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SEVENTEENTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP OF THE FOX RUN MANOR HOMES CONDOMINIUM

Notes

THIS AMENDMENT made and entered into this 2nd day of February, 1987, by CENTEX HOMES ENTERPRISES, INC., Illinois Division, f/k/a Centex Homes Corporation, a Nevada corporation (hereinafter referred to as the "Declarant").

WITNESSETH:

WHEREAS, by a Declaration of Condominium Ownership of The Fox Run Manor Homes Condominium (the "Declaration") recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 27469146, the Declarant submitted certain real estate situated in the County of Cook, State of Illinois, to the provisions of the Illinois Condominium Property Act (the "Act"); and

WHEREAS, the Declarant therein reserved the right to annex and add all or any portion of the Add-On Property (as defined in the Declaration) to the Parcel (as defined in the Declaration) and the Condominium created by the Declaration; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a First Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 19, 1985 as Document No. 27479676 (the "First Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "1A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Second Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 21, 1985 as Document No. 27483305 (the "Second Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "2A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Third Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on May 7, 1985 as Document No. 85010668 (the "Third Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "3A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Fourth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 14, 1985 as Document No. 85061027 (the "Fourth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "4A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Fifth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on June 21, 1985 as Document No. 85070783 (the "Fifth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "5A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Sixth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 21, 1985 as Document No. 85156499 (the "Sixth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "6A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Seventh Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 10, 1985 as Document No. 85182424 (the "Seventh Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "7A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as an Eighth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 7, 1985 as Document No. 85224032 (the "Eighth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "8A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Ninth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on November 5, 1985 as Document No. 85269562 (the "Ninth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "9A" to the Amendment; and

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Attn: J. Keel

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WHEREAS, the Declarant has annexed and added to the Parcel, as a Tenth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on February 6, 1986 as Document No. 86054425 (the "Tenth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "10A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as an Eleventh Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on March 6, 1986 as Document No. 86090766 (the "Eleventh Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "11A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Twelfth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 15, 1986 as Document No. 86358052 (the "Twelfth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "12A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Thirteenth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 8, 1986 as Document No. 86400307 (the "Thirteenth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "13A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Fourteenth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on September 17, 1986 as Document No. 86421222 (the "Fourteenth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "14A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Fifteenth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 9, 1986 as Document No. 86468286 (the "Fifteenth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "15A" to the Amendment; and

WHEREAS, the Declarant has annexed and added to the Parcel, as a Sixteenth Amendment to Declaration recorded in the Office of the Recorder of Deeds of Cook County, Illinois on November 3, 1986 as Document No. 86516503 (the "Sixteenth Amendment") wherein the Declarant submitted to the provisions of the Act and the Declaration, that certain real estate legally described in Exhibit "16A" to the Amendment; and

WHEREAS, the Declarant now desires to so annex and add to the parcel and submit to the provisions of the Act and the Declaration certain real estate (the "Seventeenth Additional Parcel"), described on Exhibit "17A" attached hereto, which Seventeenth Additional Parcel is a portion of said Add-On Property.

NOW, THEREFORE, the Declarant does hereby amend the Declaration as follows:

1. The Seventeenth Additional Parcel is hereby annexed to the Parcel, 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 in all respects by, the terms and provisions of the Declaration.
2. The Declaration, as heretofore amended, is hereby amended by deleting Exhibit "16A" of the Declaration and substituting therefor Exhibit "17A" which is attached hereto.
3. Exhibit "B" of the Declaration, as heretofore amended, is hereby amended by (a) substituting page 1 attached hereto for that page 1 which was previously recorded as page 1 of Exhibit "B" and (b) adding pages 44 and 45 which are attached hereto.
4. The Declaration, as heretofore amended, is hereby amended by deleting Exhibit "16C" of the Declaration and substituting therefor Exhibit "17C" which is attached hereto.
5. The Additional Common Elements annexed by this instrument are hereby granted and conveyed to the grantees of all Units of The Fox Run Manor Homes Condominium, including the grantees of Units heretofore conveyed, all as set forth in the Declaration.
6. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, the Declarant has caused its corporate seal to be affixed hereto and has caused its name to be signed to these presents by its President, Illinois Division, and attested by its Assistant Secretary, Illinois Division, and the Declarant has hereunto set its hand seal, as of the day and year written above.

CENTEX HOMES ENTERPRISES, INC., ILLINOIS DIVISION, a Nevada corporation

[Signature]
Gerald R. Harker, President,

ATTEST:

[Signature]
James R. Duerr, Assistant Secretary,
CENTEX HOMES ENTERPRISES, INC.,
ILLINOIS DIVISION

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State afore-said, DO HEREBY CERTIFY that Gerald R. Harker, personally known to me to be the President of CENTEX HOMES ENTERPRISES, INC., ILLINOIS DIVISION, a Nevada corporation, and James R. Duerr, personally known to me to be the 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 President and Assistant Secretary, they signed, sealed and delivered the said instrument as 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 2nd day of February, 1987.

