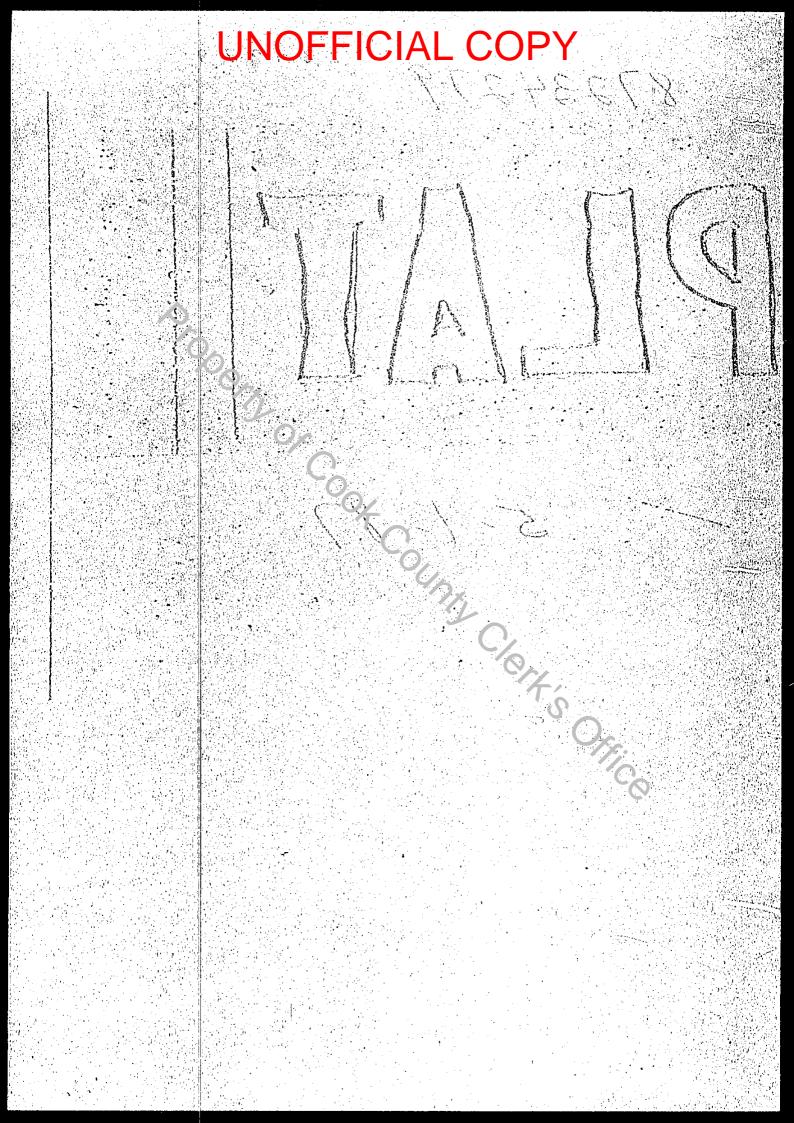
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This Fifth Amendment to that certain Declaration of Condominium Ownership for The Arlington Club Condominium; Wheeling, Illinois, recorded with the Recorder of Deeds of Cook County, Illinois on June 17, 1986 as Document No. 86-245994, as amended from time to time (the "Declaration") is executed by American National Bank and Trust Company of Chicago, as Trustee, and not personally, under a Trust Agreement dated April 11, 1985 and known as Trust Number 64050 (the "Trustee").

WITNESSETH:

WHEREAS, the real estate described in Recital A to the Declaration, which by this reference is made a part hereof, located in the County of Cook and State of Illinois (the "Submitted Parcel") has been submitted to the Condominium Property Act of the State of Illinois, as amended (the "Act") pursuant to the Declaration; and

WHEREAS, pursuant to the Act, in Paragraph 24 of the Declaration the Trustee reserved the right from time to time to annex and add to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration; and

WHEREAS, the Trustee, pursuant to Paragraph 24 of the Declaration, desires to annex and add to the "Property" (as defined in the Declaration), add to the plan of condominium ownership and submit to the Act the real estate legally described in Exhibit "A", attached hereto and by this reference made a part hereof (the "Additional Parcel"), the street address and Permanent Real Estate Number of the Additional Parcel being as set forth therein; and

WHEREAS, the Additional Parcel is a portion of the Future Development Parcel in the Declaration as described in Exhibit "E" thereto; and

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WHEREAS, the Additional Parcel is now improved with three (3) apartment buildings, consisting of twenty (20) residential units;

WHEREAS, the Trustee desires to amend the Declaration as it relates to the Plat of Survey (Exhibit "A" thereto) and to the percentage of ownership interest in the common elements for condominium units (Exhibit "B" thereto).

NOW, THEREFORE, American National Bank and Trust Company of Chicago, not personally but as Trustee as aforesaid, as the holder of legal title to the Additional Parcel, for the purposes above set forth, hereby declares that the Declaration is amended as follows:

- 1. The Additional Parcel is hereby annexed to the Submitted Parcel and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Act.
- 2. Exhibit "A" of the Declaration, "Plat of Survey", is hereby amended by adding thereto the Plat of Survey, Pages 39 through 45 attached hereto and by this reference made a part hereof.
- 3. Exhibit "B" of the Declaration, "Percentage of Ownership Interest in the Common Elements", is deleted and an amended Exhibit "B", attached hereto and by this reference made a part hereof, is substituted in lieu thereof.
- 4. All the unit owners and mortgage holders, by the Trustee, hereby consent to this Amendment to the Leclaration pursuant to the power set forth in Paragraph 24 of the Declaration.
- 5. It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings, warranties, and agreements herein made on the part of the Trustee while in form purporting to be the representations, covenants, undertakings, warranties, and agreements of the Trustee are nevertheless each and every one of them, made and intended not as personal representations, covenants,

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undertakings, warranties, and agreements by the Trustee or for the purpose or with the intention of binding the Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by the Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against American National Bank and Trust Company of Chicago, or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account or my representation, covenant, undertaking, warranty, or agreement of the Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. The Trustee makes no personal representations as to nor shall it be responsible for the existence, location or mintenance of the chattels herein described, if any.

