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PLAT

6-17-98

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(FIFTH) AMENDMENT TO DECLARATION
OF CONDOMINIUM FOR
DELAINE FARM CONDOMINIUM

This Declaration is made and entered into by Delaine Farms Limited Liability Company, an Illinois Limited Liability Company, (hereinafter referred to as "Declarant") this 2nd day of June, 1998;

WITNESSETH:

WHEREAS, by a Declaration of Condominium (hereinafter referred to as the "Declaration") recorded in the office of the Recorder of Deeds of Cook County, Illinois on July 25, 1997 as Document No. 97540269, the Declarant submitted certain real estate to the provisions of the Illinois Condominium Property Act (hereinafter referred to as the "Act"); and

WHEREAS, the Declaration reserves to the Declarant (as defined in the Declaration) the right to annex and add to the Parcel and Property (as defined in the Declaration) and thereby add to the Condominium created by the Declaration all or any portion of the additional property (as defined in the Declaration) (the "Additional Property"); and

WHEREAS, the Declarant now desires to annex and add to the Parcel and Property and submit to the provisions of the Act and the Declaration a portion of the Additional Property;

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

1. The property legally described on Exhibit "A" attached hereto and referred to therein as the Add-On Property (hereinafter, the "Add-On Property") is hereby annexed to the Parcel and Property as defined in the Declaration, and is hereby submitted to the provisions of the Act as a 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 and the Act.
2. Exhibit "B" of the Declaration is hereby amended by adding thereto pages 1 through 2, both inclusive, of Exhibit "B" attached hereto.
3. Exhibit "C" of the Declaration is hereby amended by substituting therefor the Exhibit "C" which is attached hereto. The percentage of the common elements appurtenant to each unit is hereby shifted to the percentages set forth in the Exhibit "C" which is attached hereto.
4. The additional common elements annexed by this instrument are hereby granted and conveyed to the grantees of all units; including the grantees of units heretofore conveyed, all as set forth in the Declaration as hereby amended.

PLAT WITH THIS AMENDMENT

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CTJ

RECORDED: 75
DATE: 6-17-98 COPIES: 6
OK: [Signature]

75
[Handwritten initials and marks]

BOX 388-CTI

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

IN WITNESS WHEREOF, Delaine Farms Limited Liability Company, an Illinois limited liability company has caused its name to be affixed hereunto by its duly authorized manager as of the day and year first above written.

DELAINE FARM LIMITED LIABILITY COMPANY, an Illinois Limited Liability Company, by Elliott Homebuilders, Inc., its Manager

By: *[Signature]*, PRES.
Its President

STATE OF ILLINOIS
COUNTY OF COOK

I, *[Signature]*, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that *[Signature]* as President of Elliott Homebuilders, Inc., the Manager of Delaine Farm Limited Liability Company, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such manager appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said Delaine Farm Limited Liability Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarized this 5 day of Sept, 1998.

[Signature] (Seal)

THIS INSTRUMENT PREPARED BY:
MAIL TO
Elliott & Associates
1030 W. Higgins, Suite 230
Park Ridge, IL 60068
(847) 698-0500

OFFICIAL SEAL
JOANNE ELLIOTT
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 03/16/00

Property Address:

Various condominium units
located on Nagle Avenue, North
of Beckwith, in Morton Grove,
Illinois

PIN #: 10-18-219-011

~~10-18-206-002 and 003; 10-18-210-024; 10-18-208-018;~~
~~10-18-209-023; 10-18-211-029; 10-18-212-030;~~
~~10-18-212-030; 10-18-207-000 (includes Other Property)~~

MORTGAGEE'S CONSENT

Howard Savings Bank, a banking association, holder of a mortgage dated August 27, 1996 on the property identified on Exhibit "A" and recorded in the Recorder's Office of Cook County on August 29, 1996 as Document No. 96-662870, hereby consents to the execution and recording of the within Declaration of Condominium Ownership and agrees that its mortgage shall be subject to the terms and provisions of such Declaration and the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, The Undersigned has caused this Consent to be signed by its duly authorized officer on its behalf this 2 day of June, 1998.

Howard Savings Bank

BY: [Signature]
ITS: [Signature]

ATTEST: [Signature]

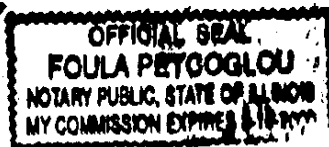
TITLE: [Signature]

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, the Undersigned a Notary Public in and for the said County, in the State aforesaid, do hereby certify that [Signature] of Howard Savings Bank who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such [Signature], appeared before me this day in person and acknowledged that signed and delivered said instrument as his free and voluntary act and as the free and voluntary act of said Banking Association for the uses and purposes therein set forth; and the said [Signature] then and there acknowledged the said [Signature] as custodian of the corporate seal of [Signature] did affix the seal of [Signature] to said instrument as said [Signature] own free and voluntary act and as the free and voluntary act of said Banking Association, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 2nd day of JUNE, 1998

[Signature] Notary Public
(Seal)



FIRST AMENDMENT TO DELAINE FARM CONDOMINIUM

EXHIBIT "A"
The Parcel

- I. The following property was previously submitted pursuant to the Declaration of Condominium recorded with the Cook County Recorder of Deeds on July 25, 1997 as document #97540269.

