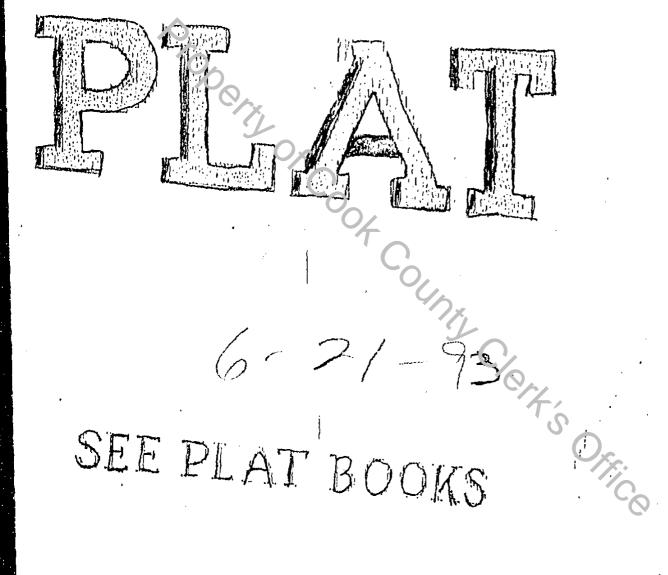
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FOURTH AMENDMENT TO DECLARATION OF

CONDOMINIUM OWNERSHIP FOR

GALENA AT LAKE ARLINGTON TOWNE

93470445

This Fourth Amendment to Declaration is made and entered into by the Lake Arlington Development Partnership, an Illinois general partnership, by its general partners, Kimball Hill, Inc., an Illinois corporation and Kimball Hill Development Company, an Illinois corporation ("Declarant").

RECITALS

- A. By the Declaration of Condominium Ownership for Galena at Lake Arlington Towne recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 929383(9) "Declaration"), certain real estate was submitted to the Illinois Condominium Property Act ('Act"), said Condominium being known as the Galena of Lake Arlington Towne ("Condominium"); and
- B. Declarant is the legal title holder of and wishes to so annex and add to said Parcel and Property, as those terms are redefined in the Declaration, and therefore submit to the Act as part of the Condon inium the following real property ("Additional Property") as described on Exhibit "A", attached hereto and made a part hereof.

Now therefore, Declarant as legal title holder of the Property, and for the purposes 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 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. It is understood that each Unit in the Property consists or the space enclosed or bound by the horizontal and vertical planes set forth in the delineation thereof in Exhibit C. The legal description of each such Unit shall consist of the identifying number for such Unit as shown in Exhibit C. Exhibit C of the Declaration is hereby amended by the addition of Exhibit C attached hereto.
- 3. Exhibit D attached to the Declaration is hereby amended and superseded in its entirety by Exhibit D attached hereto, and respective percentages of ownership in the Common Elements appurtenant to each unit described in the said Exhibit D prior to this amendment are hereby reduced to the respective percentages set forth in Exhibit D, as hereby amended.
- 4. The additional Common Elements are hereby granted and conveyed to the Grantees of the Units heretofore conveyed, all as set forth in the Declaration.



RECORDING FEE \$ 73,50

DATE 6-21-93 COPIES 6

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

In witness whereof, Declarant has caused its name to be signed on June 1____, 1993.

> LAKE ARLINGTON DEVELOPMENT PARTNERSHIP, an Illinois general partnership, by its general partners

Kimball Hill, Inc.

ATTEST:

DOOP OF COOP

Kimball Hill Development Company

ATTEST:

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STATE OF ILLINOIS)	
COUNTY OF COOK) }	SS

I, John R. Nyweide, a Notary Public in and for Cook County, Illinois, do hereby certify that David K. Hill, Jr., as President of Kimbail Hill, Inc. and Barbara G. Cooley, as Secretary thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Secretary, respectively, appeared before me this day in person and acknowledge that they signed and delivered the foregoing instrument as their own free and voluntary act, and as the free and voluntary act of said Company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this _____day of ______, 1993.

"OFFICIAL SEAL"
John R. Nyweide
Notary Public, State of Whites
Cook County, Illinois
My Commission Expires 11/16/93

Notary Public

My commission expires 11/16/93.

SEAL

This instrument was prepared by and MAIL TO AFTER RECORDING to:

John R. Nyweide HILL, STEADMAN & SIMPSON, P.C. 8500 Sears Tower Chicago, Illinois 60606 (312) 876-0200

PIN 03-16-411-004

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STATE OF ILLINOIS)
SS COUNTY OF COOK)

I, John R. Nyweide, a Notary Public in and for Cook County, Illinois, do hereby certify that David K. Hill, Jr., as President of Kimball Hill Development Company and Barbara G. Cooley, as Secretary thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Secretary, respectively, appeared before me this day in person and acknowledge that they signed and delivered the foregoing instrument as their own free and voluntary act, and as the free and voluntary act of said Company, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this _____day of ______, 1993.

"OFFICIAL SEAL"
John R. Nyweide
Notary Public, State of illinois
Cook County, Illinois
My Commission Expires 11/16/93

Notary Public

My commission expires 11/16/93.

