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95-430233

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COOK COUNTY RECORDER

FIFTH AMENDMENT TO DECLARATION OF THE HOMES OF COTSWOLDS HOMEOWNERS' ASSOCIATION

THIS FIFTH AMENDMENT TO DECLARATION is made and entered into on the date hereinafter set forth by CHICAGO TITLE AND TRUST COMPANY, a corporation of Illinois, not individually but solely as trustee under trust agreement dated December 15, 1988 and known as Trust No. 1092448, for convenience hereinafter referred to as the "Developer".

W I T N E S S E T H:

WHEREAS, Developer entered into the Declaration of the Homes of Cotswolds Homeowners' Association dated January 4, 1991 and recorded in the Cook County Recorder's Office on January 7, 1991 as Document No. 91008102 ("Declaration");

WHEREAS, the Declaration reserves to the Developer the right to add-on and annex all or any portion of the Adjoining Parcel (as such term is defined in the Declaration and legally described on Exhibit C therein);

WHEREAS, the Developer now desires to sell, annex and add-on and to submit to the provisions of the Declaration certain real estate described in Exhibit A-5 attached hereto (the "Additional Parcel"), which Additional Parcel is a portion of the Adjoining Parcel;

WHEREAS, Developer also desires to correct certain typographical errors and minor inaccuracies contained in the Declaration and Exhibit D attached thereto;

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

1. The Additional Parcel is added on and annexed and is hereby submitted to the provisions of the Declaration, and shall be deemed to be governed in all respects by the terms and provisions of the Declaration.

2. Exhibit A-4 of the Declaration is hereby amended by deleting said Exhibit A-4 and substituting therefore Exhibit A-5 which is attached hereto.

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

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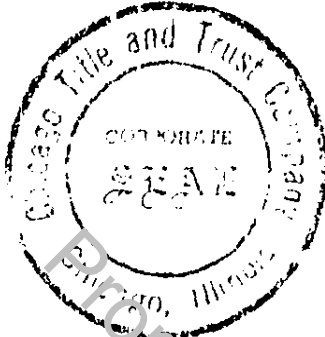
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IN WITNESS WHEREOF, the said Trustee has caused its corporate seal to be affixed hereunto and has caused its name to be signed to the presence as of 18th day of May, 1995.



CHICAGO TITLE AND TRUST COMPANY, a corporation of Illinois, not individually, but solely as Trustee under Trust Agreement dated December 15, 1988 known as Trust No. 1092448

By: *Carrie C. Burt*
Its: ASST. VICE PRESIDENT

ATTEST:

Shirley A. ...
ASST. Secretary

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EXHIBIT A-5

THE PROPERTY

1. LOT 22 IN THE COTSWOLDS, IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.
2. LOTS 7, 12, 38 AND 42 IN THE COTSWOLDS, IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.
3. LOTS 2 AND 5 IN THE COTSWOLDS, IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.
4. LOTS 19, 23, 24, 28 AND 36 IN THE COTSWOLDS, IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.
5. LOTS 6, 8, 9, 10, 15, 16, 17, 18, 20, 26, 40, 43, 44 AND 45 IN COSTSWOLDS FIRST RESUBDIVISION, IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
6. LOTS 1, 3, 4, 7, 11, 13, 14, 21, 25, 27, 29, 30, 31, 32, 33, 34, 35, 37, 39 AND 41 IN COTSWOLDS FIRST RESUBDIVISION, IN THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

ADDITIONAL PARCELS: (LOTS 1, 3, 4, 7, 11, 13, 14, 21, 25, 27, 29, 30, 31, 32, 33, 34, 35, 37, 39 AND 41):

LOT 1 - P.I.N. #: 04-04-304-012
Prestbury Court
Northbrook, Illinois 60062

LOT 3 - P.I.N. #: 04-04-304-014
Prestbury Court
Northbrook, Illinois 60062

LOT 4 - P.I.N. #: 04-04-304-015
Prestbury Court
Northbrook, Illinois 60062

LOT 11 - P.I.N. #: 04-04-304-022
Fairford Lane
Northbrook, Illinois 60062

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LOT 13 - P.I.N. #: 04-04-304-024
Chedworth Court
Northbrook, Illinois 60062