That part of Lot 52 in Delaine Farm Subdivision, being a Subdivision of part of the Northeast 1/4 of Section 18, Township 41 North, Range 13, East of the Third Principal Meridian, described as follows: Beginning at Northwest corner of said Lot 52; thence North 77 degrees 31 minutes 03 seconds East, along Northerly line of said Lot 52, 79.96 feet; thence continuing along said Northerly line, North 65 degrees 04 minutes 52 seconds East, 32.41 feet; thence South 0 degrees 14 minutes 54 seconds East, 124.62 feet; thence north 76 degrees 29 minutes 30 seconds East, 7.96 feet; thence North 64 degrees 10 minutes 39 seconds East, 20.14 feet; thence North 90 degrees 00 minutes 00 seconds East 65.05 feet to the East line of said Lot 52; thence South 0 degrees 09 minutes 05 seconds West along said East line 20.00 feet; thence South 90 degrees 00 minutes 00 seconds West 55.83 feet; thence South 64 degrees 30 minutes 39 seconds West, 46.75 feet; thence South 90 degrees 00 minutes 00 seconds West, 94.73 feet to the West line of said lot 52; thence North 0 degrees 00 minutes 00 seconds East along said West line 69.32 feet to the point of curve; thence continuing along said East line being curved line having radius of 250.00 feet arc distance of 54.46 feet and chord bearing North 6 degrees 14 minutes 33 seconds West chord distance of 54.35 feet to the point of beginning, in Cook County, Illinois.

- II. The following property was previously submitted pursuant to a document entitled "First Amendment to Declaration of Condominium for Delaine Farm Condominium":

That part of Lot 52 in Delaine Farm subdivision, being a subdivision of part of the Northeast 1/4 of Section 18, Township 41 North Range 13, East of the Third Principal Meridian, described as follows: Beginning at Southwest corner of said Lot 52; thence North 0 degrees 00 minutes 00 seconds East, along West line of said Lot 52, 141.10 feet; thence Northeasterly along Westerly line of said Lot 52, being a curve line having a radius of 90.00 feet arc distance of 32.77 feet and chord bearing North 52 degrees 05 minutes 02 seconds East, chord distance of 32.61 feet; thence South 41 degrees 20 minutes, 11 seconds East, 9.97 feet; thence South 66 degrees 18 minutes, 10 seconds East, 36.26 feet; thence North 88 degrees 43 minutes, 51 seconds East, 174.22 feet to the East line of said Lot 52; thence South 0 degrees 09 minutes 05 seconds West, along said East Line, 22.00 feet; thence South 88 degrees 43 minutes 51 seconds West, 158.33 feet; thence South 0 degrees 00 minutes 00 seconds West, 115.64 feet to the South line of said Lot 52; thence South 88 degrees 43 minutes 51 seconds West, along said South line, 81.36 feet to the point of beginning, in Cook County, Illinois.

- III. The following property was previously submitted pursuant to a document entitled "Second Amendment to Declaration of Condominium for Delaine Farm Condominium":

That part of Lot 52 in Delaine Farm Subdivision, being a subdivision of part of the Northeast 1/4 of Section 18, Township 41 North, Range

13, East of the Third Principal Meridian, described as follows: Commencing at southwest corner of said Lot 52; thence North 0 Degrees 00 Minutes 00 Seconds East, along West line of said Lot 52, 141.10 feet; thence Northeasterly along Westerly line of said Lot 52, being a curve line having a radius of 90.0 feet, arc distance of 10.71 feet and chord bearing North 59 Degrees 06 Minutes 16 Seconds East, chord distance of 10.68 feet to the point of beginning; thence continuing Northeasterly along Westerly line of said Lot 52, being a curve line having a radius of 90.00 feet, arc distance of 87.47 feet and chord bearing North 27 Degrees 51 Minutes 00 Seconds East, chord distance of 84.10 feet; thence North 0 Degrees 00 Minutes 00 Seconds East, a distance of 8.23 feet; thence North 89 Degrees 59 Minutes 42 Seconds East, a distance of 109.35 feet; thence South 01 Degrees 16 Minutes 09 Seconds East, a distance of 88.05 feet; thence North 88 Degrees 43 Minutes 51 Seconds East, a distance of 79.94 feet; thence South 0 Degrees 09 Minutes 05 Seconds West, a distance of 22.00 feet; thence South 88 Degrees 43 Minutes 51 Seconds West, a distance of 203.92 feet; thence North 41 Degrees 20 Minutes 12 Seconds West, a distance of 40.22 feet to the point of beginning, in Cook County, Illinois.

