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97031731

FOURTH AMENDMENT TO  
 DECLARATION OF  
 CONDOMINIUM OWNERSHIP  
 AND  
 OF EASEMENTS,  
 RESTRICTIONS AND  
 COVENANTS FOR  
 DEERPATH LAKE OF  
 PALATINE CONDOMINIUM  
 IN PALATINE, COOK COUNTY,  
 ILLINOIS AND  
 DECLARATION OF BY-LAWS  
 FOR  
 THE DEERPATH LAKE OF  
 PALATINE CONDOMINIUM  
 ASSOCIATION,  
 AN ILLINOIS NOT-FOR-  
 PROFIT CORPORATION

76317815

## PLAT WITH THIS DOCUMENT

DEPT-01 RECORDING \$75.00  
 T40012 TRAN 3724 01/15/97 10:32:00  
 #0217 CG \*-97-031731  
 COOK COUNTY RECORDER

(For Recorder's Use Only)

This Fourth Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for The Deerpath Lake of Palatine Condominium in Palatine, Cook County, Illinois and Declaration of By-Laws for The Deerpath Lake of Palatine Condominium Association, an Illinois not-for-profit corporation recorded September 13, 1996 as Document Number 96702606 in Cook County, Illinois (hereinafter referred to as the "Declaration") is executed by Cole Taylor Bank, as Trustee under Trust Agreement dated August 30, 1995 and known as Trust No. 95-2083 (hereinafter referred to as the "Declarant").

### WITNESSETH:

**WHEREAS**, by the terms of the Declaration, Declarant submitted the real estate described on the Plat attached as Exhibit A to the Declaration, located in the Village of Palatine, County of Cook and State of Illinois, to the Condominium Property Act of the State of Illinois (the "Act") pursuant to the Declaration and designated the same as "Property" under the terms of the Declaration; and

**WHEREAS**, the Property is now improved with five buildings containing thirty-two units; and

**WHEREAS**, pursuant to the Act, Declarant has, in Article X of the Declaration, reserved the power and right from time to time to annex and add to the Property and subject to the Act, portions of the Future Development Parcel (as defined in the Declaration); and

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Box-333

PLAT  
 A  
 P  
 V  
 M

RECORDING FEE \$ 75.00  
 DATE 1/15/97 COPIES 6  
 OK G/M

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**WHEREAS**, Declarant does, pursuant to Article X of the Declaration, desire to subject to the Act, and to annex and add to the Property, that portion of the Future Development Parcel which is designated as the Fourth Addition and is legally described on Exhibit A to this Fourth Amendment; and

**WHEREAS**, the real estate described as the Fourth Addition has been improved with one building containing six units so that by adding the same to the Property, the Property will now be improved with a total of six buildings, containing a total of thirty-eight Units; and

**WHEREAS**, Declarant desires further, pursuant to Article X of the Declaration, to amend the percentage of ownership in the Common Elements allocated among the Units as set forth on Exhibit B to the Declaration in order to reflect the addition of the Fourth Addition to the Property;

**NOW, THEREFORE**, Cole Taylor Bank, as Trustee, as Declarant under the Declaration and as legal title holder of the Future Development Parcel, for the purposes above set forth, does hereby declare that the Declaration is amended as follows:

1. The Plat attached as Exhibit A to the Declaration is hereby amended to replace Sheet 1 thereof with Sheet 1 of the Plat attached to this Amendment and to add to the Plat, Sheet 2 of the Plat attached to this Amendment.
2. The real estate described as the Fourth Addition and legally described on the Plat attached as Exhibit A to the Fourth Amendment and all Units and improvements thereon is hereby annexed and added to the Property and is subjected to the Act.
3. Exhibit B to the Declaration, the Percentage of Ownership in Common Elements, is amended to read as Exhibit B attached to this Fourth Amendment.
4. Except as herein specifically amended, the Declaration is ratified and confirmed in all respects. In the event of any inconsistency between this Fourth Amendment and the Declaration, this Fourth Amendment shall control.

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STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF Cook     )

I, the undersigned, a Notary Public in and for said County in the State  
A.V.  
aforesaid, DO HEREBY CERTIFY that Mario V. Gotanco, President of the COLE  
TAYLOR BANK, and Linda L. Horcher, \* ~~Secretary~~ of said Bank, who are personally  
known to me to be the same persons whose names are subscribed to the foregoing instrument as  
such A.V. President, and Trust Officer ~~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 Bank, as  
Trustee as aforesaid for the uses and purposes therein set forth, and the said Trust Officer  
~~Secretary~~ then and there acknowledged that said Trust Office ~~Secretary~~, as custodian of the  
corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as said Trust Officer's  
~~Secretary's~~ own free and voluntary act and as the free and voluntary act of said  
Bank, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 10th day of January, 1997.

