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FOURTH AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
FOR  
KINGSPORT COMMONS CONDOMINIUM  
WHEELING, ILLINOIS

THIS FOURTH AMENDMENT is made and entered into by LaSALLE NATIONAL BANK, a national banking association, not individually, but as trustee Under A Trust Agreement Dated January 29, 1986 And Known As Trust Number 110806 (hereinafter "Developer").

WITNESSETH:

WHEREAS, pursuant to the provisions of a certain Declaration of Condominium ownership for Kingsport Commons Condominium, Wheeling, Illinois, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on May 15, 1987 as Document Number 87264610 and as amended by First Amendment thereto recorded on July 14, 1987 as Document Number 87388652 and as amended by Second Amendment thereto recorded on August 7, 1987 as Document Number 87437779 and as amended by Third Amendment thereto recorded on August 24, 1987 as Document Number 87466432 ("Declaration"), the Developer submitted certain real estate to the Condominium Property Act of the State of Illinois ("Act"); and said real estate and the improvements situated thereon are commonly known as KINGSPORT COMMONS CONDOMINIUM in Wheeling, Illinois, as hereinafter for convenience collectively are referred to as "Condominium"; and

WHEREAS, according to the provisions of the Declaration, the Developer reserved the right from time to time and in any order, within seven (7) years of the date of the recordation of the Declaration, to annex and add to the Condominium (area created by the Declaration, all or any portion of the real property was thereafter referred to as the "Parcel"; and

WHEREAS, the Developer now desires to so annex and add to the Parcel and Property, and submit to the provisions of the Act and the Declaration certain real estate, hereinafter referred to as the "Fourth Additional Parcel", legally described in "Sheet 12" of Exhibit "C" attached hereto and made a part hereof, which Fourth Additional Parcel is a portion of the Parcel. The Fourth Additional Parcel is presently improved with two townhouse buildings containing a total of eight (8) condominium Units with appertaining common elements as defined in the Declaration.

NOW THEREFORE, the Developer, as the owner of said Fourth Additional Parcel and for the purposes hereinabove set forth, does hereby amend the Declaration as follows:

Box 15  
03-03-400-053

Denoyer Trail +  
Brandon Place

Plat Book

TTC 216783 STO SW

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1. The Fourth Additional Parcel is hereby annexed and added to the Condominium Area as defined in the Declaration and is hereby submitted to the provisions of the Act as a part of the Condominium, in accordance with, and shall be deemed to be governed by, the terms and provisions of the Declaration, as hereby and from time to time amended.

2. Exhibit "C" of the Declaration is hereby amended by: (a) deleting Sheet No. 1 Amended of said Exhibit "C", dated August 14, 1987 and substituting therefor Sheet No. 1 Amended of said Exhibit "C", dated September 15, 1987, which is attached hereto and made a part hereof; and (b) adding "Sheets 12, 13 and 14" of said Exhibit "C" which is attached hereto and made a part hereof.

3. Exhibit "D" - Third Amendment of the Declaration is hereby amended by deleting said Exhibit in its entirety and substituting therefor Exhibit "D" - Fourth Amendment, which is attached hereto and made a part hereof. The percentage of ownership in the Common Elements appurtenant to each Unit, described in said Exhibit "D" - Third Amendment prior to this amendment, is hereby shifted and reduced to the percentages set forth in said Exhibit "D" - Fourth Amendment attached hereto.

4. The Common Elements as defined in the Declaration situated in and upon the Fourth Additional Parcel 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 and as hereby amended, and all the Unit Owners as described in the Declaration are entitled to their respective amended percentages of ownership in Common Elements as set forth in Exhibit "D" - Fourth Amendment attached hereto.

5. Exhibit "E" - Third Amendment of the Declaration is hereby amended by deleting said Exhibit in its entirety and substituting therefor Exhibit "E" - Fourth Amendment which is attached hereto and made a part hereof.

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

7. This instrument is executed by LaSALLE NATIONAL BANK, not personally but solely as Trustee, as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. All the terms, provisions, stipulations, covenants and conditions to be performed by LaSALLE NATIONAL BANK are undertaken by it solely as Trustee, as aforesaid, and not individually and all statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against LaSALLE NATIONAL BANK by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

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IN WITNESS WHEREOF, LaSALLE NATIONAL BANK, a national banking association, not individually, but as Trustee Under A Trust Agreement Dated January 29, 1986 And Known As Trust Number 110806 has caused its Corporate Seal to be affixed hereunto and has caused its name to be signed to these presents by its Assistant Vice President and attested to by its Assistant Secretary this 15th day of September, 1987.