- IV. The following property was previously submitted pursuant to a document entitled "Third Amendment to Declaration of Condominium for Delaine Farm Condominium":

That part of Lot 52 in Delaine Farm Subdivision, being a subdivision of part of the Northeast 1/4 of Section 18, Township 41 North, Range 13, East of the Third Principal Meridian, described as follows: Beginning on a point at East line of said Lot 52, 417.51 feet North of the Southeast corner; thence South 90 Degrees 00 Minutes 00 Seconds West, 55.61 feet; thence North 83 Degrees 57 Minutes 57 Seconds West, 55.73 feet; thence South 90 Degrees 00 Minutes 00 Seconds West, 80.95 feet to the West line of said Lot 52; thence North 00 Degrees 00 Minutes along said West line 106.89 feet; thence North 90 Degrees 00 Minutes 00 Seconds East, 107.01 feet; thence South 00 Degrees 09 Minutes 01 Seconds West, 87.50 feet; thence South 83 Degrees 57 Minutes 57 Seconds East, 49.94 feet; thence North 90 Degrees 00 Minutes 00 Seconds East, 55.58 feet to the East line of said Lot 52; thence South 00 Degrees 09 Minutes 05 Seconds, along said East line, 20.00 feet to the point of beginning, in Cook County, Illinois.

- V. The following property was previously submitted pursuant to a document entitled "Fourth Amendment to Declaration of Condominium for Delaine Farm Condominium":

That part of Lot 52 in Delaine Farm Subdivision, being a subdivision of part of the Northeast 1/4 of Section 18, Township 41 North, Range 13, East of the Third Principal Meridian, described as follows: Beginning at the northeast corner of said Lot 52; thence south 00 degrees 09 minutes 05 seconds west, along east line of said lot 52, 123.87 feet; thence south 90 degrees 00 minutes 00 seconds west 65.05 feet; thence south 64 degrees 30 minutes 39 seconds west 20.14 feet; thence south 76 degrees 39 minutes 39 seconds west 7.96 feet; thence north 00 degrees 14 minutes 54 seconds west 124.62 feet to the northerly line of said lot 52; thence north 65 degrees 04 minutes 42 seconds east, along said northerly line 23.45 feet; thence continuing on said northerly line south 89 degrees 50 minutes 55 seconds east, 70.31 feet to the point of beginning, in Cook County, Illinois.

Also, that part of Lot 52 in Delaine Farm Subdivision, being a subdivision of part of the Northeast 1/4 of Section 18, Township 41 North, Range 13, East of the Third Principal Meridian, described as follows: Beginning at

a point on the east line of said lot 52, 143.87 feet south of the northeast corner of said lot 52; thence continuing along said east line south 00 degrees 09 minutes 05 seconds west, 116.54 feet; thence south 90 degrees 00 minutes 00 seconds west 90.50 feet; thence north 00 degrees 09 minutes 05 seconds east 100.00 feet; thence north 64 degrees 30 minutes 39 seconds east, 38.46 feet; thence north 90 degrees 00 minutes 00 seconds east, 55.83 feet to the point of beginning, in Cook County, Illinois.

- V. The following property, which is referred to as the "Add-On Property", is hereby submitted:

That part of Lot 52 in Delaine Farm Subdivision, being a Subdivision of Part of the Northeast 1/4 of Section 18, Township 41 North, Range 13, East of the Third Principal Meridian, Described as Follows: Beginning at Southeast Corner of Said Lot 52; Thence South 88 Degrees 43 Minutes 51 Seconds West, Along South Line of Said Lot 52, 79.94 Feet; Thence North 00 Degrees 09 Minutes 05 Seconds East, 115.64 Feet; Thence North 88 Degrees 43 Minutes 51 Seconds East, 79.94 Feet; Thence South 00 Degrees 09 Minutes 05 Seconds West, Along East Line of Said Lot 52, 115.64 Feet to the Point of Beginning, in Cook County, Illinois.

FIFTH AMENDMENT TO DELAINE FARM CONDOMINIUM

EXHIBIT "B"

Plats and Surveys for Property and Units Submitted

The Plat of Survey prepared by Professionals Associated Survey, Inc. dated July 12, 1997, updated on September 19, 1997, October 6, 1997, January 7, 1998, April 14, 1998 and June 2, 1998 identified as Order No. 97-11669-D consisting of pages 1 and 2 the original of which is attached hereto, is hereby incorporated by this reference.

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FOURTH AMENDMENT TO DELAINE FARM CONDOMINIUM

EXHIBIT "C"

Unit Identification And Percentages For Units Submitted

| <u>Units</u> | <u>Percentage of Ownership Interest</u> |
|---------------------------|---|
| 52 (Previously submitted) | 6.92% |
| 53 (Previously submitted) | 6.63% |
| 54 (Previously submitted) | 7.54% |
| 55 (Previously submitted) | 7.54% |
| 56 (Previously submitted) | 7.54% |
| 57 (Previously submitted) | 7.58% |
| 62 (Previously submitted) | 7.15% |
| 63 (Previously submitted) | 6.92% |
| 73 (Previously submitted) | 6.63% |
| 74 (Previously submitted) | 6.92% |
| 77 (Hereby submitted) | 6.63% |
| 78 (Hereby submitted) | 7.54% |
| 81 (Previously submitted) | 6.92% |
| 82 (Previously submitted) | 7.54% |
| | 100% |

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