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PLAT

9-23-93

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PLAT WITH THIS DOCUMENT
9276571

FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP FOR INDIAN WOODS TOWNHOMES CONDOMINIUM DEPT-01 RECORDING \$80.00
TRAN 2733 09/23/93 16:23:00
64304 * -93-765871
COOK COUNTY RECORDER

This Fifth Amendment is made this 15th day of September, 1993 by Indian Wood Development Corporation, an Illinois corporation (hereinafter referred to as the "Developer").

RECITALS

A. Developer has recorded that certain Declaration of Condominium Ownership for Indian Woods Townhomes Condominium (hereinafter referred to as the "Original Declaration") with the Recorder's Office of Cook County, Illinois on February 26, 1992 as Document No. 92122984, which Original Declaration submitted certain real estate legally described in Exhibit "A" to the Original Declaration to be submitted to the provisions of the Illinois Condominium Property Act (hereinafter referred to as the "Act").

B. Developer has also recorded that certain First Amendment to Declaration of Condominium Ownership for Indian Woods Townhomes Condominium (hereinafter referred to as the "First Amendment") with the Recorder's Office of Cook County, Illinois on March 27, 1992 as Document 92204643, which First Amendment annexed additional land to the Real Estate and the Property (as defined in the Original Declaration), amended the number of units in the Condominium and adjusted the Percentage of Ownership Interest in the Common Elements of each of the units.

C. Developer has also recorded that certain Second Amendment to Declaration of Condominium Ownership for Indian Woods Townhomes Condominium (hereinafter referred to as the "Second Amendment") with the Recorder's Office of Cook County, Illinois on July 7, 1992 as Document 92489874, which Second Amendment annexed additional land to the Real Estate and the Property (as defined in the Original Declaration), amended the number of units in the Condominium and adjusted the Percentage of Ownership Interest in the Common Elements of each of the units.

D. Developer has also recorded that certain Third Amendment to Declaration of Condominium Ownership for Indian Woods Townhomes Condominium (hereinafter referred to as the "Third Amendment") with

THIS DOCUMENT PREPARED BY AND AFTER RECORDING MAIL TO:

Charles E. Alexander
Katz Randall & Weinberg
200 N. LaSalle Street, Suite 2300
Chicago, Illinois

STREET ADDRESS:

11110-11126 Indian Woods Drive
Indian Head Park, Illinois 60525

PERMANENT INDEX NUMBERS:
18-29-101-014
18-29-101-015

Will Call

RECORDING FEES 8000
DATE 9-23-93 COPIES 6
OK [Signature]

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the Recorder's Office of Cook County, Illinois on August 13, 1992 as Document 92603034, which Third Amendment annexed additional land to the Real Estate and the Property (as defined in the Original Declaration), amended the number of units in the Condominium and adjusted the Percentage of Ownership Interest in the Common Elements of each of the units.

E. Developer has also recorded that certain Fourth Amendment to Declaration of Condominium Ownership for Indian Woods Townhomes Condominium (hereinafter referred to as the "Fourth Amendment") with the Recorder's Office of Cook County, Illinois on March 18, 1993 as Document 93202311, which Fourth Amendment annexed additional land to the Real Estate and the Property (as defined in the Original Declaration), amended the number of units in the Condominium and adjusted the Percentage of Ownership Interest in the Common Elements of each of the units. (The Original Declaration, as amended by the First Amendment, the Second Amendment, the Third Amendment and the Fourth Amendment are hereinafter collectively referred to as the "Declaration").

F. The Declaration reserved to the Developer the right to annex and add all or portions of certain additional land to the Real Estate and the Property (as defined in the Declaration) and thereby add to the Condominium created by the Declaration.

G. The Developer now desires to so annex and add to the Real Estate and the Property and submit to the provisions of the Act and the Declaration certain real estate described in Fifth Amended Exhibit "B" Page 2 attached hereto and incorporated herein (hereinafter referred to as the "Fifth Add-on Parcel"), which real estate is a portion of the Additional Condominium Area described in Article XV and Exhibit "E" of the Original Declaration and to otherwise amend the Declaration as more fully described herein.

NOW, THEREFORE, the Developer does hereby amend the Declaration as follows:

1. Recitals. The Recitals set forth above are hereby incorporated as though fully set forth herein.

2. Amendments. The Declaration is hereby amended as follows:

A. The Fifth Add-on Parcel is hereby annexed to the Real Estate and the Property, as defined in the Declaration, and is hereby submitted to the provisions of the Act as a part of Indian Woods Townhomes Condominium and shall, in all respects, be deemed to be governed by the terms and provisions of the Declaration.

