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FIFTH AMENDMEN DOCUMENT DECLARATION OF COVENANTS, CONDITIONS RESTRICTIONS & EASIMENTS

FOR **OLDE SCHAUMBURG HOMEOWNERS**

ASSOCIATION

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2510/0030 53 001 Page 1 of 12 1998-10-23 10:19:16 Cook County Recorder 93.00

Illis Declaration Amendment made and entered into by Olde Schaumburg Development Inc., an Illinois Corporation, successor to First Bank & Trust Company of Illinois as Trusce Under Trust No. 10-2111, dated April 10, 1997, (hereinafter referred to as "Declarant")

WITNESSETH:

WHEREAS, by a Declaration of Covenants, Conditions, Restrictions and Easements for Olde Schaumburg Homeowners Association, (hereinafter referred to as the "Declaration"), recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 97733150 filed October 2, 1997, the Declarant submitted certain real estate to this Declaration, and

WHEREAS, by a First Amendment Declaration of Covenants, Conditions, Restrictions and Easements for Olde Schaumburg Homeowners Association recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 97826204, filed November 4, 1997, the Declarant submitted certain additional real estate; and

WHEREAS, by a Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Olde Schaumburg Homeowners Association recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 97902164, filed December 2, 1997, the Declarant submitted certain additional real estate; and

WHEREAS, by a Third Amendment to Declaration of Covenance Conditions, Restrictions and Easements for Olde Schaumburg Homeowners Association recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 9806 22, filed January 23, 1998, the Declarant submitted certain additional real estate; and

WHEREAS, by a Fourth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Olde Schaumburg Homeowners Association recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 98430453, filed on May 22, 1998, the Declarant submitted certain additional real estate; 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

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Property of Cook County Clerk's Office

thereby add to the Declaration all or any portion of the additional property (as defined in the Declaration); and

WHEREAS, the Declarant now desires to sell, annex and add to the parcel and property and submit to the provisions of the Declaration certain portions of the real estate (the "Add-On Property") described in Exhibit "C" attached to the Declaration;

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

- 1. Exhibit "A" of the Declaration is hereby amended by deleting said Exhibit "A" and substituting therefore the Exhibit "A" which is attached hereto, thereby including in Exhibit "A" the Add-On Property shown and described in Exhibits "A" and "B" hereto.
- 2. Fabilit "B" of the Declaration is hereby amended by adding thereto pages 8 and 9 of Exhibit "B" which are attached hereto so that the total number of pages of Exhibit "B" to the Declaration as amended is 9.
- 3. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

IN WITNESS WHEREO. Olde Schaumburg Development, Inc., an Illinois Corporation, successor to First Bank & Foust Company of Illinois as Trustee Under Trust No. 10-2111, dated April 10, 1997, has signed this Declaration by its duly authorized Officer this 151 day of October, 1998.

OLDE SCHAUMBURG DEVELOPMENT, INC., an Illinois Corporation, successor to First Bank & Trust Company of Illinois as Trustee Under Trust No. 10-2111, dated April 10, 1997

ATTEST

Title: / MCE. LOES

BY:_

Title:

E : HOME (STK 198) AG (OSHA000A 236

STATE OF ILLINOIS) SS	
Schaumburg Development, Inc., an Illinois C Company of Illinois as Trustee Under Trust personally known to me to be the same per foregoing instrument as such they appeared be	as <u>VICE PRESIDENT</u> of Olde orporation, successor to First Bank & Trust No. 10-2111, dated April 10, 1997, who are ersons whose names are subscribed to the fore me this day in person and acknowledged
that they signed and delivered the said instrumas the free and voluntary act of said Olde Corporation, success of to First Bank & Trust Co 10-2111, dated April 16, 1997, for the uses and	Schaumburg Development, Inc., an Illinois ompany of Illinois as Trustee Under Trust No.
GIVEN under my hand and Notorized this 15t day of October 1998. Choler Husbert Notary Public (Seal	OFFICIAL SEAL" ROBERTA GINSBERG Hotary Public, State of Illinois Commission Expires 05/23/02
THIS INSTRUMENT PREPARED BY: AND MAILED TO: MARSHALL N. DICKLER, LTD. 85 W. Algonquin Road - Suite #420 Arlington Heights, IL 60005 (847) 593-5595	Location of property: Northwest corner of Schaumburg and Roselic Roads, in Schaumburg Illinois (0194. Permanent Tax Ardex Numbers: 07-22-201-002 07-22-201-012

