivered by the Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee. No personal liability or personal responsibility is assumed by or shall at any time be asserted or enforceable against the LA SALLE NATIONAL BANK, either individually or as Trustee on account of this Declaration or on account of any representation, covenant, undertaking or agreement of the Trustee contained in this Declaration, either expressed or implied, all such personal liability, if any, being expressly waived and released by all the Unit Owners and by all persons claiming by, through or under any such Unit Owners.

In witness whereof, the Declarant has caused this instrument to be signed by its Asst. Vice President and its corporate seal to be affixed and attested by its Assistant Secretary this 30th day of September, 1986.

LA SALLE NATIONAL BANK, As Trustee
as aforesaid and not personally,

By: _____ ASST. VICE PRESIDENT

Attest: B. J. [Signature]
Assistant Secretary

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EXHIBIT "1"

Submitted Parcel

Lots 9 and 10 in Hearthwood Farms Subdivision Unit 2, being a Planned Unit Development in the Southeast Quarter of Section 35, Township 41 North, Range 9, East of the Third Principal Meridian, in Cook County, Illinois.

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IN WITNESS

John J. [illegible]

of the County of Cook, State of Illinois, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the County of Cook, State of Illinois, and that the same is a true and correct copy of the original as the same appears from the records of the County of Cook, State of Illinois, and that the same is a true and correct copy of the original as the same appears from the records of the County of Cook, State of Illinois.

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EXHIBIT "C"

List of Units and Percentage Interest in the Common Elements

<u>Unit No.</u>	<u>Percentage Interest</u>
10-A-1-1	5.0834202
10-A-2-1	5.7299270
10-B-1-1	4.5933263
10-B-2-1	4.5933263
10-A-1-2	5.0834202
10-A-2-2	5.7299270
10-B-1-2	4.5933263
10-B-2-2	4.5933263
9-A-1-2	5.0834202
9-A-2-2	5.7299270
9-B-1-2	4.5933263
9-B-2-2	4.5933263
20-A-1-1	5.0834202
20-A-2-1	5.7299270
20-B-1-1	4.5933263
20-B-2-1	4.5933263
20-A-1-2	5.0834202
20-A-2-2	5.7299270
20-B-1-2	4.5933263
20-B-2-2	4.5933273
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