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PLAT WITH THIS DOCUMENT

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0013/0171 A 001 Page 1 of 19
1998-04-03 16:28:39
Cook County Recorder 115.00

PLAT WITH THIS DOCUMENT

THIRTY-SIXTH AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP FOR
THE OAKWOOD HILLS CONDOMINIUM ASSOCIATION

PATENT TITLE

THIS INSTRUMENT WAS PREPARED BY AND WHEN RECORDED SHOULD BE MAILED TO:

Irwin E. Leiter, Esq.
LAW OFFICES OF IRWIN E. LEITER
1301 W. 22nd Street
Suite 210
Oak Brook, Illinois 60523
(630) 571-7767

RECORDING FEE \$ 115
DATE 4-9-98 COPIES 6
WA 28

F	115	A
T		P
T		V
I	M	GB

ADDRESS OF PROPERTY COVERED BY AMENDMENT:

335 A,B,C and D Buckman Circle Elgin Il. 60120
PERMANENT REAL ESTATE INDEX NO.:

06-18-409-001, 06-18-410-001, 06-18-409-004 and 06-18-210-013
03/98

Box 15

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Property of Cook County Clerk's Office

A		F
B		
V		

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THIRTY-SIXTH AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP FOR
THE OAKWOOD HILLS CONDOMINIUM ASSOCIATION

THIS AMENDMENT to the Declaration of Condominium Ownership for the Oakwood Hills Condominium Association (hereinafter referred to as the "Amendment") is executed by First Midwest Trust Company, N.A., as Trustee under Trust Agreement dated October 31, 1995, and known as Trust No. 6035, and not personally, (hereinafter referred to as the "Declarant").

W I T N E S S E T H:

WHEREAS, Parkway Bank and Trust Company, as Trustee under Trust Agreement dated September 3, 1992, and known as Trust No. 10420, and not personally, as Former Declarant recorded the Declaration of Condominium Ownership for the Oakwood Hills Condominium (hereinafter referred to as the "Declaration") on May 26, 1993 in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 93-401383; and

WHEREAS, Declarant has succeeded Former Declarant to all right, title and interest that Former Declarant had, has or ever will have under the Declaration; and

WHEREAS, the term "Declarant" is defined in the Declaration to mean such successors and assigns of Declarant who are specifically assigned the respective rights and obligations of Declarant under the Declaration and such assignment is specifically permitted under Article One Section 7 of the Declaration; and

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WHEREAS, the Declaration submitted certain real estate to the provisions of the Condominium Property Act of the State of Illinois (hereinafter referred to as the "Act") described in Exhibit "A" attached hereto (hereinafter referred to as the "Submitted Parcel"); and

WHEREAS, the Declaration, submitted certain real estate to the provisions of the Condominium Property Act of the State of Illinois (hereinafter referred to as the "Act") described in Exhibit "A" attached hereto (hereinafter referred to as the "Submitted Parcel"); and

WHEREAS, pursuant to the Act, as amended, under Article Nine of the Declaration, Declarant reserved the rights and powers to annex, add, submit and subject to the provisions of the Act and the Declaration any part or all of the Development Parcel, as described in Exhibit "E" of the Declaration, to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration; and

WHEREAS, Declarant, pursuant to Article Twelve, Section 6 of the Declaration, reserved the right and power to record a Special Amendment to the Declaration to correct clerical errors and defects of a technical nature; and

WHEREAS, Exhibit "E" of the Declaration, being the Development Parcel, contained an error in its description in that a small triangular parcel of the property to be contained therein was not legally described in said exhibit; and

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WHEREAS, Declarant desires to correct said legal description by the recording of this Amendment to include said parcel; and

WHEREAS, Declarant, pursuant to Article Nine of the Declaration, desires to annex, add, submit and subject a portion of the Development Area described in Exhibit "B", attached hereto (hereinafter referred to as the "Additional Parcel") to the Declaration and the Act and add to the plan of condominium ownership; and

WHEREAS, the Additional Parcel is now improved with one (1) building for a total of four (4) residential units; and

WHEREAS, Declarant desires to amend the Declaration as it relates to the Plat of Condominium Survey (Exhibit "B" of the Declaration) and to the percentage of ownership interest in the Common Elements for the condominium Units (Exhibit "C" of the Declaration), by changing the percentage ownership due to the addition of the Development Area described in Exhibit "B".