LOT 14 - P.I.N. #: 04-04-304-025
Chedworth Court
Northbrook, Illinois 60062

LOT 21 - P.I.N. #: 04-04-304-032
Stowe Court
Northbrook, Illinois 60062

LOT 25 - P.I.N. #: 04-04-304-036
Stowe Court
Northbrook, Illinois 60062

LOT 27 - P.I.N. #: 04-04-304-038
Stowe Court
Northbrook, Illinois 60062

LOT 29 - P.I.N. #: 04-04-304-040
Cotswolds Court
Northbrook, Illinois 60062

LOT 30 - P.I.N. #: 04-04-304-041
Cotswolds Court
Northbrook, Illinois 60062

LOT 31 - P.I.N. #: 04-04-304-042
Cotswolds Court
Northbrook, Illinois 60062

LOT 32 - P.I.N. #: 04-04-304-043
Cotswolds Court
Northbrook, Illinois 60062

LOT 33 - P.I.N. #: 04-04-304-044
Cotswolds Court
Northbrook, Illinois 60062

LOT 34 - P.I.N. #: 04-04-304-045
Cotswolds Court
Northbrook, Illinois 60062

LOT 35 - P.I.N. #: 04-04-304-046
Cotswolds Court
Northbrook, Illinois 60062

LOT 37 - P.I.N. #: 04-04-304-048
Campden Lane
Northbrook, Illinois 60062

LOT 39 - P.I.N. #: 04-04-304-050
Campden Lane
Northbrook, Illinois 60062

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LOT 41 - P.I.N. #: 04-04-304-052
Campden Lane
Northbrook, Illinois 60062

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Prepared By and Mail To:
Daniel R. Bronson, Esq.
300 West Washington Street
Suite 1600
Chicago, Illinois 60606

BOX 333-CTI

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RIDER ATTACHED TO AND MADE A PART OF DOCUMENT
DATED AS OF MAY 14, 1995 UNDER TRUST NO. 1092448

This instrument is executed by CHICAGO TITLE AND TRUST COMPANY, 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 the terms, provisions, stipulations, covenants and conditions to be performed by CHICAGO TITLE AND TRUST COMPANY are undertaken by it solely as Trustee, as aforesaid, and not individually and all statements herein made are made on information and belief and are to be construed accordingly, and no personal liability shall be asserted or be enforceable against CHICAGO TITLE AND TRUST COMPANY by reason of any of the terms, provisions, stipulations, covenants and/or statements contained in this instrument.

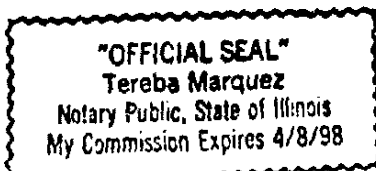
STATE OF ILLINOIS)

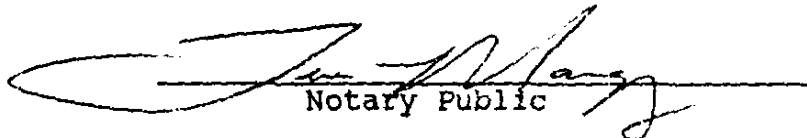
COUNTY OF COOK)

) ss

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that the above named Assistant Vice President and Assistant Secretary of the CHICAGO TITLE AND TRUST COMPANY, Grantor, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Assistant Vice President and Assistant 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 act and as the free and voluntary act of said Company for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that said Assistant Secretary, as custodian of the corporate seal of said Company, caused the corporate seal of said Company to be affixed to said instrument as said Assistant Secretary's 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 14th day of June, 1995.




Notary Public

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CONSENT OF MORTGAGEE

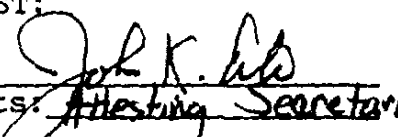
KNOW ALL MEN BY THESE PRESENTS, that General Electric Capital Corporation, a New York corporation, which is the owner and holder of a certain Note dated December 15, 1988, which is secured by a certain Construction First Mortgage dated December 15, 1988, recorded on June 30, 1989, in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 89299374 ("Mortgage"), and further secured by a certain Assignment of Rents and Leases dated December 15, 1988 recorded on June 30, 1989, in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 89299375 ("Assignment"), and further secured by a certain Security Interest of General Electric Capital Corporation in certain chattels as disclosed by financing statement filed July 5, 1989 as No. 89U16367 ("Security Interest"), said instruments constituting a first and prior lien on the real estate legally described in the foregoing amendment to the Declaration of the Homes of Cotswolds Homeowners' Association ("Declaration"), does hereby consent to the execution and recording of the foregoing amendment to the Declaration, provided said amendment is for the sole purpose of subjecting individual lots to the terms of the Declaration, and agrees that the Mortgage, Assignment and Security Interest, as modified, are subject and subordinate to the provisions of the Declaration, as amended.

GENERAL ELECTRIC CAPITAL
CORPORATION, a New York corporation

By: 
Its: INVESTMENT MANAGER

ATTEST:

By:


Its: Attesting Secretary

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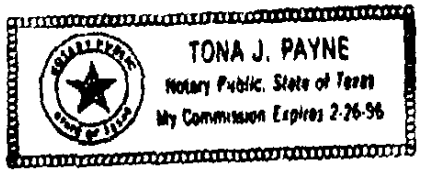
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STATE OF ~~ILLINOIS~~ ^{Texas})
COUNTY OF ~~COOK~~ ^{Dallas}) SS

I, Tona J. Payne, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that TRAVIS Skull personally known to me to be the Investment Mgr General Electric Capital Corporation, a corporation organized under the laws of the State of New York, and JOHN GATES personally known to me to be the Attesting Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Investment Mgr and Attesting Secretary of said corporation, they signed and delivered the said instrument, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of said corporation 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 18th day of May, 1995.

Tona J. Payne
Notary Public



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