



This instrument was prepared by and after recording mail to:
Herbert A. Kessel
BEERMANN, SWERDLOVE,
WOLOSHIN, BAREZKY,
BECKER, GENIN & LONDON
161 North Clark Street, #2600
Chicago, Illinois 60601-3221
(312) 621-9700

PLAT WITH THIS DOCUMENT

RECORDER'S STAMP

**SEVENTEENTH AMENDMENT TO
DECLARATION OF CONDOMINIUM OWNERSHIP
FOR SIENNA CONDOMINIUM ASSOCIATION**

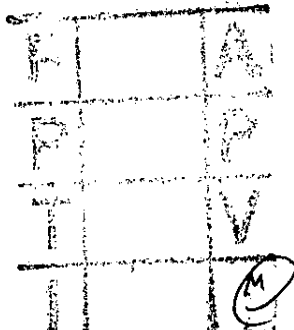
This Seventeenth Amendment to that certain Declaration of Condominium Ownership for Sienna Condominium Association, Wheeling, Illinois recorded with the Recorder of Deeds of Cook County, Illinois on March 25, 1997, as Document No.97205521, as amended from time to time (the "Declaration"), is executed by Avalon Sienna L.L.C., an Illinois limited liability company (hereinafter referred to as the "Declarant").

WITNESSETH

WHEREAS, the real estate described in the First Recital to the Declaration, which by this reference is made a part hereof, is located in the County of Cook and State of Illinois ("Submitted Parcel") has been submitted to the Condominium Property Act of the State of Illinois, as amended (the "Act") pursuant to the Declaration; and

WHEREAS, pursuant to the Act, in Article 12 of the Declaration, the Declarant reserved the right from time to time to annex and add to the Submitted Parcel and thereby add to the plan of condominium ownership created by the Declaration; and

WHEREAS, the Declarant, pursuant to Article 12 of the Declaration, desires to annex and add to the "Property" (as defined in the Declaration), and to the plan of condominium ownership and submit to the Act the real estate legally described in Exhibit "A" attached hereto and by this reference made a part hereof (the "Additional Parcel"), the street address and Permanent Real Estate Number of the Additional Parcel being as set forth therein; and



*Return TO: V.C. Bresnahan
Ticon Title Svs
203 N. LaSalle
Ste 1400
Chicago, IL
60601
RE 339072*

RECORDED AT \$ 87.00
DATE 1/5/99 COPIES 4
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WHEREAS, the Additional Parcel is a portion of the Future Development Parcel in the Declaration as described in Exhibit "C" thereto; and

WHEREAS, a portion of the Additional Parcel is now improved with two (2) apartment buildings, consisting of eight (8) residential units; and

WHEREAS, the Declarant desires to amend the Declaration as it relates to the Plat of Survey (Exhibit "A" thereto) and to the percentage of ownership interest in the common elements for condominium units (Exhibit "B" thereto); and

NOW, THEREFORE, the Declarant, as the holder of legal title to the Additional Parcel, for the purposes above set forth, hereby declares that the Declaration is amended as follows:

1. The Additional Parcel is hereby annexed to the Submitted Parcel and, together with all improvements and structures now or hereafter erected, constructed or contained thereon or therein, is submitted to the Act.

2. Exhibit "A" of the Declaration, "Plat of Survey", is hereby amended by adding thereto the Plat of Survey, sheets 1B, 22, 22A and 22B attached hereto and by this reference made a part hereof.

3. Exhibit "B" of the Declaration, "Percentage of Ownership Interest in the Common Elements", is deleted and an amended Exhibit "B", attached hereto and by this reference made a part hereof, is submitted in lieu thereof.

4. All the unit owners and mortgage holders, by the Declarant, hereby consent to this Seventeenth Amendment to the Declaration pursuant to the power set forth in Article 12 of the Declaration.

5. Except as herein specifically amended, the Declaration is ratified and confirmed. In the event of any inconsistency between this Seventeenth Amendment and the Declaration, this Seventeenth Amendment shall control.

6. It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings, warranties and agreements herein made on the part of the Declarant while in form purporting to be the representations, covenants, undertakings, warranties, and agreements of the Declarant are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings, warranties, and agreements by the Declarant or for the purpose or with the intention of binding the Declarant personally but are made and intended for the purpose of binding only that portion of the property specifically described herein, and this instrument is executed and delivered by the Declarant not in its own right, but solely in the exercise of the powers conferred upon it as such Declarant; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or

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EXHIBIT A

99004385

TO
**SEVENTEENTH AMENDMENT TO DECLARATION OF
CONDOMINIUM OWNERSHIP FOR
SIENNA CONDOMINIUM ASSOCIATION**

**LEGAL DESCRIPTION
ADDITIONAL PARCELS**

THAT PORTION OF LOT "A" IN THE PLAT OF SUBDIVISION OF AVALON-SIENNA UNIT 6A BEING A RESUBDIVISION OF PART OF LOT 1 IN AVALON-SIENNA UNIT 6, BEING A SUBDIVISION OF THOSE PARTS OF THE NORTHWEST QUARTER AND NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NO. 98-497846 IN COOK COUNTY, ILLINOIS.