NOW, THEREFORE, Declarant does hereby declare that the Declaration is amended as follows:

1. The legal description of Exhibit "E", the Development Parcel, is hereby corrected to reflect the addition of the previously omitted parcel by a corrected description as set forth in Exhibit "E-1" as attached hereto.

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2. The Additional Parcel is hereby annexed to and made a part of the real estate described in the Declaration and in Exhibit "A" as attached hereto, and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Declaration and the Act.

3. Exhibit "B" of the Declaration, the "Plat of Condominium Survey", is hereby amended by adding the Additional Parcel as described and delineated in the Plat of Survey attached hereto as Exhibit "B", together with the Units depicted thereon.

4. Exhibit "C" of the Declaration, "Schedule of Percentage of Interests in Common Elements", is hereby deleted and an amended Exhibit "C" attached hereto as Exhibit "C" is substituted therefor.

5. The Common Elements contained in the Additional Parcel are hereby granted and conveyed to the Unit Owners subject to the provisions of the Act and the Declaration.

6. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this instrument, shall run with and bind the Condominium Property, including the Additional Parcel.

7. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms and, except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Amendment and the Declaration, this Amendment shall control.

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IN WITNESS WHEREOF, the Declarant as aforesaid has caused its seal to be affixed hereunder and has caused its name to be signed by these presents by its Vice President and attested by its Trust Officer this 13th day of MARCH, 1998.

First Midwest Trust Company, N.A.,
as Trustee as aforesaid and not
individually

SEAL

BY: *[Signature]*
Vice President

ATTEST:

[Signature]
TRUST OFFICER

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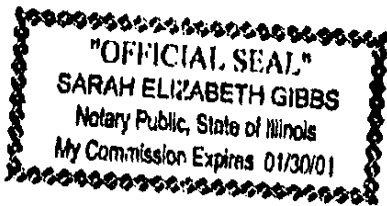
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STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

I, SARAH ELIZABETH GIBBS, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY THAT Joy Gruber, Vice President of First Midwest Trust Company N.A., and Beta Edwards Trust Officer thereof, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Trust Officer, 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, for the uses and purposes therein set forth; and the said Trust Officer did also then and there acknowledge that (s)he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as (his) (her) own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 13th day of March, A.D. 1993.



Sarah Elizabeth Gibbs
NOTARY PUBLIC

My Commission expires:

01-30-01

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CONSENT OF MORTGAGEE

ROBERT J. BALDASSARI, as holder of a mortgage encumbering the Property dated 9/30/97, and recorded 3/24/98 as Document Number 98227664, hereby consents to the execution and recording of the within Declaration and agrees that its lien shall be subject to the provisions of the Declaration as amended by this Amendment.

IN WITNESS WHEREOF, ROBERT J. BALDASSARI has caused this instrument to be signed by its duly authorized officers on its behalf.

DATED this 25th day of MARCH, 1998.

98267894



ROBERT J. BALDASSARI

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 ROBERT J. BALDASSARI, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act for the uses and purposes therein set forth.

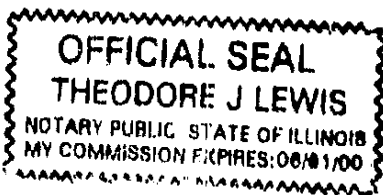
GIVEN under my hand and Notarial Seal this 25th day of MARCH, A.D. 1998.



Notary Public

My Commission expires:

JUNE 1, 2000





Notary Public

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EXHIBIT "A"

Property Subject to the Condominium Declaration

"Submitted Parcel".

LOTS 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 IN OAKWOOD HILLS UNIT 1, AND LOTS 15, 16, 17, 18, 19, 20, 21, 22, 23 AND 24 IN OAKWOOD HILLS UNIT 2, A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 18 AND PART OF THE NORTH HALF OF SECTION 19, ALL IN TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 11, 1992 AS DOCUMENT NO. 92935093, IN COOK COUNTY, ILLINOIS.

AND

LOTS 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40 AND 41 IN OAKWOOD HILLS UNIT 3, A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 18 AND PART OF THE NORTH HALF OF SECTION 19, ALL IN TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 17, 1995 AS DOCUMENT 95801163.

