5744 W. Cermak Rd.
Cicero, IL 60650
Box 15

AMENDMENT TO ORCHARD FIELD TOWNHOME DECLARATION

ORCHARD FIELD TOWNHOMES SITUATED IN THE VILLAGE OF MOUNT PROSPECT, COOK COUNTY, ILLINOIS, LEGALLY DESCRIBED AS FOLLOWS:

91409553

SEE LEGAL ATTACHED
AND MADE A PART HEREOF

WHEREAS THE NBD TRUST COMPANY OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 15, 1987, AND KNOWN AS TRUST NUMBER 66-5848 AND BLUE JAY BUILDING CORPORATION (DEVELOPERS) HAVE APPROVED THIS AMENDMENT TO THE AFORESAID DECLARATION DOCUMENT NO. 91157145 DATED 4th DAY OF APRIL, 1991, AS FOLLOWS:

PAGE ONE, PARAGRAPH 2 OF THE DECLARATION RECITES:

> It is contemplated that Orchard Field Townhomes will consist of five (5) buildings containing twenty-four (24) individual single-family dwelling units suited on property described in Exhibit "A" attached hereto.

SAID PARAGRAPH IS AMENDED TO RECITE AS FOLLOWS:

> It is contimplated that Orchard Field Townhomes will consist of five (5) buildings containing twenty-two (22) individual single-family dwelling units suited on property described in Exhibit "A" attached hereto.

THEREFORE, THE AFOREMENTIONED AMENDMENT IS NOW PART OF THE DECLARATION.

NBD TRUST COMPANY OF ILLINOIS
as Trustee under Trust Agreement dated
December 15, 1987, and known as
Trust Number 66-5848

By: Timothy A. Deaning

ATTEST:

Jean M. Borowiak
TRUST OFFICER

BLUE JAY BUILDING CORPORATION

By: [illegible]

DATE: August 2 1991

BOX 15

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91409553

TT1 #26337 Dan Box 15 DKW

RIDER ATTACHED TO AND MADE A PART OF
AMENDMENT TO ORCHARD FIELD TOWNHOME DECLARATION

DATED August 2, 1991 UNDER TRUST NO. 66-5848

This instrument is executed by NBD TRUST COMPANY OF ILLINOIS, not personally but solely as Trustee as aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. All of the terms, provisions, stipulations, covenants and conditions to be performed by NBD TRUST COMPANY OF ILLINOIS are undertaken by it solely as Trustee as aforesaid, and not individually, and no personal liability shall be asserted or be enforceable against NBD TRUST COMPANY OF ILLINOIS by reason of anything contained in said instrument, or in any previously executed document, whether or not executed by said NBD TRUST COMPANY OF ILLINOIS, either individually or as Trustee as aforesaid, relating to the subject matter of the attached agreement, all such personal liability, if any, being expressly waived by every person now or hereafter claiming any right or security hereunder. No duty shall rest upon NBD TRUST COMPANY OF ILLINOIS, personally or as said Trustee to sequester the rents, issues and profits arising from the property in said trust estate, or the proceeds arising from the sale or other disposition thereof; but so far as said Trustee and its successors and said NBD TRUST COMPANY OF ILLINOIS personally are concerned, the legal holder or holders of this instrument and the owner or owners of any indebtedness accruing hereunder shall look solely to the mortgaged real estate for the payment thereof, by enforcement of the lien heretofore created in the manner provided therefore and as provided in said note or by action to enforce the personal liability of the guarantor, if any.

It is expressly understood and agreed by every person, firm or corporation claiming any interest under this document that NBD Trust Company of Illinois shall have no liability, contingent or otherwise arising out of, or in any way related to, (i) the presence, disposal, release or threatened release of any hazardous materials on, over, under, from, or affecting the property or the soil, water, vegetation, buildings, personal property, persons or animals thereof; (ii) any personal injury (including wrongful death) or property damage (real or personal) arising out of or related to such hazardous materials; (iii) any lawsuit brought or threatened, settlement reached or government order relating to such hazardous materials, and/or (iv) any violation of laws, orders, regulations, requirements, or demands of government authorities, or any policies or requirements of the Trustee, which are based upon or in any way related to such hazardous materials including without limitation, attorneys and consultants' fees, investigation and laboratory fees, court costs, and litigation expenses.

In the event of any conflict between the provisions of this exculpatory rider and the provisions of the document to which it is attached, the provisions of this Rider shall govern.

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, Maria C. Arias, a notary public in and for said County, in the State aforesaid, do hereby certify that NBD TRUST COMPANY OF ILLINOIS, as Trustee under Trust Agreement dated December 15, 1987 and known as Trust Number 66-5848, personally known to me to be the same persons whose names are subscribed to the foregoing instrument and such ~~President~~ ASST. VICE PRESIDENT & TRUST OFFICER and ~~Secretary~~ ASST. 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 acts and as the free and voluntary act of said corporation and for the uses and purposes set forth, and the said Trust Officer did also then and there acknowledge that she, as custodian of the corporate seal of said corporation did affix the said corporate seal of said corporation to said instrument as ~~his~~/her own free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal this 2nd day of August, 1991.