Attest  
By: [Signature]  
its Assistant Secretary

LaSALLE NATIONAL BANK,  
as Trustee aforesaid,  
and not personally  
By: [Signature]  
its Assistant Vice President

STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF COOK )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that GAIL L. LEVINE, Assistant Vice President of LaSALLE NATIONAL BANK, As Trustee Under Trust No. 110806, and William H. Dillon, Assistant Secretary of said corporation and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Assistant Vice President and Assistant Secretary they signed and delivered the said instruments as Assistant Vice President and Assistant Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal this 15th of September, 1987.

[Signature]  
Notary Public

My Commission Expires 4-28-90

This Document Prepared By:  
Jerome Meister, Esq.  
Antonow & Fink  
Suite 3000  
111 East Wacker Drive  
Chicago, Illinois 60601

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## EXHIBIT D - Fourth Amendment

TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF  
EASEMENTS, RESTRICTIONS AND COVENANTS FOR  
KINGSPORT COMMONS CONDOMINIUM  
AND  
DECLARATION OF BY-LAWS FOR  
KINGSPORT COMMONS CONDOMINIUM ASSOCIATION

### PERCENTAGE INTEREST OF UNITS SUBMITTED TO THE ACT

<u>BLDG</u>	<u>UNIT</u>	<u>%</u>
2	1	3.359
2	2	3.577
2	3	3.278
2	4	3.614
3	1	3.358
3	2	3.577
3	3	3.278
3	4	3.614
4	1	3.577
4	2	3.358
4	3	3.278
4	4	3.614
5	1	3.278
5	2	3.278
5	3	3.358
5	4	3.577
6	1	3.577
6	2	3.577
6	3	3.358
6	4	3.577
6	5	3.358
7	1	3.358
7	2	3.577
7	3	3.577
7	4	3.278
8	1	3.358
8	2	3.577
8	3	3.577
8	4	3.278
		<u>100.000</u>

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## EXHIBIT E - Fourth Amendment

TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF  
EASEMENTS, RESTRICTIONS AND COVENANTS FOR  
KINGSPORT COMMONS CONDOMINIUM  
AND  
DECLARATION OF BY-LAWS FOR  
KINGSPORT COMMONS CONDOMINIUM ASSOCIATION  
LEGAL DESCRIPTION OF REMAINING ADDITIONAL  
AREA TO BE SUBMITTED TO THE ACT

A part of Lots 5, 6 and 7 in Section 3 taken as a tract, in Owner's Division of Buffalo Creek Farm, being a Subdivision of part of Sections 2, 3, 4, 9 and 10, Township 42 North, Range 11, East of the Third Principal Meridian in The Village of Wheeling, Cook County, Illinois, more particularly described as follows:

Beginning at a point in the East line of the North West 1/4 of said Section 3, 2.42 chains North of the center of said Section 3; thence Easterly forming an angle of 88 Degrees 17 Minutes 43 Seconds to the right of the prolongation of the last described line, North 88 Degrees 32 minutes 30 Seconds East, a distance of 66.74 feet to the point of beginning; thence South 48 Degrees 21 Minutes 27 Seconds West a distance of 186.18 feet to a point of tangency; thence along a curve to the left, tangent to the last described line having a radius of 137.51 feet, a length of 97.27 feet to a point of tangency; thence tangent to the last described curve South 07 Degrees 49 Minutes 43 Seconds West, a distance of 39.72 feet; thence South 78 Degrees 26 Minutes 07 Seconds East, a distance of 305.89 feet; thence North 16 Degrees 33 Minutes 16 Seconds West, a distance of 55.04 feet; thence North 58 Degrees 38 Minutes 02 Seconds East, a distance of 48.60 feet; thence North 19 Degree 20 Minutes 27 Seconds East, a distance of 84.02 feet; thence North 73 Degrees 53 Minutes 29 Seconds East, a distance of 31.80 feet; thence South 77 Degrees 28 Minutes 40 Seconds East, a distance of 16.26 feet; thence South 10 Degrees 59 Minutes 50 Seconds East a distance of 79.25 feet; thence South 79 Degrees 00 Minutes 54 Seconds East a distance of 170.77 feet; thence South 37 Degrees 19 Minutes 59 Seconds East a distance of 32.52 feet; thence South 09 Degrees 05 Minutes 19 Seconds West a distance of 164.92 feet; thence South 19 Degrees 15 Minutes 52 Seconds East a distance of 48.23 feet; thence North 88 Degrees 05 Minutes 29 Seconds East a distance of 152.12 feet; thence South 11 Degrees 06 Minutes 24 Seconds East a distance of 131.00 feet; thence South 31 Degrees 05 Minutes 20 Seconds West a distance of 44.77 feet; thence South 14 Degrees 26 Minutes 26 Seconds East a distance of 111.33 feet; thence South 47 Degrees 10 Minutes 35 Seconds West a distance of 19.76 feet; thence South 50 Degrees 40 Minutes 56 Seconds East a distance of 32.33 feet; thence North 68 Degrees 32 Minutes 09 Seconds East a distance of 138.35 feet; thence North 85 Degrees 36 Minutes 27 Seconds East a distance of 112.19 feet; thence North 75 Degrees 14 Minutes 48 Seconds East along a line radial to a curve in the right of way of Denoyer Trail as dedicated January 31, 1973 as Document Number 22,205,369 a distance of 50.01 feet to a point on the Easterly right of way line of said Denoyer Trail; thence along the Easterly right of way line of said Denoyer Trail on a curve to the left having a radius of 495.00 feet a length of 50.41 feet to a point of tangency; thence tangent to the last