6. Except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Fifth Amendment and the Declaration, this Fifth Amendment shall control.

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IN WITNESS WHEREOF, the said American National Bank and Trust Company of Chicago, as Trustee as aforesaid and not individually, has caused its corporate seal to be affixed hereunder and has caused its name to be signed to these presents by its Trust Officer and attested by its Trust Officer this ______ day of April, 1987.

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, as Trustee as aforesaid and not personally

OUNTY CORTS OFFICE

Ву:

(SEAL)

ATTEST:

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STATE OF ILLINOIS) SS. COUNTY OF C O O K)

, of American National Bank and Trust Company of Chicago, and Poter H. Johanson thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Trust Officer, 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 said Trust Officer did also then and there acknowledge that he/she as custed an of the corporate seal of said Bank did affix the said corporate seal of said Bank to said instrument as his/her own free and voluntary act, and as the free and voluntary act of said Bank for the uses and purposes therein set forth.

Given under my hand and Notarial seal this? April, 1987.

My Commission Expires:

JEFICIAL :
.oretta M. Sov.
.ary Public, State
Commission Ex. ra. "OFFICIAL SEAL"
Loretta M. Covionski
Notary Public, State of Bing's
My Commission Ex. 132 6/2/188

This instrument was prepared by and mail to:

DAVID J. PEZZA, ESQ. Rudnick & Wolfe 30 North LaSalle Street Suite 2900 Chicago, Illinois 312/368-2112

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EXHIBIT A

TO

FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP OF THE ARLINGTON CLUB CONDOMINIUM

LEGAL DESCRIPTION

ADDITIONAL PARCEL

THAT PORTION OF LOT 5 AS SHOWN ON THE FIRAL PLAY OF THE ARLINGTON CLUB UNIT 2, BEING A SUBDIVISION OF THAT PARY OF THE EAST HALF OF THE CAST HALF OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAM, (EXCEPT THE WEST 15.00 FEET OF THE SOUTH 800.00 FEET OF THE WEST JOJ.00 FEET THE REST 15.00 FEET OF THE SOUTH 800.00 FEET OF THE WEST JOJ.00 FEET THE REST HALF OF THE SOUTH 800.00 FEET OF THE SOUTH 800.00 FEET OF THE SOUTH SOUTH

THAT PORTION OF LOT 2 IN THE ARLINGTON CLUP UP.T 1. BEING A SUBDIVISION OF THE EAST HALF OF THE SOUTHWEST QUARTER AND PA.T JF THE SOUTHWEST QUARTER OF SECTION 4. TOWNSHIP 42 NORTH, RANGE 11. EAST OF THE HIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 8528270J AND //IOA135 IN COOK COUNTY, ILLINOIS DESCRIBED AS FOLLOWS: BEGINNING AT THE LITERSCLION OF THE SOUTH RIGHT OF WAY LINE OF HARMICK COURT AND THE WEST TIPMT OF WAY LINE OF ARLIMSTON ORIVE; THENCE SOUTHERLY ALONG THE WEST TIPMT OF WAY LINE OF ARLIMSTON ORIVE; THENCE SOUTHERLY ALONG THE WEST TIPMT OF WAY LINE OF ARLIMSTON DRIVE BEING A CURYE CONCAYE EASTERLY AND HAYIN; APPILO OF 3J3.OG FEET AND A CHORD BEARING OF SOUTH 25° 28' OG EAST, AN ARL / LEPTH OF 88.32 FEET; THENCE SOUTH 59° 52' 44' WEST, A DISTANCE OF 18.68 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF MARMICK COURT BEING ALSO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF MARMICK COURT TOWN THE FOLLOWING THREE (3) COURSES; (1) THENCE EASTERLY ALONG THE SOUTHERLY SOUTHERLY AND HAYING A RADIUS OF 19.00 FEET AND A CHORD BEARING OF MORT, 57° 11' 40° EAST, AN ARC LENGTH OF 14.65 FEET TO A POINT OF TANGENCY; (2) T. ENCY 11' 40° EAST, AN ARC LENGTH OF 14.65 FEET TO A POINT OF TANGENCY; (2) T. ENCY 11' 40° EAST, AN ARC LENGTH OF 14.65 FEET TO A POINT OF TANGENCY; (2) T. ENCY 11' 40° EAST, AN ARC LENGTH OF 14.65 FEET TO A POINT OF CUNYALLES; (3) THENCE EASTERLY ALONG A CURYE TO THE RIGHT OF THE LAST DESCRIBED COURS.

EXTENDED AND MAYING A RADIUS OF 24.00 FEET, A DISTANCE OF 10.36 FEET TO THE PLACE OF BEGINNING.

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1600 WARWICK CT. WHEELING, ILLINOIS

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TO FIFTH AMENOMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE ARLINGTON COUNTRY CLUB

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OWNERSHIP FOR THE ARLINGTON COUNTRY CLUB

PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS FOR CONDOMINIUM UNITS

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EXHIBIT B

THE AMENDMENT TO DECLARATION OF CONDOMINIUM

OWNERSHIP FOR THE ARLINGTON COUNTRY CLUB

PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS FOR CONDOMINIUM UNITS

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