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PLAT

4-20B-87

Property of Cobb County Clerk's Office

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

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

THIS FOURTH 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 - 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 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 13 of Exhibit "B-1" attached hereto, and by the addition of Sheets 12, 13 out of 13 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.

PLAT WITH THIS DOCUMENT

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*Book 15
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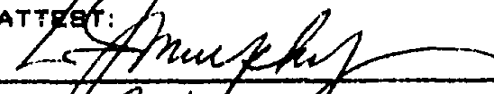
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6. All the Units Owners, by their attorney-in-fact, hereby consent to this amendment to the Declaration, pursuant to the power and provision set forth in Article VIII of the Declaration.

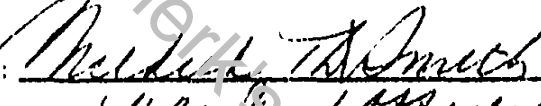
7. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

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 exculpatory 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 20th day of April, 1982.

ATTEST:

As its Asst. Secy.

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

By: 
As its Asst. Vice President

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It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee with respect to the title to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended as personal covenants, indemnities, representations, covenants, undertakings and agreements by the Trustee as the sole purpose of the intention of binding said Trustee personally but are made and intended for the purpose of binding the Trustee as the Trustee of the trust property specifically described herein, and this instrument is not to be construed by said Trustee not in its own right, but solely to the extent of the power conferred upon the said Trustee, and that no personal liability or personal responsibility is assumed by or intended to be assumed by the Trustee against First Illinois Bank of Wilmette as any of the co-signatories under said Trust Agreement, on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any being expressly waived and released.

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STATE OF ILLINOIS)

) SS.

COUNTY OF COOK)

I, EDNA W ROSS, a Notary Public in 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 Assistant Secretary did also then and there acknowledge that Assistant 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.

GIVEN under my hand and Notarial Seal this 20th day of April, 1987.

Edna W Ross
Notary Public

My Commission Expires: May 9, 1989

PROPERTY OF COOK COUNTY CLERK'S OFFICE

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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.

And also that part of Lot 23 in Inverness on the Ponds Unit II aforesaid described as follows: Beginning at the Northwest corner of said Lot 23; thence South $4^{\circ}53'17''$ West along the Westerly line of said Lot 23, a distance of 177.99 feet; thence South $89^{\circ}51'59''$ East, a distance of 43.21 feet; thence South $0^{\circ}08'01''$ West, a distance of 0.50 feet; thence South $89^{\circ}51'19''$ East, a distance of 117.82 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 $1^{\circ}27'56''$ 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 $8^{\circ}33'04''$ 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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EXHIBIT "C"

Units:	Percent	Address
79	3.6664	138 Warkworth
80	3.5712	136 "
81	3.6013	134 "
84	3.7473	128 Kilchurn Lane
85	3.4544	126 "
86	3.6268	124 "
87	3.5882	122 "
88	3.5316	148 Warkworth Lane
89	3.5334	146 "
90	3.5890	144 "
91	3.6299	142 "
92	3.6428	140 "
93	3.5541	114 Kilchurn Lane
94	3.4350	112 "
95	3.2859	110 "
96	3.7129	108 Kilchurn Lane
97	3.7032	106 "
98	3.5397	104 "
99	3.1008	102 "
100	3.5226	123 Duntrune Lane
101	3.6523	125 "
102	3.9071	127 "
103	3.9597	129 "
104	3.6471	131 Storme Lane
105	3.6068	133 "
106	3.2848	135 "
107	3.6350	137 "
108	3.2707	139 "

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6 Copies
MLL

TOTAL = 100%

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

4th Amendment adds Unit 79 - 138 Warkworth Lane, Inverness, IL 60067
 80 - 136
 81 - 134

RECORDING
 1997 MAR 16 10 54/23/97 11:49:53
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 COOK COUNTY RECORDER
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