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TENTH AMENDMENT  
TO  
DECLARATION  
OF  
CONDOMINIUM  
OWNERSHIP  
FOR GALENA AT  
BLACKBERRY CREEK

**LATENT**

F A  
P 63.00 P  
T V  
I FM M

RECORDING FEE \$ 63.00  
DATE 4 30 96 COPIES 6  
OR FM

(FOR RECORDER'S USE ONLY)

96328905

This Tenth Amendment to Declaration is made and entered into by Kimball Hill Construction Company, an Illinois corporation ("Declarant").

RECORDER'S OFFICE  
140000 1400 1400 1400 1400  
32300 3 11 96-323705  
COOK COUNTY RECORDER

RECITALS

A. By the Declaration of Condominium Ownership for Galena at Blackberry Creek recorded in the Office of the Recorder of Deeds of Cook County, Illinois as Document No. 95194293 on March 23, 1995 ("Declaration"), certain real estate described in Exhibit A attached thereto was submitted to the Illinois Condominium Property Act ("Act"), said condominium being known as Galena at Blackberry Creek ("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 Condominium 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 is 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 of 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 Exhibit D attached to the Declaration is hereby amended and superseded in its entirety by Exhibit D attached hereto, and respective percentages of ownership in the Common Elements appurtenant to each unit described in the said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.

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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.

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 February 1, 1996.

**KIMBALL HILL CONSTRUCTION COMPANY**

By:

  
David K. Hill, President

ATTEST:

  
JoAnn Peterson, Secretary

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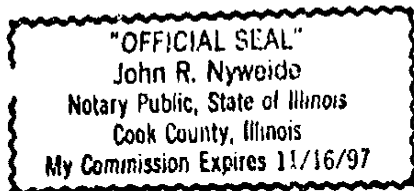
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STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COOK        )

I, John R. Nyweide, a Notary Public in and for Cook County, Illinois, do hereby certify that David K. Hill, and JoAnn Peterson, as President and Secretary, respectively of Kimball Hill Construction Company, 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 February 1, 1996.



*John R. Nyweide*  
\_\_\_\_\_  
Notary Public

My commission expires 11/16/97.

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

**REC 302**  
Office

07-07-200-251  
PIN No. 07-07-200-223 07-07-200-230  
07-07-200-252

Address of Property:     Lots 1 to 3, inclusive in Blackberry Creek Subdivision  
  Hoffman Estates, Illinois

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EXHIBIT A  
TO

## DECLARATION OF CONDOMINIUM OWNERSHIP FOR GALENA AT BLACKBERRY CREEK

Legal description for Additional Property:

### LEGAL DESCRIPTIONS:

LOTS 1, 2 AND 3 IN BLACKBERRY CREEK, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 7, 1994 AS DOCUMENT NO. 94870140, IN COOK COUNTY, ILLINOIS.

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EXHIBIT D  
TO  
DECLARATION OF CONDOMINIUM OWNERSHIP FOR  
GALENA AT BLACKBERRY CREEK

(1)

| <u>Unit</u> | <u>Undivided Interest</u> | <u>Unit</u> | <u>Undivided Interest</u> |
|-------------|---------------------------|-------------|---------------------------|
| 1-1         | 1.774%                    | 8-1         | 1.774%                    |
| 1-2         | 2.269                     | 8-2         | 2.269                     |
| 1-3         | 1.878                     | 8-3         | 1.878                     |
| 1-4         | 1.830                     | 8-4         | 1.828                     |
|             |                           | 8-5         | 1.828                     |
| 2-1         | 1.774                     | 8-6         | 1.880                     |
| 2-2         | 2.269                     |             |                           |
| 2-3         | 1.878                     | 9-1         | 1.774                     |
| 2-4         | 1.830                     | 9-2         | 2.269                     |
|             |                           | 9-3         | 1.878                     |
| 3-1         | 1.774                     | 9-4         | 1.828                     |
| 3-2         | 2.269                     | 9-5         | 1.878                     |
| 3-3         | 1.878                     | 9-6         | 1.880                     |
| 3-4         | 1.880                     |             |                           |
|             |                           | 10-1        | 1.880                     |
| 4-1         | 1.774                     | 10-2        | 1.878                     |
| 4-2         | 2.269                     | 10-3        | 2.269                     |
| 4-3         | 1.878                     | 10-4        | 1.774                     |
| 4-4         | 1.830                     |             |                           |
|             |                           | 11-1        | 1.774                     |
| 5-1         | 1.774                     | 11-2        | 2.269                     |
| 5-2         | 2.269                     | 11-3        | 1.878                     |
| 5-3         | 1.878                     | 11-4        | 1.828                     |
| 5-4         | 1.880                     | 11-5        | 1.878                     |
|             |                           | 11-6        | <u>1.880</u>              |
| 6-1         | 1.774                     |             |                           |
| 6-2         | 2.269                     |             | 100.000%                  |
| 6-3         | 1.878                     |             |                           |
| 6-4         | 1.878                     |             |                           |
| 6-5         | 1.828                     |             |                           |
| 6-6         | 1.880                     |             |                           |
|             |                           |             |                           |
| 7-1         | 1.880                     |             |                           |
| 7-2         | 1.828                     |             |                           |
| 7-3         | 1.828                     |             |                           |
| 7-4         | 1.830                     |             |                           |

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