"OFFICIAL SEAL"
MARIA C. ARIAS
Notary Public, State of Illinois
My Commission Expires 12/21/92

Maria C. Arias
Notary Public

91409553

CONSENT OF MORTGAGEE

91409553

CRAGIN FEDERAL BANK FOR SAVINGS, holder of a mortgage on the property, dated October 12, 1990, and recorded February 14, 1991, as Document No. 91070091, hereby consents to the execution and recording of the within Declaration of Orchard Field Townhomes Ownership and agrees that said mortgage is subject to the provisions of said Declaration.

IN WITNESS WHEREOF the said CRAGIN FEDERAL BANK FOR SAVINGS has caused this instrument to be signed by its duly authorized officers on its behalf, all done at Chicago, Illinois, on this _____ day of _____, 1991.

BY: Richard J. John
Vice President

ATTEST:

Al Arkabault
Assistant Secretary

STATE OF ILLINOIS)
)SS
COUNTY OF COOK)

I, Leona M. Krasinski, a Notary Public in and for said County and State, to hereby certify that Richard J. John and Al Arkabault Vice President and Assistant Secretary, respectively, of Cragin Federal Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Richard J. John, Vice President, and Al Arkabault, Assistant Secretary, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 4th day of April, A.D., 1991.

Leona M. Krasinski
Notary Public

My Commission Expires:

"OFFICIAL SEAL"
LEONA M. KRASINSKI
Notary Public, State of Illinois
My Commission Expires 9/12/91

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EXHIBIT A

Legal Descriptions for Units on Lot 1

Legals given from East Unit to West Unit

That part of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, described as lying Easterly of a line drawn from a point in the North line of said Lot 1, said point being 93.46 feet Easterly of the Northwest corner thereof to a point in the South line of said Lot 1, said point being 92.91 feet Easterly of the Southwest corner thereof, in Cook County, Illinois.

That part of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, described as lying Westerly of a line drawn from a point in the North line of said Lot 1, said point being 93.46 feet Easterly of the Northwest corner of said Lot 1 to a point in the South line of said Lot 1, said point being 92.91 feet Easterly of the Southwest corner of said Lot 1, and which lies Easterly of a line drawn from a point in the North line of said Lot 1, said point being 66.96 feet Easterly of the Northwest corner thereof to a point in the South line of said lot 1, said point being 66.41 feet Easterly of the Southwest corner thereof, in Cook County, Illinois.

That part of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of Part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, described as lying Westerly of a line drawn from a point in the North line of said Lot 1, said Point being 66.96 feet Easterly of the Northwest corner of said Lot 1 to a point in the South line of said Lot 1, said point being 66.41 feet Easterly of the Southwest corner of said Lot 1 and which lies Easterly of a line drawn from a point in the North line of said Lot 1, said point being 40.45 feet East of the Northwest corner thereof to a point in the South line of said Lot 1, said point being 40.20 feet East of the Southwest corner thereof, in Cook County, Illinois.

That part of Lot 1 in Plat of Correction or Orchard Field Townhomes Subdivision, being Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, described as lying Westerly of line drawn from a

point in the North lineof said Lot 1, said point being 40.45 feet Easterly of the Northwest corner of said Lot 1 to a point in the South line of said Lot 1, said point being 40.20 feet Easterly of the Southwest corner of said Lot 1, in Cook County, Illinois.

Legal Description for Units on Lot 2 - Legals given from West Unit to East Unit

The Westerly 40.25 feet of Lot 2 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of the Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook county, Illinois.

The Easterly 26.50 feet of the Westerly 66.75 feet of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 93.25 feet of Lot 2 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 40.25 feet of Lot 1 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Legal Descriptions for Units on Lot 3

Legals given from West Unit to East Unit

The Westerly 40.25 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 66.75 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 93.25 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of

part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 119.75 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 146.25 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 40.25 feet of Lot 3 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Legal Descriptions for Units on Lot 4

Legals given from West Unit to East Unit

The Westerly 40.25 feet of Lot 4 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 40.25 feet of Lot 4 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois

Legal Descriptions for Units on Lot 5

Legals given from West Unit to East Unit

The Westerly 40.25 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 66.75 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 93.25 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 119.75 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 26.50 feet of the Westerly 146.25 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

The Easterly 40.25 feet of Lot 5 in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Common Area (Association Property) Outlot A in Plat of Correction of Orchard Field Townhomes Subdivision, being a Subdivision of part of the Southeast Quarter of the Northeast Quarter of Section 34, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Property: 400 Rand Rd.
Mt. Prospect, Il

Parcels: 03-34-207-007
03-34-207-002