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ownership created by the Declaration; and
submitted parcel and thereby add to the plan of condominium
as described in Exhibit "A-1" of the Declaration, to the
the Declaration any part or all of the Future Development Area,
annex, add, submit and subject to the provisions of the Act and
of the Declaration, Declarant reserved the rights and powers to
WHEREAS, pursuant to the Act, as amended, under Article XI

to as the "Submitted Parcel"; and
described in Exhibit "1" attached hereto (hereinafter referred
the State of Illinois (hereinafter referred to as the "Act")

real estate to the provisions of the Condominium Property Act of
WHEREAS, the Declaration, as amended, submitted certain
Illinois as Document No. 88-40155; and

1988 in the Office of the Recorder of Deeds of Cook County,
(hereinafter referred to as the "Declaration") on October 6,
Ownership for Heathwood Farms Condominium - Phase III

WHEREAS, Declarant recorded the Declaration of Condominium

M I N I S T E R S

(hereinafter referred to as the "Declarant").
Agreement dated March 3, 1988 and known as Trust No. 8718
TRUST COMPANY, not individually, but as Trustee under Trust
referred to as the "Amendment") is executed by PARKWAY BANK AND
for Heathwood Farms Condominium - Phase III (hereinafter
THIS AMENDMENT to the Declaration of Condominium Ownership

FIFTH AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP FOR
HEATHWOOD FARMS CONDOMINIUM - PHASE III

89231759

LAND TITLE COMPANY XL-803435-CS and XL-803980-08

20/2
REC

Units depicted thereon. The resulting delineation of the Parcel as legally described and delineated in the Plat of Survey attached hereto as Exhibit "B", Pages 2 and 4, together with the Condominium Survey", is hereby amended by adding the Additional

2. Exhibit "B" of the Declaration, the "Plat of Act.

constructed or contained thereon or therein, is submitted to the improvements and structures now or hereafter erected, Exhibit "1" as attached hereto and, together with all

part of the real estate described in the Declaration and in 1. The Additional Parcel is hereby annexed to and made a Declaration is amended as follows:

NOW, THEREFORE, the Declarant does hereby declare that the Declaration).

Common Elements for the condominium units (Exhibit "C" of the Declaration) and to the percentage of ownership interest in the it relates to the Plat of Condominium Survey (Exhibit "B" of the

WHEREAS, the Declarant desires to amend the Declaration as buildings for a total of sixteen (16) residential units; and WHEREAS, the Additional Parcel is now improved with two (2)

condominium ownership; and Parcel") to the Declaration and the Act and add to the plan of attached hereto (hereinafter referred to as the "Additional

of the Development Area described in Exhibit "B", Pages 2 and 4 Declaration, desires to annex, add, submit and subject a portion WHEREAS, the Declarant, pursuant to Article XI of the

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condominium area is shown on the Plat of Survey attached hereto as Exhibit "B", Pages 1 and 3.

3. Exhibit "C" of the Declaration, Percentage of Ownership Interest in the Common Elements for Condominium Units..." is hereby deleted and an amended Exhibit "C", attached hereto as Exhibit "C", is substituted therefor.

4. The Common Elements contained in the Additional Parcel are hereby granted and conveyed to the Unit Owners subject to the provisions of the Act and the Declaration.

5. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this instrument, shall run with and bind the condominium property, including the Additional Parcel.

6. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms and except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Amendment and the Declaration, this Amendment shall control.

* * * * *

Property of Cook County Clerk's Office

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9 2 3 1 7 5 3

Lot 31 Property Address:
628-636 Mallard Court
Bartlett, Illinois 60103
Lot 32 Property Address:
612-620 Mallard Court
Bartlett, Illinois 60103

PERMANENT TAX INDEX NUMBER: 06-35-400-048 (affects the land and other property not now in question)

IRWIN E. LEITER, ESQ.
FEIMELT, GALPER & LASKY, LTD.
30 N. LASALLE STREET
SUITE 2400
CHICAGO, ILLINOIS 60602

THIS INSTRUMENT WAS PREPARED BY AND IS TO BE RETURNED TO:

(S R A L)