07-22-201-013 07-22-201-015 07-22-201-016 all in volume 187

XL-810959-C7

Land Title Group, Inc. 151 East 22nd Street Lombard, IL 60148

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MORTGAGEE'S CONSENT

- Acoustica Colorer of a mortgage dated - Sebti	ss as Construction Lending Corporation of mber 21 19_98 on the property
identified on Exhibit "A" and recorded in th	
October 14 199 8 as Document No.	
execution and recording of the aforesaid Declara-	ition and agrees that its mortgage shall be
subject to the terms and provisions of such Decl	
•	
IN WITNESS WHEREOF, The Undersigned, caused the Consent to be signed by its duly au	Gregory S. Leadholm has
caused this Consent to be signed by its duly au	thorized officer on its behalf this 671
day of Detriber 1998	
NY Alan Call	ATTEST Shot is Man
BI Magagine Comme	ATTEST: ZSOC
BY Dregoy S. Combin Title SENIOR VICE PRESIDENT	Title: ASST. VICE PESIDENT.
STATE OF ILLINOIS	
) SS	
COUNTY OF COOK)	
I, the undersigned, a Notary Public in and for the	County and State aforesaid, DO HEREBY
CERTIFY that Gregory S. Leadholm and Scott Morris	as <u>Sr. V. F.</u>
Indymac Mortgage Holdings, Inc., doing busines	s as Construction Lending Corporation of
America, who are personally known to me to	be the same persons whose names are
and a second of the second of	
subscribed to the foregoing instrument as such the	ey appeared before me this day in person
and acknowledged that they signed and delivered	ey appeared before me this day in person the said instrument as their own free and
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act	ey appeared before me this day in person I the said instrument as their own free and of said Indymac Mortgage Holdings, Inc.,
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act doing business as Construction Lending Corporat	ey appeared before me this day in person I the said instrument as their own free and of said Indymac Mortgage Holdings, Inc.,
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act	ey appeared before me this day in person I the said instrument as their own free and of said Indymac Mortgage Holdings, Inc.,
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act doing business as Construction Lending Corporat therein set forth.	ey appeared before me this day in person I the said instrument as their own free and of said Indymac Mortgage Holdings, Inc.,
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act doing business as Construction Lending Corporat therein set forth. GIVEN under my hand and Notarized this	ey appeared before me this day in person I the said instrument as their own free and of said Indymac Mortgage Holdings, Inc.,
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and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act doing business as Construction Lending Corporat therein set forth. GIVEN under my hand and Notarized this	ey appeared before me this day in person I the said instrument as their own free and of said Indymac Mortgage Holdings, Inc.,
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act doing business as Construction Lending Corporat therein set forth. GIVEN under my hand and Notarized this 6th day of October, 1998.	ey appeared before me this day in person I the said instrument as their own free and of said Indymac Mortgage Holdings, Inc.,
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act doing business as Construction Lending Corporat therein set forth. GIVEN under my hand and Notarized this	the said instrument as their own free and of said Indymac Mortgage Holdings, Inc., ion of America, for the uses and purposes
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act doing business as Construction Lending Corporat therein set forth. GIVEN under my hand and Notarized this 6th day of October, 1998.	the said instrument as their own free and of said Indymac Mortgage Holdings, Inc., ion of America, for the uses and purposes OFFICIAL SEAL
and acknowledged that they signed and delivered voluntary act, and as the free and voluntary act doing business as Construction Lending Corporat therein set forth. GIVEN under my hand and Notarized this 6th day of October, 1998.	the said instrument as their own free and of said Indymac Mortgage Holdings, Inc., ion of America, for the uses and purposes

AMENDED EXHIBIT "A" TO DECLARATION FOR OLDE SCHAUMBURG HOMEOWNERS ASSOCIATION SUBMITTED PARCEL

ORIGINAL CONDOMINIUM PARCEL

THAT PART OF LOT 64 OF OLDE TOWNE VILLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22. TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28th, 1997 AS DOCUMENT NUMBER 97653486, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 64, THENCE THE FOLLOWING FOUR (4) COURSES AND DISTANCES ALONG THE SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINES OF ALLERTON DRIVE; (1) THENCE S. 89° 53′ 09" E. A DISTANCE OF 20.00 FLET TO THE POINT OF BEGINNING; (2) THENCE CONTINUING S. 89° 53′ 09" E. A DISTANCE OF 101.01 FEET; (3) THENCE S. 00° 06′ 51" W. A DISTANCE OF 205.05 FEET TO A POINT OF CURVATURE; (4) THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 71 00 FEET, A DISTANCE OF 57.37 FEET AND WHOSE CHORD LENGTH OF 55.82 FEET BEARS S. 23° 02′ 00" E. 7/HENCE S. 39° 45′ 45" W. A DISTANCE OF 58.61 FEET; THENCE N. 89° 53′ 09" W. A DISTANCE OF 86.07 FEET; THENCE N. 00° 12′ 43" E. A DISTANCE OF 301.50 FEET TO THE POINT OF BEGINNING, CONTAINING 0.71 ACRES MORE OR LESS.

