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INTERCOUNTY COPY

OCT 6 1988

FIFTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP  
AND OF EASEMENTS, RESTRICTIONS AND  
COVENANTS FOR HIDDEN LAKE ESTATES CONDOMINIUM  
PALOS HILLS, ILLINOIS

THIS FIFTH AMENDMENT TO DECLARATION made this 29<sup>th</sup> day of September, 1988 by PALOS BANK AND TRUST COMPANY, not personally, but as trustee under Trust Agreement dated January 28, 1988 and known as Trust No. 1-2662.

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WITNESSETH

WHEREAS, by the Declaration of Condominium Ownership ("Declaration") for Hidden Lake Estates Condominium ("Condominium") recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 29, 1980 as Document No. 25439399, certain property was submitted to the provisions of the Illinois Condominium Property Act ("Act") as part of the Condominium and four Units were created; and

WHEREAS, the Declaration reserves 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 Land (as defined in the Declaration); and

WHEREAS, the Declarant in the Declaration is Palos Bank and Trust Company, not personally, but as trustee under Trust Agreement dated December 1, 1979 and known as Trust No. 1-1574 ("Palos Trust No. 1-1574"); and

WHEREAS, PALOS BANK AND TRUST COMPANY, not personally, but as trustee under Trust Agreement dated January 28, 1988 and known as Trust No. 1-2662 ("Palos Trust 1-2662") is the successor in interest and the owner and holder of legal title to that portion of the Additional Land (as defined in the Declaration) legally described in Exhibit "A" attached hereto ("Fifth Amendment Added Property"); and

WHEREAS, by the First Amendment to the Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on July 2, 1981 as Document No. 25925710, a portion of the Additional Land was submitted to the Act as part of the Condominium and fourteen units were created; and

WHEREAS, by the Second Amendment to the Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on January 27, 1983 as Document No. 26486473, certain Additional land was submitted to the Act as part of the Condominium and eleven units were created; and

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WHEREAS, by the Third Amendment to the Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on August 14, 1984 as Document No. 27213863, the Declaration was amended so as to provide that voting by the unit owners in the Condominium would thereafter be taken and computed on the basis of one vote per unit; and

WHEREAS, on April 30, 1987, a Judgment for Specific Performance was entered in the case entitled Hidden Lake Estates Condominium Association, Inc. vs. Palos Bank and Trust Company, et al., in the Circuit Court of Cook County, Illinois, Case No. 84 CH 10362, a certified copy of which was recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 30, 1987 as Document No. 87231072, pursuant to which certain property therein legally described ("Development Area") was required to be submitted to the Act as part of the Condominium; and

WHEREAS, on October 28, 1987, a Judgment was entered in the case entitled Board of Managers of the Hidden Lake Estates Condominium Association, Inc. vs. Capitol Federal Savings and Loan Association, et al., in the Circuit Court of Cook County, Illinois, Case No. 86 CH 9164, a certified copy of which was recorded in the Office of the Recorder of Deeds of Cook County, Illinois on October 28, 1987 as Document No. 87581613, pursuant to which a Board Resolution amending the Declaration was approved and confirmed by the Court; and

WHEREAS, by the Fourth Amendment to the Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 6, 1988 as Document No. 88142209, Section 4(c) of the Declaration was amended by the Board of Managers ("Board") of the Hidden Lake Estates Condominium Association ("Association") and two-thirds (2/3rds) of the Unit Owners voting on the amendment so as to provide that the obligation to maintain and repair the limited common elements would thereafter be imposed upon the owner of each Unit as to the limited common elements appurtenant to his Unit; and

WHEREAS, Palos Trust 1-2662 desires to add and annex to the parcel and property (as defined in the Declaration) the Fourth Amendment Added Property, which is a portion of the Additional Land legally described in Exhibit "C" to the Declaration.

NOW, THEREFORE, PALOS TRUST 1-2662, as successor in interest to the Declarant, hereby amends the Declaration as follows:

1. The Fourth Amendment Added Property legally described in Exhibit "A" attached hereto is hereby annexed to the parcel and property (as defined in the Declaration) and is submitted to the provisions of the Act as part of the Condominium and shall hereafter be governed in all respects by the terms and provisions of the Declaration, as heretofore and hereafter supplemented and amended from time to time.