B. The legal description of Indian Woods Townhomes Condominium contained in Fourth Amended Exhibit "A" of the

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Fourth Amendment is hereby amended by deleting said Fourth Revised Exhibit "A" and substituting therefore Fifth Revised Exhibit "A" which is attached hereto and incorporated herein by this reference.

C. The plat of survey of Indian Woods Townhomes Condominium contained in Fourth Revised Exhibit "B" of the Fourth Amendment is hereby amended by deleting Page 1 of said Fourth Revised Exhibit "B" and substituting therefor Page 1 of Fifth Revised Exhibit "B" attached hereto and incorporated herein by this reference. Indian Woods Townhomes Condominium shall hereafter consist of twenty-four (24) units as depicted on Pages 2 and 2A of the survey attached as Exhibit "B" to the Original Declaration, Pages 2 and 2A of the survey attached as First Amended Exhibit "B" attached to the First Amendment, Pages 2 and 2A of the survey attached as Second Revised Exhibit "B" to the Second Amendment, Pages 2 and 2A of the survey attached as Third Revised Exhibit "B" attached to the Third Amendment, Pages 2 and 2A of the survey attached as Fourth Revised Exhibit "B" to the Fourth Amendment, and Pages 2 and 2A of the survey attached as Fifth Revised Exhibit "B" to the Fifth Amendment.

D. The Percentage of Ownership Interest in the Common Elements contained in Fourth Revised Exhibit "C" of the Fourth Amendment is hereby amended by deleting said Fourth Revised Exhibit "C" and substituting therefor the Fifth Revised Exhibit "C" attached hereto and incorporated herein.

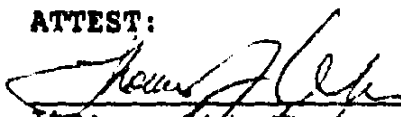
E. The additional common elements annexed by this Fifth Amendment are hereby granted and conveyed to the grantees of all units, including the grantees of the units heretofore conveyed, all as set forth in the Declaration.

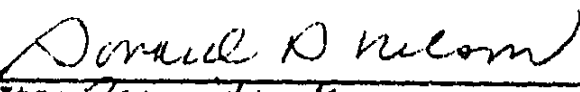
3. Inconsistencies. Any inconsistencies between the Declaration and this Fifth Amendment shall be resolved in favor of the terms contained herein. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREOF, Indian Wood Development Corporation has caused this instrument to be executed as of the date above first written.

INDIAN WOOD DEVELOPMENT CORPORATION,
an Illinois corporation

ATTEST:


Its: Secretary

By: 
Its: President

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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Kathleen Ann Davies, a Notary Public, in and for said county, in the state aforesaid, do hereby certify that Donald P. Nelson, as the President of Indian Wood Development Corporation, an Illinois corporation, and Thomas J. Wabak, as the Secretary of said corporation, who are personally known to me to be the same persons who subscribed to the foregoing instrument as such Nelson President and Wabak Secretary of said corporation, 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 corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 14th day of September, 1993.

" OFFICIAL SEAL "
KATHLEEN ANN DAVIES
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 9/4/94

Kathleen Ann Davies
Notary Public

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FIFTH REVISED EXHIBIT "A"

LEGAL DESCRIPTION

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 1069.02 FEET NORTH OF THE EAST AND WEST QUARTER SECTION LINE OF SAID SECTION, THENCE EASTERLY A DISTANCE OF 993.90 FEET TO A POINT, WHICH IS 1068.36 FEET NORTH FROM THE EAST AND WEST QUARTER LINE OF SAID SECTION; THENCE NORTH 263.07 FEET, TO A POINT 993.40 FEET EAST OF THE WEST LINE OF SAID SECTION 29; THENCE WEST, ALONG A LINE THAT IS 263.07 FEET NORTH, AS MEASURED ON THE WEST LINE OF SAID QUARTER SECTION, FROM THE POINT OF BEGINNING, 610.40 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID QUARTER SECTION, 139.87 FEET; THENCE WEST, PARALLEL WITH THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT, 383.00 FEET, TO THE WEST LINE OF SAID QUARTER SECTION, THENCE SOUTH, ALONG THE WEST LINE OF SAID QUARTER SECTION 123.20 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE WEST 50.00 FEET, AS MEASURED PERPENDICULAR TO THE WEST LINE THEREOF, ALL IN COOK COUNTY, ILLINOIS.