FIRST ADDITIONAL CONDOMINIUM PARCEL

THAT PART OF LOT 64 OF OLDE TOWNE VILLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28th, 1997 AS DOCUMENT NUMBER 97633486, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 64. (LIENCE THE FOLLOWING FIVE (5) COURSES AND DISTANCES ALONG THE SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINES OF ALLERTON DRIVE; (1) THENCE S. 89° 53' 09" E. A DISTANCE OF 121.01 FEET; (2) THENCE S. 00° 06′ 51" W. A DISTANCE OF 205.05 FEET TO A POINT OF CURVATURE; (3) THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 71.00 FEET, A DISTANCE OF 103.29 FEET AND WHOSE CHORD LENGTH OF 94.42 FEET BEARS S. 41° 33′ 39" E. TO THE POINT OF BEGINNING; (4) THENCE CONTINUING ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 71.00 FEET, A DISTANCE OF 8.24 FEET AND WHOSE CHORD LENGTH OF 8.24 FEET BEARS S. 86° 33′ 39" E. TO A POINT OF TANGENCY; (5) THENCE S. 89° 53′ 09" E. A DISTANCE OF 113.50 FEET; THENCE S. 00° 06′ 51" W. A DISTANCE OF 95.94 FEET; THENCE S. 52° 46′ 17" W. A

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DISTANCE OF 60.99 FEET; THENCE S. 86° 40′ 15″ W. A DISTANCE OF 52.00 FEET; THENCE N. 45° 51′ 46″ W. A DISTANCE OF 56.50 FEET; THENCE N. 11° 57′ 53″ E. A DISTANCE OF 87.21 FEET; THENCE N. 06° 45′ 51″ E. A DISTANCE OF 12.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.37 ACRES MORE OR LESS.

SECOND ADDITIONAL CONDOMINIUM PARCEL

THAT PART OF LOT 64 OF OLDE TOWNE VILLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28th, 1997 AS DOCUMENT NUMBER 97633486. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 64, THENCE THE FOLLOWING FIVE (5) COURSES AND DISTANCES ALONG THE SOUTHERLY AND WESTERLY RIGHTS OF-WAY LINES OF ALLERTON DRIVE; (1) THENCE S. 89° 53′ 09" E. A DISTANCE OF 121.01 FEET. (2) THENCE S. 00° 06′ 51" W. A DISTANCE OF 205.05 FEET TO A POINT OF CURVATURE; (3) THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 71.00 FEET, A DISTANCE OF 111.53 TO A POINT OF TANGENCY; (5) THENCE S. 89° 53′ 09" E. A DISTANCE OF 113.50 FEET TO THE POINT OF BEGINNING; (5) THENCE CONTINUING S. 89° 53′ 09" E. A DISTANCE OF 144.50 FEET TO A POINT ALONG THE WESTERLY RIGHT-OF-WAY LINE CF FULBRIGHT LANE; THENCE S. 00° 06′ 51" W. ALONG SAID WESTERLY LINE, A DISTANCE OF 95.94 FEET; THENCE N. 89° 53′ 15" W., A DISTANCE OF 144.50 FEET; THENCE N. 00° 06′ 51" E. A DISTANCE OF 95.94 FEET TO THE POINT OF BEGINNING, CONTAINING 931 ACRES MORE OR LESS.

SECOND ADDITION CONTAINS 0.3183 ACRES MORE OR LESS, AND LIES IN THE VILLAGE OF SCHAUMBURG, COOK COUNTY, ILLINOIS.