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EXHIBIT "C"
List of Units and Percentages
Interest in the Common Elements

7 A1-1	.327795
7 A2-1	.368654
7 B1-1	.307826
7 B2-1	.311513
5 A1-1	.327795
5 A2-1	.368654
5 B1-1	.307826
5 B2-1	.311513
5 A1-2	.327795
5 A2-2	.368654
5 B1-1	.307826
5 B2-2	.311513
6 A1-1	.327795
6 A2-1	.368654
6 B1-1	.307826
6 B2-1	.311513
6 A1-2	.327795
6 A2-2	.368654
6 B1-1	.307826
6 B2-2	.311513
14 A1-1	.327795
14 A2-1	.368654
14 B1-1	.307826
14 B2-1	.311513
14 A1-2	.327795
14 A2-2	.368654
14 B1-1	.307826
14 B2-2	.311513
13 A1-1	.327795
13 A2-1	.368654
13 B1-1	.307826
13 B2-1	.311513
13 A1-2	.327795
13 A2-2	.368654
13 B1-1	.307826
13 B2-2	.311513
10 A1-1	.327795
10 A2-1	.368654
10 B1-1	.307826
10 B2-1	.311513
10 A1-2	.327795
10 A2-2	.368654
10 B1-1	.307826
10 B2-2	.311513

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9 A1-1	.327795
9 A2-1	.368654
9 B1-1	.307826
9 B2-1	.311513
9 A1-2	.327795
9 A2-2	.368654
9 B1-1	.307826
9 B2-2	.311513
4 A1-1	.327795
4 A2-1	.368654
4 B1-1	.307826
4 B2-1	.311513
1 A1-1	.327795
1 A2-1	.368654
1 B1-1	.307826
1 B2-1	.311513
1 A1-2	.327795
1 A2-2	.368654
1 B1-1	.307826
1 B2-2	.311513
2 A1-1	.327795
2 A2-1	.368654
2 B1-1	.307826
2 B2-1	.311513
2 A1-2	.327795
2 A2-2	.368654
2 B1-1	.307826
2 B2-2	.311513
3 A1-1	.327795
3 A2-1	.368654
3 B1-1	.307826
3 B2-1	.311513
3 A1-2	.327795
3 A2-2	.368654
3 B1-1	.307826
3 B2-2	.311513
12 A1-1	.327795
12 A2-1	.368654
12 B1-1	.307826
12 B2-1	.311513
12 A1-2	.327795
12 A2-2	.368654
12 B1-1	.307826
12 B2-2	.311513
11 A1-1	.327795
11 A2-1	.368654
11 B1-1	.307826
11 B2-1	.311513

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24 A1-1	.327795
24 A2-1	.368654
24 B1-1	.307826
24 B2-1	.311513
24 A1-2	.327795
24 A2-2	.368654
24 B1-1	.307826
24 B2-2	.311513
15 A1-1	.327795
15 A2-1	.368654
15 B1-1	.307826
15 B2-1	.311513
15 A1-2	.327795
15 A2-2	.368654
15 B1-1	.307826
15 B2-2	.311513
16 A1-1	.327795
16 A2-1	.368654
16 B1-1	.307826
16 B2-1	.311513
16 A1-2	.327795
16 A2-2	.368654
16 B1-1	.307826
16 B2-2	.311513
17 A1-1	.327795
17 A2-1	.368654
17 B1-1	.307826
17 B2-1	.311513
17 A1-2	.327795
17 A2-2	.368654
17 B1-1	.307826
17 B2-2	.311513
23 A1-2	.327795
23 A2-2	.368654
23 B1-2	.307826
23 B2-2	.311513
19 A1-1	.327795
19 A2-1	.368654
19 B1-1	.307826
19 B2-1	.311513
19 A1-2	.327795
19 A2-2	.368654
19 B1-1	.307826
19 B2-2	.311513

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21 A1-1	.327795
21 A2-1	.368654
21 B1-1	.307826
21 B2-1	.311513
21 A1-2	.327795
21 A2-2	.368654
21 B1-1	.307826
21 B2-2	.311513