COMMENCING AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF CHERBOURG COURT AND THE EAST RIGHT OF WAY LINE OF CHARLES DRIVE; THENCE EASTERLY AND SOUTHERLY ALONG THE SOUTH RIGHT OF WAY LINE OF CHERBOURG COURT FOR THE FOLLOWING (5) COURSES; (1) THENCE NORTH 89° 48' 09" EAST, A DISTANCE OF 138.00 FEET TO THE POINT OF BEGINNING; (2) THENCE NORTH 89° 48' 09" EAST, A DISTANCE OF 89.62 FEET TO A POINT OF CURVATURE; (3) THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 120.00 FEET, AN ARC LENGTH OF 154.36 FEET TO A POINT OF CUSP; (4) THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 60.00 FEET AND A CHORD BEARING OF SOUTH 47° 12' 49" WEST, AN ARC LENGTH OF 84.27 FEET TO A POINT OF TANGENCY; (5) THENCE SOUTH 06° 58' 35" WEST, A DISTANCE OF 25.50 FEET TO A POINT OF CURVATURE; (6) THENCE SOUTHERLY ALONG A CURVE CONCAVE EASTERLY AND HAVING A RADIUS OF 60.00 FEET, AN ARC LENGTH OF 34.24 FEET; THENCE SOUTH 64° 16' 33" WEST, A DISTANCE OF 166.15 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT "A"; THENCE NORTH 00° 11' 51" WEST, A DISTANCE OF 269.03 FEET TO THE PLACE OF BEGINNING; CONTAINING 0.86 ACRES OF LAND MORE OR LESS.

PIN: 03-23-109-001

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Common Addresses

Building #41

61 Cherbourg Court, Wheeling, Illinois 60090
63 Cherbourg Court, Wheeling, Illinois 60090
65 Cherbourg Court, Wheeling, Illinois 60090
67 Cherbourg Court, Wheeling, Illinois 60090

Building #42

77 Cherbourg Court, Wheeling, Illinois 60090
75 Cherbourg Court, Wheeling, Illinois 60090
73 Cherbourg Court, Wheeling, Illinois 60090
71 Cherbourg Court, Wheeling, Illinois 60090

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EXHIBIT A
**TO SEVENTEENTH AMENDMENT TO DECLARATION OF
 CONDOMINIUM OWNERSHIP FOR
 SIENNA CONDOMINIUM ASSOCIATION**

PERCENTAGE OF OWNERSHIP IN THE COMMON ELEMENTS

BUILDING #	UNIT	(1) MAXIMUM % OWNERSHIP	(2) MINIMUM % OWNERSHIP
5	1-713-150	0.824545%	0.684816%
5	2-714-152	0.708000%	0.588000%
5	3-714-154	0.708000%	0.588000%
5	4-714-156	0.708000%	0.588000%
6	1-714-166	0.708000%	0.588000%
6	2-714-164	0.708000%	0.588000%
6	3-714-162	0.708000%	0.588000%
6	4-713-160	0.824545%	0.684816%
12	1-713	0.824545%	0.684816%
12	2-714	0.708000%	0.588000%
12	3-714	0.708000%	0.588000%
12	4-713	0.824545%	0.684816%
11	1-713	0.824545%	0.684816%
11	2-714	0.708000%	0.588000%
11	3-714	0.708000%	0.588000%
11	4-713	0.824545%	0.684816%
10	1-713	0.824545%	0.684816%
10	2-714	0.708000%	0.588000%
10	3-714	0.708000%	0.588000%
10	4-713	0.824545%	0.684816%
9	1-713	0.824545%	0.684816%
9	2-714	0.708000%	0.588000%
9	3-714	0.708000%	0.588000%
9	4-713	0.824545%	0.684816%
13	1-713	0.824545%	0.684816%
13	2-714	0.708000%	0.588000%
13	3-714	0.708000%	0.588000%
13	4-714	0.708000%	0.588000%
14	1-714	0.708000%	0.588000%
14	2-714	0.708000%	0.588000%
14	3-714	0.708000%	0.588000%
14	4-713	0.824545%	0.684816%