THIRD ADDITIONAL CONDOMINIUM PARCEL

THAT PART OF LOT 64 OF OLDE TOWNE VILLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28th, 1997 AS DOCUMENT NUMBER 97633486, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SAID LOT 64, THENCE THE FOLLOWING FIVE (5) COURSES AND DISTANCES ALONG THE SOUTHERLY AND WESTERLY RIGHT-OF-WAY LINES OF ALLERTON DRIVE; (1) THENCE S. 89° 53′ 09° E. A DISTANCE OF 121.01 FEET; (2) THENCE S. 00° 06′ 51" W. A DISTANCE OF 205.05 FEET TO A POINT OF CURVATURE; (3) THENCE SOUTHEASTERLY ALONG THE ARC OF A TANGENTIAL CURVE. CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 71 00 FEET, A DISTANCE OF 111.53 TO A POINT OF TANGENCY; (5) THENCE S. 89° 53′ 09" E. A DISTANCE OF 258.00 FEET TO A POINT ALONG THE WESTERLY RIGHT-OF-WAY LINE OF FULBRIGHT LANE; THENCE THE FOLLOWING TWO (2) COURSES AND

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DISTANCES ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF FULBRIGHT LANE: (1) THENCE S. 00° (16' 51" W. A DISTANCE OF 95.94 FEET TO A POINT OF CURVATURE. SAID POINT ALSO BEING THE POINT OF BEGINNING: (2) THENCE SOUTHERLY ALONG THE ARC OF A NON-TANGENTIAL CURVE, CONCAVE TO THE WEST AND HAVING A RADIUS OF 155.00 FEET, A DISTANCE OF 13.46 FEET; THENCE N. 84" 54" 39" W. A DISTANCE OF 12.00 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENTIAL CURVE CONCAVE TO THE WEST AND HAVING A RADIUS OF 143.00 FEET, A DISTANCE OF 37.94 FEET AND WHOSE CHORD LENGTH OF 37.82 FEET BEARS S. 12° 41′ 22" W.; THENCE S. 69' 42′ 38" E. A DISTANCE OF 12:00 FEET TO A POINT ALONG THE ARC OF A CURVE, SAID POINT ALSO BEING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF FULBRIGHT LANE; THENCE THE FOLLOWING TWO (2) COURSES AND DISTANCES ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF FULBRIGHT LANE; SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENTIAL CURVE, CONCAVE TO THE WEST AND HAVING A RADIUS OF 155.00 FEET, A DISTANCE 35.83 FEET AND WHOSE CHORD LENCTH OF 35.75 FEET BEARS S. 26° 54' 40" W. TO A POINT OF REVERSE CURVATURE, (2) THENCE SOUTHWESTERLY ALONG THE ARC OF A TANGENTIAL CURVE, CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 210.00 FEET, A DISTANCE OF 69.74 FEET; THENCE N. 75° 29' 41" W. A DISTANCE OF 143.88; THENCE N. 00" 12' 43" E. A. DISTANCE OF 76.07 FEET; THENCE N. 52" 46' 17" E. A DISTANCE OF 60.99 FEET; THENCE S. 89° 53′ 15" E. A DISTANCE OF 144.50 TO THE POINT OF BEGINNING, CONTAINING 1.49 ACRES MORE OR LESS.

THIRD ADDITION CONTAINS 0.4939 ACRES MORE OR LESS, AND LIES IN THE VILLAGE OF SCHAUMBURG, COOK COUNTY, ILLINOIS.

ORIGINAL ROWHOUSE PARCEL

LOTS 26 THROUGH 29, INCLUSIVE, IN OLDE TOWNE VILLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28th, 1997 AS DOCUMENT NUMBER 97633486, LYING IN THE VILLAGE OF SCHAUMBURG, COOK COUNTY, ILLINOIS.

FIRST ADDITIONAL ROWHOUSE PARCEL

ALL OF LOTS 30 THROUGH 38, INCLUSIVE, AND LOTS 52 THROUGH 61, INCLUSIVE, OF OLDE TOWNE VILLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28th, 1997 AS DOCUMENT NUMBER 97633486, LYING IN THE VILLAGE OF SCHAUMBURG, COOK COUNTY, ILLINOIS.

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SECOND ADDITIONAL ROWHOUSE PARCEL

ALL OF LOTS 16 THROUGH 20, INCLUSIVE, LOTS 21 THROUGH 25 INCLUSIVE, AND LOTS 48 THROUGH 51, INCLUSIVE, OF OLDE TOWNE VILLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28, 1997, AS DOCUMENT 97633486, LYING IN THE VILLAGE OF SCHAUMBURG, COOK COUNTY, ILLINOIS.

THIRD ADDITIONAL ROWHOUSE PARCEL

ALL OF LOTS 29 THROUGH 43, INCLUSIVE, OF OLDE TOWNE VILLAGE, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THIRD PRINCIPAL MERIDIA 4, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 28, 1997 AS DOCUMENT 9, 533486, LYING IN THE VILLAGE OF SCHAUMBURG, COOK COUNTY, ILLINOIS.

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