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TWELFTH AMENDMENT TO DECLARATION OF RECORDING CONDOMINIUM OWNERSHIP FOR OLD ORCHARD CONDOMINIUM

This Twelfth Amendment to the Declaration of Condominium Ownership for Old Orchard Condominium dated March 30, 1989 and recorded with the Recorder of Deeds of Cook County, Illinois on April 12, 1989 as Document No. 89159830, as amended from time to time (said Declaration and any amendments thereto are hereinafter referred to as the "Declaration"), is executed by American National Bank and Trust Company of Chicago, as Trustee, and not personally, under a Trust Agreement dated February 29, 1988 and known as Trust No. 104695-00 (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, the real estate described on Exhibit A of the Declaration, located in the County of Cook and State of Illinois has been submitted to the Condominium Property Act of the State of Illinois ("Act") pursuant to the Declaration;

WHEREAS, pursuant to the Act, as amended, in Article XIV of the Declaration, the Declarant reserved the right to amend the Declaration to comply with the requirements of the Federal National Mortgage Association ("FNMA");

WHEREAS, the Declarant, pursuant to Article XIV of the Declaration, desires to amend the Declaration in certain respects to comply with the requirements of FNMA;

WHEREAS, under Article XIV of the Declaration a power coupled with an interest is granted to the Declarant acting by and through its duly authorized officers as attorney-in-fact to amend the Declaration for such purposes.

NOW, THEREFORE, American National Bank and Trust Company of Chicago, as Trustee aforesaid, and not individually, for the purposes above set forth, hereby declares that the Declaration is amended as follows:

1. Section 10.02(b)(i) of the Declaration is hereby amended by deleting the words "to enjoin, abate, or remedy by a proceeding at law or in equity the continuance of any such violation or breach" and substituting, in its place, the following:

"to enjoin, abate, or remedy by a proceeding at law or in equity the continuance of any such violation or breach provided, however, that no summary abatement shall be undertaken in connection with any alteration or demolition of improvements until judicial proceedings are instituted."

2. All the unit owners and mortgage holders, by the Declarant, hereby consent to this Twelfth Amendment to the Declaration pursuant to the powers set forth in Article XIV of the Declaration.

3. 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 Declarant while in form purporting to be the representations, covenants, undertakings,

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warranties, and agreements of said Declarant are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings, warranties, and agreements by the Declarant for the purpose or with the intention of binding said Declarant 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 said Declarant not in its own right, but solely in the exercise of the powers conferred upon it as such Declarant, 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 of any representations, covenants, undertakings, warranties, or agreements of the said Declarant in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. The Declarant makes no personal representations as to nor shall it be responsible for the existence, location or maintenance of the chattels herein described, if any.

4. 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.

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 this 2nd day of October, 1990.

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

By: [Signature]
Its: VICE PRESIDENT

(SEAL)

ATTEST:

By: [Signature]
Its: [Signature]

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LEGAL DESCRIPTION

Parcel 1:

THAT PART OF LOT 1 IN OLD ORCHARD COUNTRY CLUB SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTH WEST 1/4 OF SECTION 27 AND PART OF THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 28, BOTH IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT 21,895,678, LYING NORTH WEST OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT 1, SAID POINT BEING 391.338 FEET NORTH WEST OF THE SOUTH EAST CORNER OF SAID LOT; THENCE NORTH 47 DEGREES 58 MINUTES 52 SECONDS EAST, ALONG A LINE PERPENDICULAR TO SAID SOUTHWESTERLY LINE, A DISTANCE OF 198.57 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY 295.667 FEET ALONG THE ARC OF A CIRCLE OF 384.00 FEET RADIUS AND CENTRAL ANGLE OF 46 DEGREES 32 MINUTES 23 SECONDS CONVEX TO THE SOUTH EAST TO A POINT OF TANGENCY ON THE EAST LINE OF SAID LOT 1, ALL IN COOK COUNTY, ILLINOIS.

PERMANENT TAX NUMBER: 03-28-202-006

PARCEL 2:

THE NORTH 300 FEET OF THE WEST 160 FEET OF THE EAST 910 FEET OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE CENTER LINE OF RAND ROAD, IN COOK COUNTY, ILLINOIS.

PERMANENT TAX NUMBER: 03-28-202-004

STREET ADDRESS:

Intersection of Schoenbeck Road
and Camp McDonald Road
Mount Prospect, Illinois

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