

Prepared by:  
Margaret H. Carroll  
Home By Hemphill, Inc.  
330 W. Frontage Rd.  
Northfield, IL 60093

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SML00854C  
04/08/86

MAIL TO ↑

**86614315**

THIRD AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
INVERNESS ON THE PONDS TOWNHOME CONDOMINIUM ASSOCIATION

THIS THIRD AMENDMENT TO DECLARATION made and entered into by FIRST ILLINOIS BANK OF WILMETTE, not individually, but as Trustee under Trust Agreement dated the 15th day of April, 1985 and known as Trust No. TWB-0372 (hereinafter referred to as "Trustee").

W I T N E S S E T H:

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 86063691 (the "Declaration"), certain real estate was submitted to the Condominium Property Act of the State of Illinois (the "Act"), said Condominium being known as Inverness on the Ponds Phase I (the "Condominium");

WHEREAS, the Declaration reserves and grants to the Trustee the right to annex and add to the Parcel and Property (as those terms are defined in the Declaration) and thereby add to the Condominium created by the Declaration all or any portion of the Development Area (as that term is defined in the Declaration); and

WHEREAS, the Trustee is the legal title holder of and now wishes to so annex and add to said Parcel and Property and submit to the provisions of Act as part of the Condominium the following real property (the "Additional Property") described on Schedule 1 attached hereto;

NOW, THEREFORE, FIRST ILLINOIS BANK OF WILMETTE, as Trustee aforesaid and not individually, as the legal title holder of the Additional property, 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, together with all improvements and structures erected, constructed or contained thereon, is hereby submitted to the provisions of the Act as 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. Exhibit "A" of the Declaration is hereby amended by deleting said Exhibit "A" and substituting Exhibit "A" attached hereto.

3. Exhibit "B" of the Declaration is hereby amended by deleting Sheet 1 of said Exhibit "B" and substituting therefor Sheet 1 of 11 of Exhibit "B-1" attached hereto, and by the addition of Sheets 10 & 11 out of 11 attached hereto.

4. The percentage of ownership in Common Elements appurtenant to each Unit (as that term is defined in the Declaration) is hereby shifted to the respective percentages set forth in Exhibit "C" attached hereto, and Exhibit "C" of the Declaration is hereby amended by deleting said Exhibit "C" and substituting Exhibit "C" attached hereto.

5. The additional common elements annexed by this instrument are hereby granted and conveyed to the grantees of all Units, including the grantees of Units heretofore conveyed, all as set forth in the Declaration.

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6. All the Units Owners, by their attorney-in-fact, hereby consent to this amendment to the Declaration, pursuant to the power and provision set forth in Article VIII of the Declaration.

7. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

8. This Declaration is executed by FIRST ILLINOIS BANK OF WILMETTE, as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. FIRST ILLINOIS BANK OF WILMETTE hereby warrants that it possesses full power and authority to execute this instrument. It is expressly understood and agreed by every person, firm, or corporation now or hereafter claiming any interest under this Declaration that FIRST ILLINOIS BANK OF WILMETTE, as Trustee aforesaid, and not personally, has joined in the execution of this Declaration for the sole purpose of subjecting the title holding interest in the trust estate under said Trust Agreement No. TWB-0372 to the terms of this Declaration; that any and all obligations, duties, covenants, and agreements of every nature herein set forth by FIRST ILLINOIS BANK OF WILMETTE, as Trustee aforesaid, to be kept and performed, are intended to be kept, performed and discharged by the beneficiary under said Trust No. TWB-0372 and that the Trustee has first been supplied with funds required for the purpose. In the event of conflict between the terms of this paragraph and the remainder of the Declaration on any question of apparent liability or obligation resting upon said Trustee, the excusatory provision hereof shall be controlling.

IN WITNESS WHEREOF, the said FIRST ILLINOIS BANK OF WILMETTE, as Trustee aforesaid, and not individually, has caused its corporate seal to be affixed hereto and has caused its name to be signed to the presence by its Assistant Vice President and attested by its Assistant Secretary, this 17 day of Nov., 1986.

ATTEST:

*John R. Spalding*  
As its Vice President.

FIRST ILLINOIS BANK OF WILMETTE,  
as Trustee aforesaid, and not  
individually

By: *Richard T. Smith*  
As its Vice Secy.

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## EXHIBIT "A"

Lots 24,25,26,27,32 and 33, all in Inverness on the Ponds Unit Two, being a subdivision of part of Lot 11 in School Trustee's Subdivision of Section 16, Township 42 North, Range 10, East of the Third Principal Meridian, and part of Outlot 1 in Loch Lomond Greens Unit One, being a subdivision of parts of Lots 11 and 14 in said School Trustee's Subdivision, according to the plat thereof recorded September 20, 1985 as Document No. 85-198886, in Cook County, Illinois.

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## EXHIBIT "C"

Units:		Percent	
84	4.2354		128 Kilchurn Lane
85	3.9043	"	126 "
86	4.0992	"	124 "
87	3.9936	"	122 "
88	3.9915	"	148 Warkworth Lane
89	3.9936	"	146 "
90	4.0565	"	144 "
91	4.0226	"	142 "
92	4.1173	"	140 "
93	4.0171	"	114 Kilchurn Lane
94	3.8824	"	112 "
95	3.7138	"	110 "
96	4.1965	"	108 Kilchurn Lane
97	3.8976	"	106 "
98	4.0007	"	104 "
99	3.5047	"	102 "
100	3.9815	"	123 Duntrune Lane
101	4.1280	"	125 "
102	4.4160	"	127 "
103	4.0512	"	129 "
104	4.1221	"	131 Scroma Lane
105	4.0765	"	133 "
106	3.7126	"	135 "
107	4.1085	"	137 "
108	3.6968	"	139 "

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TOTAL = 100%

Permanent Tax Number: 02-16-301-008 Vol 149

THIRD AMENDMENT adds Units 88 thru 92

*51 copies*

DEPT-01 RECEIVING \$51.90  
#1111 FROM 1854 12/23/86 11:12:09  
#24 # C \*-86-614315  
COOK COUNTY RECORDER