18 A1-1	.327795
18 A2-1	.368654
18 B1-1	.307826
18 B2-1	.311513
18 A1-2	.327795
18 A2-2	.368654
18 B1-1	.307826
18 B2-2	.311513

22 A1-1	.327795
22 A2-1	.368654
22 B1-1	.307826
22 B2-1	.311513
22 A1-2	.327795
22 A2-2	.368654
22 B1-1	.307826
22 B2-2	.311513

20 A1-1	.327795
20 A2-1	.368654
20 B1-1	.307826
20 B2-1	.311513
20 A1-2	.327795
20 A2-2	.368654
20 B1-1	.307826
20 B2-2	.311513

26 A1-1	.327795
26 A2-1	.368654
26 B1-1	.307826
26 B2-1	.311513
26 A1-2	.327795
26 A2-2	.368654
26 B1-1	.307826
26 B2-2	.311513

29 A1-1	.327795
29 A2-1	.368654
29 B1-1	.307826
29 B2-1	.311513
29 A1-2	.327795
29 A2-2	.368654
29 B1-1	.307826
29 B2-2	.311513

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27 A1-1	.327795
27 A2-1	.368654
27 B1-1	.307826
27 B2-1	.311513
27 A1-2	.327795
27 A2-2	.368654
27 B1-1	.307826
27 B2-2	.311513
30 A1-1	.327795
30 A2-1	.368654
30 B1-1	.307826
30 B2-1	.311513
30 A1-2	.327795
30 A2-2	.368654
30 B1-1	.307826
30 B2-2	.311513
31 A1-1	.327795
31 A2-1	.368654
31 B1-1	.307826
31 B2-1	.311513
31 A1-2	.327795
31 A2-2	.368654
31 B1-1	.307826
31 B2-2	.311513
32 A1-1	.327795
32 A2-1	.368654
32 B1-1	.307826
32 B2-1	.311513
32 A1-2	.327795
32 A2-2	.368654
32 B1-1	.307826
32 B2-2	.311513
33 A1-2	.327795
33 A2-2	.368654
33 B1-2	.307826
33 B2-2	.311513

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25 A1-1	.327795
25 A2-1	.368654
25 B1-1	.307826
25 B2-1	.311513
25 A1-2	.327795
25 A2-2	.368654
25 B1-1	.307826
25 B2-2	.311513

28 A1-1	.327795
28 A2-1	.368654
28 B1-1	.307826
28 B2-1	.311513
28 A1-2	.327795
28 A2-2	.368654
28 B1-1	.307826
28 B2-2	.311513

34 A1-1	.327795
34 A2-1	.368654
34 B1-1	.307826
34 B2-1	.311513
34 A1-2	.327795
34 A2-2	.368654
34 B1-1	.307826
34 B2-2	.311513

37 A1-1	.327795
37 A2-1	.368654
37 B1-1	.307826
37 B2-1	.311513
37 A1-2	.327795
37 A2-2	.368654
37 B1-1	.307826
37 B2-2	.311513

38 A1-1	.327795
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38 B1-1	.307826
38 B2-1	.311513
38 A1-2	.327795
38 A2-2	.368654
38 B1-1	.307826
38 B2-2	.311513

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35 A1-1	.327795
35 A2-1	.368654
35 B1-1	.307826
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35 A2-2	.368654
35 B1-1	.307826
35 B2-2	.311513
36 A1-1	.327795
36 A2-1	.368654
36 B1-1	.307826
36 B2-1	.311513
36 A1-2	.327795
36 A2-2	.368654
36 B1-1	.307826
36 B2-2	.311513
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40 A2-1	.368654
40 B1-1	.307826
40 B2-1	.311513
40 A1-2	.327795
40 A2-2	.368654
40 B1-1	.307826
40 B2-2	.311513
39 A1-1	.327795
39 A2-1	.368654
39 B1-1	.307826
39 B2-1	.311513
39 A1-2	.327795
39 A2-2	.368654
39 B1-1	.307826
39 B2-2	.311513
41 A1-1	.327795
41 A2-1	.368654
41 B1-1	.307826
41 B2-1	.311513
41 A1-2	.327795
41 A2-2	.368654
41 B1-1	.307826
41 B2-2	.311513
5A A1-1	.327795
5A A2-1	.368654
5A B1-1	.307826
5A B2-1	<u>.311633</u>