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## EXHIBIT E - Fourth Amendment

TO  
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AND  
DECLARATION OF BY-LAWS FOR  
KINGSPORT COMMONS CONDOMINIUM ASSOCIATION  
LEGAL DESCRIPTION OF REMAINING ADDITIONAL  
AREA TO BE SUBMITTED TO THE ACT

described curve, North 20 Degrees 35 Minutes 21 Seconds West along said Easterly right of way line of Denoyer Trail a distance of 17.73 feet; thence South 81 Degrees 22 Minutes 26 Seconds East a distance of 220.00 feet; thence due East a distance of 165.00 feet to a point on the Westerly line of Commonwealth Edison Company right of way; thence along said Westerly line of Commonwealth Edison Company right of way North 18 Degrees 47 Minutes 21 Seconds West a distance of 764.24 feet; thence South 88 Degrees 32 Minutes 30 Seconds West a distance of 1003.16 feet to the point of beginning, in Cook County, Illinois; Except those parts thereof described as follows:

Commencing at a point in the East line of the Northwest 1/4 of said Section 3, 2.42 chains North of the center of said Section 3; thence Easterly forming an angle of 88 Degrees 17 Minutes 43 Seconds to the right of the prolongation of the last described line North 88 Degrees 32 Minutes 30 Seconds East a distance of 66.74 feet to a point; thence South 48 Degrees 21 minutes 27 Seconds West a distance of 186.18 feet to a point of curve; thence along a curve to the left tangent to the last described line having a radius of 137.51 feet a length of 97.27 feet to a point of tangency; thence tangent to the last described curve South 07 Degrees 49 Minutes 43 Seconds West a distance of 39.72 feet; thence South 78 Degrees 26 Minutes 07 Seconds East a distance of 235.89 feet; to the point of beginning; thence continuing South 78 Degrees 26 Minutes 07 Seconds East, a distance of 70.00 feet; thence North 00 Degrees 33 Minutes 16 Seconds West a distance of 20.00 feet; thence South 85 Degrees 12 Minutes 45 Seconds West, a distance of 63.09 feet to the point of beginning and except that part dedicated for Streets by Plat of Dedication recorded August 13, 1986 as Document 86,352,100; and

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## EXHIBIT E - Fourth Amendment

TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF  
EASEMENTS, RESTRICTIONS AND COVENANTS FOR  
KINGSPORT COMMONS CONDOMINIUM  
AND  
DECLARATION OF BY-LAWS FOR  
KINGSPORT COMMONS CONDOMINIUM ASSOCIATION  
LEGAL DESCRIPTION OF REMAINING ADDITIONAL  
AREA TO BE SUBMITTED TO THE ACT

THAT PART OF LOTS 5, 6, AND 7 IN SECTION 3, IN OWNERS DIVISION OF BUFFALO CREEK FARM, BEING A SUBDIVISION OF PART OF SECTIONS 2, 3, 4, 9 AND 10, TOWNSHIP 22 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF WHEELING, COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THAT PORTION OF DENVER TRAIL AS DEDICATED FOR ROADWAY AUGUST 13, 1986, AS DOCUMENT NO. 86-2521001