[Signature]
Notary Public

My Commission Expires:

11/09/88

THIS INSTRUMENT PREPARED BY:

Shelby S. Boblick
McDermott, Will & Emery
111 West Monroe Street
Chicago, Illinois 60603
(312) 372-2000

PERMANENT REAL ESTATE INDEX NO.
07-26-200-005

PROPERTY ADDRESS:

Building 24:
132 Red Fox Lane/Units A, B, C & D
Elk Grove Village, Illinois 60007

130 Red Fox Lane/Units A, B, C & D
Elk Grove Village, Illinois 60007

AFTER RECORDING RETURN TO:

Shelby S. Boblick
McDermott, Will & Emery
111 West Monroe Street
Chicago, Illinois 60603

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EXHIBIT "17A"

Entire Parcel
 (Original Parcel, Plus First Addition, Second Addition,
 Third Addition, Fourth Addition, Fifth Addition,
 Sixth Addition, Seventh Addition, Eighth Addition,
 Ninth Addition, Tenth Addition, Eleventh Addition,
 Twelfth Addition, Thirteenth Addition,
 Fourteenth Addition, Fifteenth Addition,
 Sixteenth Addition and Seventeenth Addition to Parcel)

That part of the Northeast 1/4 of Section 26, Township 41 North, Range 10 East of the Third Principal Meridian, described as follows:

Commencing at the center of said Section 26; thence N. 00° 11' 44" W., along the West line of the Northeast 1/4 of said Section 26, a distance of 1769.47 feet to the POINT OF BEGINNING; thence N. 00° 11' 44" W., continuing along said West line, a distance of 910 feet; thence N. 86° 22' 12" E., a distance of 562.25 feet; thence S. 00° 03' 53" E., a distance of 114.18 feet; thence N. 86° 22' 12" E., a distance of 345 feet; thence S. 45° 37' 48" E., a distance of 197 feet; thence S. 44° 22' 12" W., a distance of 125 feet; thence S. 14° 19' 18" W., a distance of 294.74 feet; thence S. 29° 53' 56" W., a distance of 184.56 feet; thence S. 17° 13' 32" W., a distance of 173.49 feet; thence S. 40° 06' 32" W., a distance of 143.38 feet to the North R.O.W. line of University Lane; thence the following three (3) courses and distances along the North R.O.W. line of University Lane; 1) 53.28 feet along the arc of a curve to the right, having a radius of 270 feet, the chord bearing N. 78° 46' 13" W., a distance of 53.20 feet to a point of tangency; thence 2) N. 73° 07' 00" W., a distance of 185.52 feet to a point of curvature; thence 3) 161.20 feet along the arc of a curve to the left, having a radius of 703.66 feet, the chord bearing N. 79° 37' 59" W., a distance of 160.85 feet; thence N. 00° 11' 44" W., a distance of 18.60 feet to a point of curvature; thence 51.66 feet along the arc of a curve to the left, having a radius of 350 feet to a point of tangency; thence N. 08° 39' 08" W., a distance of 27.53 feet; thence N. 89° 48' 16" E., a distance of 106.62 feet; thence N. 00° 11' 44" W., a distance of 174.87 feet; thence N. 81° 27' 33" W., a distance of 113.29 feet; thence S. 08° 32' 27" W., a distance of 66.29 feet to a point of curvature; thence 22.51 feet along the arc of a curve to the left, having a radius of 73 feet, the chord bearing S. 00° 03' 20" E., a distance of 22.42 feet; thence S. 81° 20' 52" W., a distance of 50 feet; thence 10 feet along the arc of a curve to the right, having a radius of 125 feet, the chord bearing N. 06° 21' 37" W., a distance of 10 feet; thence S. 85° 55' 53" W., a distance of 136.24 feet; thence S. 00° 11' 44" E., a distance of 193.05 feet; thence S. 89° 48' 16" W., a distance of 50 feet to the POINT OF BEGINNING; excepting therefrom those portions of Fox Run Drive, Plum Grove Road and Red Fox Lane, herein included, but previously dedicated, containing 13.295 acres, more or less, all in Cook County, Illinois.

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EXHIBIT "17C"

PERCENTAGE OF UNIT OWNERSHIP IN COMMON ELEMENTS

UNIT #	% OF OWNERSHIP	UNIT #	% OF OWNERSHIP	UNIT #	% OF OWNERSHIP
1	100	9	100	77	100
1	100	10	100	78	100
1	100	11	100	79	100
1	100	12	100	80	100
1	100	13	100	81	100
1	100	14	100	82	100
1	100	15	100	83	100
1	100	16	100	84	100
1	100	17	100	85	100
1	100	18	100	86	100
1	100	19	100	87	100
1	100	20	100	88	100
1	100	21	100	89	100
1	100	22	100	90	100
1	100	23	100	91	100
1	100	24	100	92	100
1	100	25	100	93	100
1	100	26	100	94	100
1	100	27	100	95	100
1	100	28	100	96	100
1	100	29	100	97	100
1	100	30	100	98	100
1	100	31	100	99	100
1	100	32	100	100	100

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