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EXHIBIT "E-1"
DEVELOPMENT PARCEL
LEGAL DESCRIPTION

PARCEL 2: THAT PART OF LOT 12 IN OAKWOOD HILLS UNIT 1, A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 18 AND PART OF THE NORTH HALF OF SECTION 19, ALL IN TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 11, 1992 AS DOCUMENT No. 92935093, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 12; THENCE NORTH 88 DEGREES 22 MINUTES 26 SECONDS WEST, ALONG THE NORTH LINE OF SAID LOT 12, 122.18 FEET TO A NORTHERLY CORNER OF SAID LOT 12; THENCE SOUTH 69 DEGREES 12 MINUTES 35 SECONDS EAST, 115.69 FEET TO THE EASTERLY LINE OF SAID LOT 12; THENCE NORTHERLY ALONG SAID EASTERLY LINE, BEING A CURVE TO THE RIGHT WITH RADIUS OF 468.00 FEET AND CHORD BEARING NORTH 19 DEGREES 46 MINUTES 32 SECONDS EAST, AN ARC DISTANCE OF 20.00 FEET TO A POINT OF TANGENCY; THENCE NORTH 21 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID EASTERLY LINE, 20.11 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 4: THAT PART OF LOT 11 IN OAKWOOD HILLS UNIT 1, A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 18 AND PART OF THE NORTH HALF OF SECTION 19, ALL IN TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 11, 1992 AS DOCUMENT No. 92935093, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 11; THENCE SOUTH 88 DEGREES 22 MINUTES 26 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 11, 119.50 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 15 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 11, 96.00 FEET; THENCE NORTH 76 DEGREES 26 MINUTES 31 SECONDS WEST, 123.32 FEET TO THE WESTERLY LINE OF SAID LOT 11; THENCE NORTHERLY ALONG SAID WESTERLY LINE, BEING A CURVE TO THE RIGHT WITH RADIUS OF 408.00 FEET AND CHORD BEARING NORTH 19 DEGREES 35 MINUTES 45 SECONDS EAST, AN ARC DISTANCE OF 20.00 FEET TO A POINT OF TANGENCY; THENCE NORTH 21 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID WESTERLY LINE, 51.81 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5: THAT PART OF LOT 10 IN OAKWOOD HILLS UNIT 1, A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 18 AND PART OF THE NORTH HALF OF SECTION 19, ALL IN TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 11, 1992 AS DOCUMENT No. 92935093, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 10; THENCE SOUTH 88 DEGREES 22 MINUTES 36 SECONDS EAST, ALONG THE NORTH LINE OF SAID LOT 10, 173.17 FEET TO THE NORTHEAST CORNER THEREOF; THENCE SOUTH 4 DEGREES 24 MINUTES 05 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 10, 43.00 FEET; THENCE SOUTH 76 DEGREES 59 MINUTES 56 SECONDS WEST, 199.77 FEET TO THE WESTERLY LINE OF SAID LOT 10; THENCE NORTH 15 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG SAID WESTERLY LINE, 96.00 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

FOOTNOTES

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PARCEL 6

THAT PART OF LOT 22 IN OAKWOOD HILLS UNIT 2, A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 18 AND PART OF THE NORTH HALF OF SECTION 19, ALL IN TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 1, 1994, AS DOCUMENT NO. 04009288, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 22; THENCE SOUTH 1 DEGREES 39 MINUTES 34 SECONDS WEST, ALONG THE EAST LINE OF SAID LOT 22, 60.00 FEET TO A BEND POINT IN SAID EAST LINE FOR THE POINT OF BEGINNING; THENCE SOUTH 1 DEGREES 39 MINUTES 34 SECONDS WEST, 50.00 FEET; THENCE SOUTH 21 DEGREES 54 MINUTES 45 SECONDS EAST, 109.38 FEET TO THE SOUTHEAST CORNER OF SAID LOT 22; THENCE NORTH 14 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG THE EASTERLY LINE OF SAID LOT 22, 150.69 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

98227894

7-A1-1	06-19-210-018-1001	1-A1-1	06-19-210-018-1057	17-A1-1	06-19-210-018-1117	29-A1-1	06-19-210-018-1177
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