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15	1-713	0.824545%	0.684816%
15	2-714	0.708000%	0.588000%
15	3-714	0.708000%	0.588000%
15	4-714	0.708000%	0.588000%
15	5-713	0.824545%	0.684816%
16	1-713	0.824545%	0.684816%
16	2-714	0.708000%	0.588000%
16	3-714	0.708000%	0.588000%
16	4-714	0.708000%	0.588000%
16	5-713	0.824545%	0.684816%
17	1-713	0.824545%	0.684816%
17	2-714	0.708000%	0.588000%
17	3-714	0.708000%	0.588000%
17	4-714	0.708000%	0.588000%
18	1-714	0.708000%	0.588000%
18	2-714	0.708000%	0.588000%
18	3-714	0.708000%	0.588000%
18	4-713	0.824545%	0.684816%
19	1-713	0.824545%	0.684816%
19	2-714	0.708000%	0.588000%
19	3-714	0.708000%	0.588000%
19	4-714	0.708000%	0.588000%
20	1-714	0.708000%	0.588000%
20	2-714	0.708000%	0.588000%
20	3-714	0.708000%	0.588000%
20	4-713	0.824545%	0.684816%
7	1-713	0.824545%	0.684816%
7	2-714	0.708000%	0.588000%
7	3-714	0.708000%	0.588000%
7	4-714	0.708000%	0.588000%
8	1-714	0.708000%	0.588000%
8	2-714	0.708000%	0.588000%
8	3-714	0.708000%	0.588000%
8	4-713	0.824545%	0.684816%
21	1-713	0.824545%	0.684816%
21	2-714	0.708000%	0.588000%
21	3-714	0.708000%	0.588000%
22	1-714	0.708000%	0.588000%
22	2-714	0.708000%	0.588000%
22	3-713	0.824545%	0.684816%

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23	1-713	0.824545%	0.684816%
23	2-714	0.708000%	0.588000%
23	3-714	0.708000%	0.588000%
23	4-713	0.824545%	0.684816%
24	1-714	0.708000%	0.588000%
24	2-714	0.708000%	0.588000%
24	3-714	0.708000%	0.588000%
24	4-713	0.824545%	0.684816%
25	1-713	0.824545%	0.684816%
25	2-714	0.708000%	0.588000%
25	3-714	0.708000%	0.588000%
26	1-714	0.708000%	0.588000%
26	2-714	0.708000%	0.588000%
26	3-713	0.824545%	0.684816%
27	1-713	0.824545%	0.684816%
27	2-714	0.708000%	0.588000%
27	3-714	0.708000%	0.588000%
1	1-713	0.824545%	0.684816%
1	2-714	0.708000%	0.588000%
1	3-714	0.708000%	0.588000%
1	4-714	0.708000%	0.588000%
28	1-714	0.708000%	0.588000%
28	2-714	0.708000%	0.588000%
28	3-713	0.824545%	0.684816%
3	1-714	0.708000%	0.588000%
3	2-714	0.708000%	0.588000%
3	3-713	0.824545%	0.684816%
4	1-713	0.824545%	0.684816%
4	2-714	0.708000%	0.588000%
4	3-714	0.708000%	0.588000%
51	1-713	0.824545%	0.684816%
51	2-714	0.708000%	0.588000%
51	3-714	0.708000%	0.588000%
51	4-714	0.708000%	0.588000%
52	1-714	0.708000%	0.588000%
52	2-714	0.708000%	0.588000%
52	3-714	0.708000%	0.588000%
52	4-713	0.824545%	0.684816%

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Property of County Clerk's Office

49	1-713	0.824545%	0.684816%
49	2-714	0.708000%	0.588000%
49	3-714	0.708000%	0.588000%
49	4-714	0.708000%	0.588000%
50	1-714	0.708000%	0.588000%
50	2-714	0.708000%	0.588000%
50	3-714	0.708000%	0.588000%
50	4-713	0.824545%	0.684816%
39	1-714	0.708000%	0.588000%
39	2-714	0.708000%	0.588000%
39	3-714	0.708000%	0.588000%
39	4-713	0.824545%	0.684816%
40	1-713	0.824545%	0.684816%
40	2-714	0.708000%	0.588000%
40	3-714	0.708000%	0.588000%
40	4-714	0.708000%	0.588000%
41	1-713	0.824545%	0.684816%
41	2-714	0.708000%	0.588000%
41	3-714	0.708000%	0.588000%
41	4-713	0.824545%	0.684816%
42	1-713	0.824545%	0.684816%
42	2-714	0.708000%	0.588000%
42	3-714	0.708000%	0.588000%
42	4-713	0.824545%	0.684816%

100.000000%

- (1) This column shows the percentage of ownership interest for each unit upon completion of development of the stages listed above. In no event shall any Unit Owner's percentage of ownership interest exceed the percentage shown.
- (2) This column is an estimate and shows the percentage of ownership interest each unit would have if 162 Units were built of types presently contemplated. Nothing herein shall be construed to limit the right of the Developer to reduce any Unit Owner's percentage of ownership interest in the Common Elements below the "Minimum Percentage" shown, so long as such reduction is in accordance herewith and with the Act.