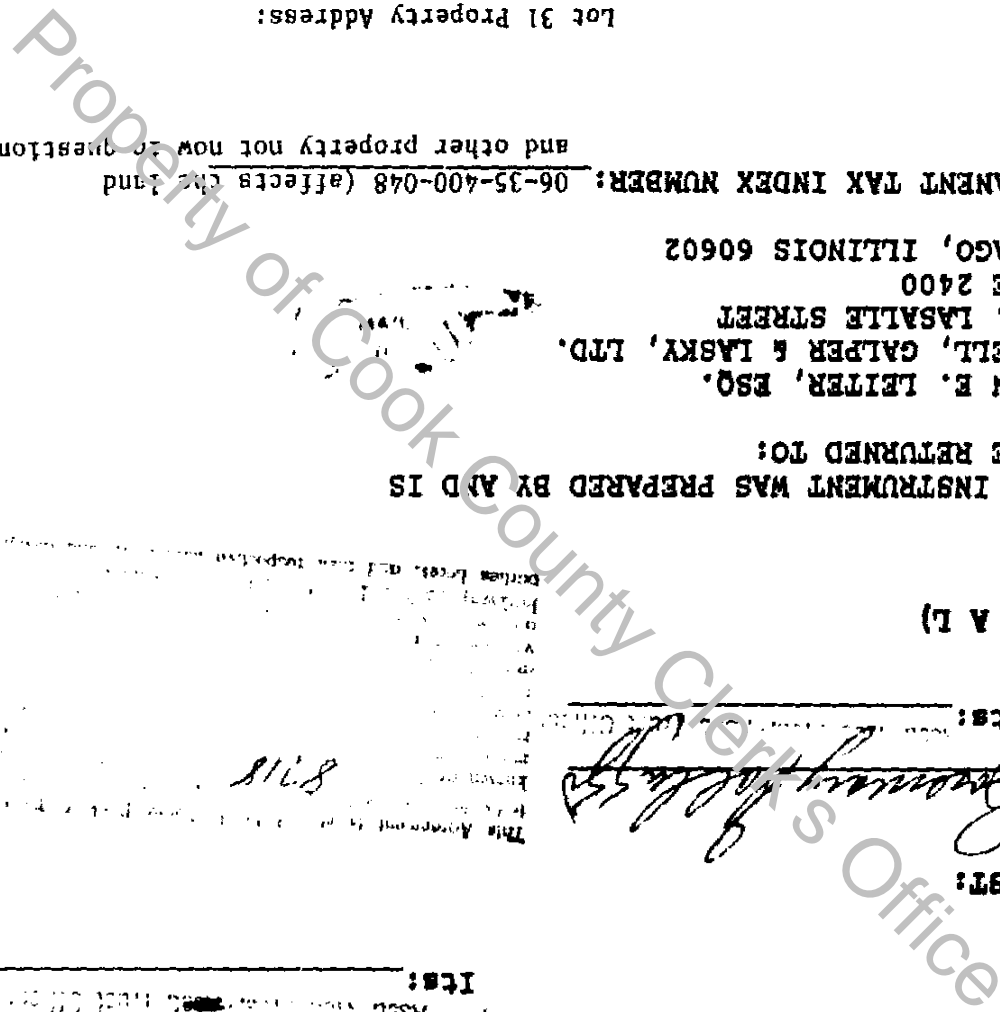
ATTEST:
By: *[Signature]*
Its: _____

By: *[Signature]*
Its: _____

PARKWAY BANK AND TRUST COMPANY,
not individually, but as
Trustee as aforesaid

IN WITNESS WHEREOF, Declarant has affixed its hands and seal this 17th day of July, 1989.

592201755

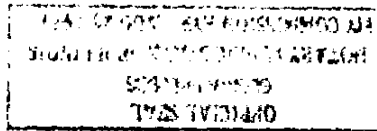


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Property of Cook County Clerk



My Commission Expires: 11-25-91

Notary Public

Alfred Blalock

GIVEN under my hand and Notarial Seal this 17 day of _____, 1989.

I, *Alfred Blalock*, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that *Robert L. Jones*, of PARKWAY BANK AND TRUST COMPANY, and *Kenneth Walker*, thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such _____ and _____, 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, and said _____ did also then and their acknowledge that he, as custodian of the corporate seal of said Bank, did affix the said corporate seal of said Bank to said instrument as his own free and voluntary act and as the free and voluntary act of said Bank for the uses and purposes therein set forth.

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3 9 2 3 1 7 3 3

Handwritten signature/initials

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89231758

DEPT-01 RECORDING \$88.00
142222 TRAN 5855 05/22/89 15143100
#89231758
COOK COUNTY RECORDER

Property of Cook County Clerk's Office

Lots 23, 24, 25, 26, 27, 28, 29, 33, 34 and 35 in Heartwood Farms Subdivision Unit 3, being a Planned Unit Development in the Southeast Quarter of Section 35, Township 41 North, Range 9, East of the Third Principal Meridian, in Cook County, Illinois.

Submitted Parcel

EXHIBIT "1"

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Property of Cook County Clerk's Office

1.1553227	27-A-1-1
1.3022561	27-A-2-1
1.0439378	27-B-1-1
1.0439378	27-B-2-1
1.1553227	27-A-1-2
1.1553227	27-A-2-2
1.3022561	27-B-1-2
1.0439378	27-B-2-2
1.1553227	26-A-1-1
1.3022561	26-A-2-1
1.0439378	26-B-1-1
1.0439378	26-B-2-1
1.1553227	26-A-1-2
1.1553227	26-A-2-2
1.3022561	26-B-1-2
1.0439378	26-B-2-2
1.1553227	25-A-1-1
1.3022561	25-A-2-1
1.0439378	25-B-1-1
1.0439378	25-B-2-1
1.1553227	25-A-1-2
1.1553227	25-A-2-2
1.3022561	25-B-1-2
1.0439378	25-B-2-2
1.1553227	24-A-1-1
1.3022561	24-A-2-1
1.0439378	24-B-1-1
1.0439378	24-B-2-1
1.1553227	24-A-1-2
1.1553227	24-A-2-2
1.3022561	24-B-1-2
1.0439378	24-B-2-2
1.1553227	23-A-1-1
1.3022561	23-A-2-1
1.0439378	23-B-1-1
1.0439378	23-B-2-1
1.1553227	23-A-1-2
1.1553227	23-A-2-2
1.3022561	23-B-1-2
1.0439378	23-B-2-2
1.1553227	22-A-1-1
1.3022561	22-A-2-1
1.0439378	22-B-1-1
1.0439378	22-B-2-1
1.1553227	22-A-1-2
1.1553227	22-A-2-2
1.3022561	22-B-1-2
1.0439378	22-B-2-2

List of Units and Percentage Interest in the Common Elements

EXHIBIT "C"