\*Trust Officer



*Elsie Fay Uribe*  
Notary Public

My commission expires: \_\_\_\_\_

This Instrument was prepared by:  
Charles L. Byrum, Esq.  
Gardner, Carton & Douglas  
321 North Clark Street  
Suite 3100  
Chicago, Illinois 60610

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## EXHIBIT B

FOURTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF  
EASEMENTS, RESTRICTIONS AND COVENANTS  
FOR THE DEERPATH LAKE OF PALATINE  
CONDOMINIUM IN PALATINE, COOK COUNTY, ILLINOIS  
AND DECLARATION OF BY-LAWS FOR  
DEERPATH LAKE OF PALATINE  
CONDOMINIUM ASSOCIATION, AN  
ILLINOIS NOT-FOR-PROFIT CORPORATION  
PERCENTAGE OF OWNERSHIP INTEREST  
IN THE COMMON ELEMENTS

### TOWN HOME UNITS:

	<u>UNIT</u>	<u>TYPE</u>	<u>PERCENTAGE</u>
<b>Building #1</b>	508	Kipling	3.036
	510	Wadsworth	3.074
	512	Walden	2.979
	514	Kipling	3.036
	516	Wadsworth	3.074
	518	Walden	2.979

	<u>UNIT</u>	<u>TYPE</u>	<u>PERCENTAGE</u>
<b>Building #2</b>	476	Kipling	3.036
	478	Kipling	3.036
	480	Kipling	3.036
	482	Wadsworth	3.074
	484	Kipling	3.036
	486	Kipling	3.036
	488	Wadsworth	3.074
	490	Kipling/B	3.036

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## MANOR HOME UNITS:

	<u>UNIT</u>	<u>TYPE</u>	<u>PERCENTAGE</u>
<b>Building #5</b>	457-1	Heron	2.420
	453-2	Meadowlark	2.195
	453-3	Heron	2.420
	457-4	Egret	2.513
	457-5	Meadowlark	2.233
	453-6	Egret	2.513
<b>Building #6</b>	479-1	Heron	2.420
	475-2	Meadowlark	2.195
	475-3	Heron	2.420
	479-4	Egret	2.513
	475-5	Meadowlark	2.233
	475-6	Cardinal	2.607
<b>Building #7</b>	495-1	Heron	2.420
	491-2	Meadowlark	2.195
	491-3	Heron	2.420
	495-4	Cardinal	2.607
	495-5	Meadowlark	2.233
	491-6	Egret	2.513
<b>Building #8</b>	507-1	Heron	2.420
	503-2	Meadowlark	2.195
	503-3	Heron	2.420
	507-4	Cardinal	2.607
	507-5	Meadowlark	2.233
	503-6	Egret	2.513
		<b>Total</b>	<b>100%</b>

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## MORTGAGEE'S CONSENT TO AMENDMENT TO DECLARATION

FOR AND IN CONSIDERATION of Ten Dollars (\$10.00) and other good and valuable consideration the receipt whereof is hereby acknowledged, the undersigned Cole Taylor Bank, the holder of that certain Mortgage and Security Agreement dated December 18, 1995 and recorded January 3, 1996 as Document No. 96005049 in Cook County, Illinois (the "Mortgage") made by Cole Taylor Bank as Trustee under Trust Agreement dated August 30, 1995 and known as Trust No. 95-2063 to Cole Taylor Bank, does hereby consent to the execution and recording of the Fourth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Deerpath Lake of Palatine Condominium, Cook County, Illinois and Declaration of By-Laws for Deerpath Lake of Palatine Condominium Association, an Illinois not-for-profit corporation (the "Declaration") to which this Consent is appended, and does hereby subject its interest under the Mortgage as to the real estate described in Exhibit "A" of the Declaration to those matters contained in the Declaration.

IN WITNESS WHEREOF, the undersigned has caused its name to be signed to these presents by one of its Vice Presidents or Assistant Vice Presidents and attested to by its Assistant Secretary this 10th day of January, 1997.

COLE TAYLOR BANK

By: Linda J. Butler

Its: Vice President

ATTEST: Margaret Keppel

Its: Vice President

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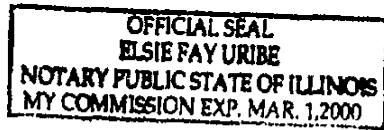
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STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF Cook     )

I, the undersigned, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Linda F. Butler, V. President of the COLE TAYLOR BANK, and Nancy A. Keppel, V. Secretary of said Bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such V. President, and V.P. 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 Bank, as Trustee as aforesaid for the uses and purposes therein set forth, and the said V.P. Secretary then and there acknowledged that said V.P. Secretary, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as said V.P. Secretary's own free and voluntary act and as the free and voluntary act of said Bank, as Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and Notary Seal this 10th day of January, 1997.



*Elsie Fay Uribe*  
Notary Public

My commission expires: \_\_\_\_\_

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