SEAL

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TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR GALENA OF LAKE ARLINGTON TOWNE

Legal Description for Additional Property

THAT PART OF LOT 1 IN THE FINAL PLANNED UNIT DEVELOPMENT PLAT OF LAKE ARLINGTON TOWNE UNIT 7, BEING A SUBDIVISION IN THE SOUTHEAST 1/4 OF SECTION 16, TOWNSHIP 42 NORTH, RANGE II, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 27, 1992 AS DOCUMENT NO. 92798912, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH OO DEGREES OO MINUTES DO SECONDS WEST ALONG THE EAST LINE OF SAID LOT 1, 737.3D FEET TO AN ANGLE POINT IN SAID LINE; THENDE SOUTH 53 DEGREES 31 MINUTES 10 SECONDS WEST ALONG THE SOUTHEASTER! Y LINE OF SAID LOT 1, 105.71 FEET TO AN ANGLE POINT IN SAID LINE: THENCE ICATH 89 DEGREES 05 MINUTES 59 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 1, 370.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THE FOLLOWING FOUR COURSES ARE ALONG THE WESTERLY LINE OF SAID LOT 1;

, THENCE NORTH OD DEGREES OD MINUTES OD SECONDS EAST, 235.00 FEET;

10

NORTH 51

00 NORTH 45 00 EAST, 45.00 20 00 EAST, 55.00 SOUTH 90 44

EAST, 179.36

TO THE WEST LINE OF MON-EASEMENT AREA NO. 8 IN SAID LOT 1; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS NEST ALONG SAID WEST LINE OF NON-EASEMENT AREA NO. 8, 149.03 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 89 DEGREES 44 MINUTES 18 SECONDS EAST ALONG THE SOUTH LINE OF SAID NON-EASEMENT AREA NO. 8 AND ALONG SAID SOUTH LINE EXTENDED EASTERLY, 75.91 FEET; THENCE NORTHERLY ALONG A CURVED LIME CONVEX EASTERLY AND HAVING A RADIUS OF 91.00 FEET, AN ARC DISTANCE OF 21.63 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS NORTH OB DEGREES 41 MINUTES 58 SECONDS EAST, 27.53 FEET); THENCE NORTH DO DEGREES OF MIMITES OF SECONDS EAST ALONG A LINE TANGENT TO SAID LAST DESCRIBED CURVED LINE (T SAID LAST DESCRIBED POINT, 123.77 FEET TO AM INTERSECTION WITH THE LAST-FRLY EXTENSION OF THE NORTH LINE OF SAID NON-EASEMENT AREA NO. 8; THENCE NORTH 89 DEGREES 44 MINUTES 18 SECONDS WEST ALONG SAID LAST DESCRIBED LINE AND ALONG THE NORTH LINE OF SAID HON-EASEMENT AREA NO. 8, 76.96 FEET TO THE WESTERLY LINE OF SAID LOT I; THE FOLLOWING FOUR COURSES ARE ALONG THE WESTERLY LINE OF SAID

LOT 1; THENCE NORTH 51 DEGREES 10 MINUTES 44 SECONDS EAST, 15.63 FEET;
"NORTH 51 " 22 " 55 " WEST, 197.55

00 00 WEST, 25.00 NORTH 90 50

29 WEST, 53.42 NORTH 18 INTERSECTION WITH THE WESTERLY EXTENSION OF THE SOUTHERLY LINE OF NON-EASEMENT AREA NO. 10 IN SAID LOT 1; THENCE NORTH 81 DEGREES 40 MINUTES OB SECONDS EAST ALONG SAID LAST DESCRIBED LINE AND ALONG THE SOUTH LINE OF SAID NON-EASEMENT AREA NO. 10 AND ALONG SAID SOUTH LINE EXTENDED EASTERLY, 130.23 FEET; THENCE NORTHWESTERLY ALONG A CURVED LINE CONVEX SOUTHWESTERLY AND HAVING A RADIUS OF 126.00 FEET, AN ARC DISTANCE OF 35.27 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS NORTH 25 DEGREES 21 MINUTES 04 SECONDS WEST, 35.16 FEET); THENCE NORTH 17 DEGREES 19 MINUTES 55 SECONDS WEST ALONG A LINE TANGENT TO SAID LAST DESCRIBED CURVED LINE AT SAID LAST DESCRIBED POINT, 119.27 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY ALONG A CURVED LINE CONVEX WESTERLY, HAVING A RADIUS OF 224.00 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 71.28 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1, 342.60 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 1 (THE CHORD OF SAID ARC BEARS NORTH OB DEGREES 12 MINUTES 57 SECONDS WEST, 70.98 FEET); THENCE SOUTH 89 DEGREES 05 MINUTES 59 EAST ALONG THE NORTH LINE OF SAID LOT 1, 342.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

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(9)

EXHIBIT D TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR THE GALENA AT LAKE ARLINGTON TOWNE

Unit		Undivided Interest	<u>Unit</u>	Undivided Interest
1-1 1-2 1-3 1-4 1-5 1-6		1.828% 2.640 2.470 2.245 2.640 1.828	6-1 6-2 6-3 6-4 6-5 6-6	1.828% 2.640 2.471 2.245 2.640 1.828
2-1 2-2 2-3 2-4 2-5 2-6		1.828 1.828 2.640 2.470 2.245 2.640 1.828	7-1 7-2 7-3 7-4 9-1 9-2	2.471 2.245 2.640 1.828 1.828 2.640
3-1 3-2 3-3 3-4 3-5 3-6	2	1.828 2.640 2.470 2.245 2.640 1.828	9-3 9-4 9-5 9-6	2.471 2.245 2.640 <u>1.828</u>
4-1 4-2 4-3 4-4		2.470 2.245 2.640 .828		100.000%
5-1 5-2 5-3 5-4 5-5 5-6	2 2 2 2	.828 .640 .471 .245 .364 .828		

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