2. The plat of survey attached to the Declaration as Exhibit "A" is hereby amended by adding the Plat of Survey of the Fourth Amendment Added Property attached hereto and incorporated herein as Exhibit "D".

3. The undivided percentage interest in the common elements allocable to each Unit is hereby amended and shifted to the percentages set forth in Exhibit "B" attached hereto.

4. The Units, as defined and described in the Declaration, as heretofore amended, are hereby supplemented and amended by adding Units 31 and 32, as delineated and described in Exhibit "D" attached hereto.

5. The Additional Land as defined and described in Exhibit "C" to the Declaration, as heretofore amended, is hereby amended, so as to exclude and delete the Fourth Amendment Added Property.

6. The additional common elements included in the Fourth Amendment Added Property are hereby granted and conveyed to the Owners of all Units in the Condominium, as their respective interests appear of record.

7. All Unit Owners, by the Board of Managers ("Board") of the Hidden Lake Estates Condominium Association ("Association") and by Palos Trust 1-2662 hereby consent to this Amendment to the Declaration, pursuant to the authority granted by and in accordance with the provisions of the Declaration, as amended from time to time.

8. Except as expressly herein provided, all of the terms and provisions of the Declaration and all prior amendments thereto shall be and remain in full force and effect, and are hereby ratified by the parties hereto.

IN WITNESS WHEREOF, PALOS BANK AND TRUST COMPANY, not personally, but as Trustee aforesaid, has caused this instrument to be executed and attested on the day and year first above written.

MAIL TO:

Richard C. Jones Jr.  
Dardick & Denlow  
737 North Michigan Ave.  
Chicago, Illinois 60611

PALOS BANK AND TRUST COMPANY,  
not personally, but as Trustee  
aforesaid.

By:   
Its Vice President

Attest:   
Its (Assistant) Trust Officer

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, BARBARA A. DANAHED, a Notary Public in and for said County, in the state aforesaid, DO HEREBY CERTIFY that MICHAEL CONSTANTINO, Vice-President (Trust Officer) and JOSEPH D. MARSDALEK, Assistant-Trust Officer of PALOS BANK AND TRUST COMPANY, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice-President (Trust Officer) and Assistant-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 Trustee as aforesaid, for the uses and purposes therein set forth; and the said Assistant-Trust Officer then and there acknowledged that said Assistant-Trust Officer, as custodian of the corporate seal of said Trustee, did affix the seal of said Trustee to said instrument as said Assistant-Trust Officer's own free and voluntary act and as the free and voluntary act of said Trustee as aforesaid, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 29th day of SEPTEMBER, 1988.

OFFICIAL SEAL  
BARBARA A. DANAHED  
NOTARY PUBLIC STATE OF ILLINOIS  
MY COMMISSION EXP. FEB. 26, 1992

Barbara A. Danaher  
NOTARY PUBLIC

My Commission Expires: 2/26/92


CONSENT BY MORTGAGEE

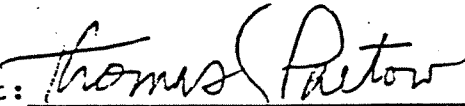
PALOS BANK AND TRUST COMPANY, individually, as mortgagee under the Mortgage dated February 8, 1988 made by Palos Bank and Trust Company, as trustee under Trust Agreement dated January 28, 1988 and known as Trust No. 1-2662, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on February 10, 1988 as Document No. 88061321 and as mortgagee under the Mortgage dated March 25, 1988 made by Palos Bank and Trust company, as trustee under Trust Agreement dated January 28, 1988 and known as Trust No. 1-2662, recorded in the Office of the Recorder of Deeds of Cook County, Illinois on April 4, 1988 as Document No. 88135753, hereby consents to the execution and recording of the attached Fifth Amendment to the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Hidden Lake Estates Condominium.

Dated this 29<sup>th</sup> day of September, 1988.

