Prepared by: Margaret H. Carroll

Home By Hemphill, Inc. 330 W. Frontage Rd. Northfield, IL 60093

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

THIS FIFTH 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 and known as Trust No. TWB-0372 (hereinafter referred to as "Trustee" >.

WITNESSETH:

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois at Decument No. 86063691 (the "Declaration"), certain real estate (a) submitted to the Condominium Property Act of the State of Illin () (the "Act"), said Condominium being known as Inverness on the Condo 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 tha, term is defined in the Declaration);

WHEREAS, the Trustee is the legal title holder of and now wishes to so annex and add to raid 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 I attached hereto:

NOW, THEREFORE, FIRST ILLINOIS DANK OF WILMETTE, as Trustee aforesaid and not individually, an the legal title holder of the Additional property, and for the purpose above set forth, hereby declares that the Declaration be and heraby is amended as fallows:

- 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.
- Exhibit "A" of the Declaration is hereby an or cad by deleting said Exhibit "A" and substituting Exhibit "A" attached
- 3. Exhibit "B" of the Declaration is hereby amended by deleting Sheet 1 of said Exhibit "B" and substituting therefor Sheet 1 of 16 of Exhibit "B+1" attached hereto, and by the addition of Sheets \pm out of 16 attached hereto.
- *14, 15, 16
 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.
- 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.

Box 15 affine

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Proporty of County Clerk's Office

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EXHIBIT "A"

Lots 24, 25, 26, 27, 30, 31, 32 and 33, Outlot 10, 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 place thereof recorded September 20, 1985 as Document No. 85-198886, in Cook County, Illinois.

And also that part of 1.3t 23 in inverness on the Ponds Unit II aforesaid described as follows: Peginning at the Northwest corner of said Lot 23; thence South 4°53'17" West along the Westerly line of said Lot 23, a distance of 177.99 feet; thence South 89°51'59" East, a distance of 43.21 feet; thence South 0°08'01" West, a distance of 0.50 feet; thence South 89 51'19" East, a distance of 117.02 feet to the Easterly line of said Lot 23; thence Northerly along the East line of said Lot 23, said line being an arc of a circle convex to the East having a radius of 97 feet, a chord thereof having a bearing of North'1°27'56" East and a length of 33.74 feet, an arc distance of 33.92 feet to a point of tangency on said Easterly line; thence North 8°33'04" West along said Easterly lot line, a distance of 146.12 feet to the Northeast corner of said Lot 23; thence due West along the North line of said Lot 23 125.00 feet to the place of beginning in Cook County, Illinois

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- 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.
- B. 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 207th by FIRST ILLINOIS BANK OF WILMETTE, as Trustee aforesaid, to 20 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 surcess. In the event of conflict between the terms of this paragraph and the remainder of the Declaration on any question of apparant liability or obligation resting upon said Trustee, the exculpatory provision hereof shall be controlling.

At its Dividor

b.

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

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STATE OF ILLINOIS) SS. COUNTY OF COOK

Jeanne Bartalomes and for said County and State aforesaid, DO HEREBY CERTIFY that the above-named Assistant Vice President and Assistant Secretary of FIRST ILLINOIS BANK OF WILMETTE, Grantor, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant Secretary respectively, appeared before me this day in person 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 Bank for the uses and purposes therein set forth; and the said Aseighant Secretary did also then and there acknowledge that Asetstant Secretary, as custodian of the Corporate Seal of said Bank, caused the Corporate Seal of said Bank to be affixed to said instrument as said Assistant Secretary's own free and voluntary act of said Bank for the uses and purposes therein set forth.

Or Coot County Clark's Office active of der my hand and Noterial Seal this 2/26 day of

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EXHIBIT "C"

				Addanss	Tax #'s
Units:	79 80 81	2.8396 2.7659 2.7893	Percent "	138 Warkworth 136 " 134 "	Lot 23 02 16 309 002 0000
	84 85 86 87	2.9023 2.6754 2.8090 2.7791	u n n	128 Kflchurn Lane 126 " 124 " 122 "	Lot 24 02 16 309 003 0000
	88 39 30 71 92	2.7352 2.7366 2.7797 2.8114 2.8214	11 11 16 16	148 Warkworth Lane 146 " 144 " 142 " 140 "	Lot 32 02 16 309 011 0000
	93 94 95	2.1527 2.6605 2.5049	11 11 0	114 Kilchurn Lane 112 " 110 "	Lot 33 02 16 309 012 0000
	96 97 98 99	2.8757 2.8682 2.7415 2.4016		108 Kilchurn Lane 106 " 104 " 102 "	Lot 25 02 16 309 004 0000
	100 101 102 103	2.7283 2.8287 3.0261 3.0669	" "	123 Duntrune Lane 125 " 127 " 129 "	Lot 26 02 16 309 006 0000
,	104 105 106 107 108	2.8247 2.7935 2.5441 2.8154 2.5332	() () () ()	131 Strome Lane 133 " 135 " 137 " 139 "	Lot 27 02 16 309 006 0000
	115 116 117	3.0694 3.2484 3.2719	t0 14 12	163 Tanta lor Lane 165 167 "	Lot 30 02 16 309 009 0000
	118 119 120 121	3.1377 3.2407 3.2740 3.3070	11 11 11	171 Tantallon La/1,- 173 " 175 " 177 "	02 16 309 010 0000
N WECOMDE RES 08/5 DING	. HHRT + - + + + - + + + + + +	CODK #4069 DEEL-01	707/	All in Inverness,	Co
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CODE CONFITY RECORDER

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This amendment adds Units 115 thru 121.