THENCE NORTH 16° 01' 37" WEST, 115.80 FEET ALONG THE WEST LINE OF SAID DENVER TRAIL TO THE SOUTHWEST CORNER OF BUTTON CIRCLE;  
THENCE SOUTH 73° 58' 25" WEST, 44.00 FEET ALONG THE SOUTH LINE OF BUTTON CIRCLE TO A POINT OF CURVE; THENCE ALONG THE SOUTHERLY AND WERTERLY LINES OF BUTTON CIRCLE ON A CURVE CONCAVE NORTHERLY HAVING A RADIUS OF 55.00 FEET, AN ARC DISTANCE OF 51.68 FEET (THE CHORD THEREOF BEARING NORTH 79° 06' 25" WEST, 49.80 FEET) TO THE POINT OF BEGINNING; THENCE CONTINUING ON A CURVE CONCAVE EAST, HAVING A RADIUS OF 55.00 FEET, AN ARC DISTANCE OF 121.11 FEET (THE CHORD THEREOF BEARING NORTH 10° 53' 25" EAST, A CHORD DISTANCE OF 98.08 FEET) TO A POINT; THENCE NORTH 77° 52' 27" EAST, 44.10 FEET TO THE WEST LINE OF DENVER TRAIL; THENCE NORTH 16° 13' 14" WEST, ON THE SAID WEST LINE OF DENVER TRAIL, 3.00 FEET TO A POINT OF CURVE;  
THENCE NORTHERLY ALONG SAID WEST LINE OF DENVER TRAIL, ON A CURVE CONCAVE SOUTHWEST, HAVING A RADIUS OF 442.39 FEET, AN ARC DISTANCE OF 180.44 FEET (THE CHORD THEREOF BEARING NORTH 28° 01' 00" WEST, A CHORD DISTANCE OF 179.19 FEET) TO A POINT OF TANGENCY; THENCE NORTH 39° 47' 06" WEST, 30.01 FEET TO THE SOUTH LINE OF DORSET CIRCLE; THENCE SOUTH 50° 12' 54" WEST, 30.00 FEET ON THE SOUTH LINE OF SAID DORSET CIRCLE TO A POINT OF CURVE; THENCE WESTERLY ON THE SOUTH LINE OF SAID DORSET CIRCLE ALONG A CURVE CONCAVE NORTH, HAVING A RADIUS OF 55.00 FEET, AN ARC DISTANCE OF 172.79 FEET (THE CHORD THEREOF BEARING NORTH 31° 47' 06" WEST, A CHORD DISTANCE OF 110.00 FEET) TO A POINT OF TANGENCY; THENCE NORTH 50° 12' 54" EAST, 30.00 FEET TO THE WEST LINE OF DENVER TRAIL;  
THENCE NORTH 39° 47' 06" WEST, 17.80 FEET ON SAID WEST LINE OF DENVER TRAIL TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG SAID WEST LINE OF DENVER TRAIL ON A CURVE CONCAVE NORTHEAST, HAVING A RADIUS OF 421.47 FEET, AN ARC DISTANCE OF 141.66 FEET (THE CHORD THEREOF BEARING NORTH 31° 09' 21" WEST, A CHORD DISTANCE OF 141.00 FEET) TO THE SOUTH LINE OF BRANDON PLACE; THENCE SOUTH 71° 58' 25" WEST, 68.01 FEET ON THE SIXTH LINE OF BRANDON PLACE TO A POINT OF CURVE; THENCE WESTERLY ON SAID SOUTH LINE OF BRANDON PLACE ALONG A CURVE CONCAVE NORTH HAVING A RADIUS OF 175.00 FEET, AN ARC DISTANCE OF 83.89 FEET (THE CHORD THEREOF BEARING SOUTH 85° 42' 33" WEST, A CHORD DISTANCE OF 83.09 FEET) TO A POINT OF TANGENCY; THENCE NORTH 80° 33' 28" WEST, 54.05 FEET ON SAID SOUTH LINE TO A POINT OF CURVE; THENCE WESTERLY ON A CURVE CONCAVE SOUTH HAVING A RADIUS OF 125.00 FEET, AN ARC DISTANCE OF 23.72 FEET (THE CHORD THEREOF BEARING NORTH 85° 59' 37" WEST, A CHORD DISTANCE OF 23.68 FEET) TO A POINT OF TANGENCY; THENCE SOUTH 88° 34' 15" WEST, 90.27 FEET ON THE SAID SOUTH LINE OF BRANDON PLACE; THENCE SOUTH 01° 25' 45" EAST, 6.24 FEET; THENCE SOUTH 77° 28' 40" EAST, 16.24 FEET; THENCE SOUTH 10° 29' 50" EAST, 79.25 FEET; THENCE SOUTH 74° 00' 54" EAST, 170.77 FEET; THENCE SOUTH 37° 19' 59" EAST, 32.52 FEET; THENCE SOUTH 09° 05' 19" WEST 144.42 FEET; THENCE SOUTH 19° 15' 52" EAST, 48.23 FEET; THENCE NORTH 88° 05' 29" EAST, 152.12 FEET; THENCE SOUTH 11° 06' 24" EAST, 131.00 FEET; THENCE SOUTH 31° 05' 20" WEST, 44.77 FEET; THENCE SOUTH 14° 26' 26" EAST, 41.33 FEET; THENCE NORTH 89° 00' 17" EAST, 87.69 FEET; THENCE NORTH 37° 48' 45" EAST, 81.97 FEET TO THE POINT OF BEGINNING (CONTAINING 2.814 ACRES MORE OR LESS).

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DEPT-01 RECORDING \$69.00  
T#1111 TRAN 2921 09/17/07 16:35:00  
#3088 H A \* 07-510567  
COOK COUNTY RECORDER

*6/10/08  
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MILL*