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EXHIBIT A-PART II

LEGAL DESCRIPTION OF FIFTH ADD-ON PARCEL

THAT PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE WEST LINE OF SAID SECTION 29, A DISTANCE OF 1069.02 FEET NORTH OF THE EAST AND WEST QUARTER SECTION LINE OF SAID SECTION, THENCE EASTERLY A DISTANCE OF 993.90 FEET TO A POINT, WHICH IS 1068.36 FEET NORTH FROM THE EAST AND WEST QUARTER LINE OF SAID SECTION THENCE NORTH 263.07 FEET, TO A POINT 993.40 FEET EAST OF THE WEST LINE OF SAID SECTION 29; THENCE WEST, ALONG A LINE THAT IS 263.07 FEET NORTH, AS MEASURED ON THE WEST LINE OF SAID QUARTER SECTION, FROM THE POINT OF COMMENCING, 503.40 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID QUARTER SECTION 139.87 FEET; THENCE WEST, PARALLEL WITH THE SOUTH LINE OF THE HEREIN DESCRIBED TRACT, 107.00 FEET; THENCE NORTH, PARALLEL WITH THE WEST LINE OF SAID QUARTER SECTION, 139.87 FEET, TO THE NORTH LINE OF SAID TRACT; THENCE EAST, ALONG THE NORTH LINE, 107.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

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FIFTH REVISED
EXHIBIT "B"

PLAT OF SURVEY

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FIFTH REVISED
EXHIBIT "C"

PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS

<u>Unit</u>	<u>Percentage of Ownership in Common Elements</u>
1D	3.98%
2C	4.43%
3B	3.74%
4A	4.51%
5D	3.98%
6C	4.43%
7B	3.74%
8A	4.51%
9D	3.98%
10C	4.43%
11B	3.74%
12A	4.51%
13D	3.98%
14C	4.43%
15B	3.74%
16A	4.51%
17D	3.98%
18C	4.43%
19B	3.74%
20A	4.51%
21D	4.37%
22B	4.11%
23B	4.11%
24B	<u>4.11%</u>
	100.00%

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MORTGAGEE'S CONSENT

RESOLUTION TRUST CORPORATION, conservator of Irving Federal Bank for Savings (f/k/a Irving Federal Savings and Loan Association), a corporation organized under the laws of the United States of America, as the "Mortgagee" under that certain Mortgage and Security Agreement dated October 15, 1990 and recorded with the Cook County Recorder on October 17, 1990 as Document No. 90509163 ("Mortgage"), hereby consents to the execution and recording with the Cook County Recorder the foregoing Fifth Amendment to Declaration of Condominium Ownership for Indian Woods Townhomes Condominium.

Dated: September 14, 1993.

RESOLUTION TRUST CORPORATION, CONSERVATOR
OF IRVING FEDERAL BANK FOR SAVINGS

ATTEST:

By: Joe Byron
Its: Credit Specialist

By: Charmaine L. Murray
Its: Notary Public

NOTARIAL CERTIFICATE OF MORTGAGEE'S CONSENT

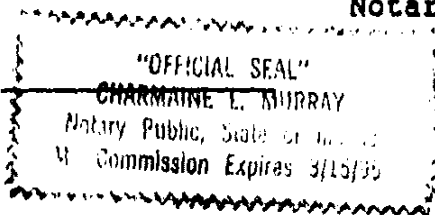
STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, Charmaine L. Murray, a Notary Public, in and for said county, in the state aforesaid, do hereby certify that James A. Gardner, the Credit Specialist, and Joe Byron, the Credit Specialist of Resolution Trust Corporation, Conservator of Irving Federal Bank for Savings, a corporation organized under the laws of the United States of America ("Mortgagee"), who are personally known to me to be the same persons whose names and subscribed to the foregoing Mortgagee's Consent as such _____ and _____, respectively, appeared before me this day in person and acknowledged that they signed and delivered the foregoing Mortgagee's Consent as the own free and voluntary act and as the free and voluntary act of the Mortgagee, for the purposes therein specified.

GIVEN under my hand and notarial seal this 14th day of September, 1993.

Charmaine L. Murray
Notary Public

My Commission Expires:



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