PALOS BANK AND TRUST COMPANY,  
individually

CORPORATE SEAL

By:   
Its Vice President

Attest:   
Its (Assistant) Secretary

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF COOK )

I, the undersigned, a Notary Public in and for the said County, in the State aforesaid, do hereby certify that Michael G. Constance and Thomas J. Pateu, personally known to me to be the V.P. and Secretary, respectively of the PALOS BANK AND TRUST COMPANY, an Illinois banking association, personally appeared before me this day and acknowledged that they signed the foregoing instrument as their 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 29 day of September, 1988.

Joseph D. Magale  
NOTARY PUBLIC

My Commission Expires: May 5, 1989

EXECUTION BY BOARD MEMBERS  
OF THE  
HIDDEN LAKE ESTATES CONDOMINIUM ASSOCIATION, INC.

The undersigned, being ~~all~~ a majority of the members of the Board of Managers of the Hidden Lake Estates Condominium Association, Inc., pursuant to authority granted by the Declaration of Condominium Ownership for Hidden Lake Estates Condominium as amended from time to time, do hereby join in the execution of this Fifth Amendment to Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Hidden Lake Estates Condominium.

Dated this 3rd day of October, 1988.

Dennis N. Wright

Anne Scherzman

Lawrence Wolfe

May O. Johnson

Charlene N. Eberhardt

Sue Kay Kubza

STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF COOK    )

I, the undersigned, a Notary Public in and for the County of Cook and State of Illinois, DO CERTIFY that the above-named individuals, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Board Members, appeared before me this day in person and acknowledged that they signed and delivered said instrument as their own free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 3rd day of October, 1988.

[Signature]  
NOTARY PUBLIC

EXHIBIT "A"  
TO  
FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS  
FOR  
HIDDEN LAKE ESTATES CONDOMINIUM  
PALOS HILLS, ILLINOIS

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FIFTH AMENDMENT ADDED PROPERTY

THAT PART OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 37 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION GENERATED BY EAST LINE OF THE WEST 600 FEET OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 23, WITH THE SOUTH LINE OF THE NORTH 450.00 FEET OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE (THE FOLLOWING 3 COURSES BEING ON THE NORTHWESTERLY LINE OF A PARCEL OF LAND AS DELINEATED ON PLAT OF SURVEY OF HIDDEN LAKE CONDOMINIUMS RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, ON JULY 2ND, 1981 AS DOCUMENT NO. 25925710), S.25-16'-55"W. FOR A DISTANCE OF 103.98 FEET TO A POINT THENCE S. 58-04'-21"W. FOR A DISTANCE OF 103.07 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PARCEL OF LAND; THENCE S. 00-00'-20"E. FOR A DISTANCE OF 17.04 FEET TO A POINT; THENCE S. 28-09'-08"E. FOR A DISTANCE OF 36.38 FEET TO A POINT; THENCE S. 61-50'-52"W. FOR A DISTANCE OF 19.46 FEET TO A POINT ON A WESTERLY BOUNDARY LINE OF HIDDEN LAKE CONDOMINIUMS AFOREDESCRIBED; THENCE S. 00-00'-20"E. ON THE LAST DESCRIBED LINE, FOR A DISTANCE OF 18.30 FEET TO A POINT; THENCE S. 62-18'-46"W. FOR A DISTANCE OF 42.36 FEET TO A POINT; THENCE S. 56-31'-21"W. FOR A DISTANCE OF 43.75 FEET TO A POINT ON A EASTERLY LINE OF A PARCEL OF LAND AS DELINEATED ON PLAT OF SURVEY OF HIDDEN LAKE CONDOMINIUMS AS PER PLAT THEREOF RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, ON JANUARY 27TH, 1983 AS DOCUMENT NO. 26486473; THENCE N. 24-37'-15"W. ON THE LAST DESCRIBED LINE FOR A DISTANCE OF 86.14 FEET TO A NORTHEAST CORNER OF THE AFOREDESCRIBED PARCEL OF LAND RECORDED AS DOCUMENT NO. 26486473; THENCE N. 64-11'-17"E. FOR A DISTANCE OF 116.18 FEET TO A POINT; THENCE S.31-55'-50"E. FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.



EXHIBIT "B"  
TO  
FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
OWNERSHIP AND OF EASEMENTS, RESTRICTIONS AND COVENANTS  
FOR  
HIDDEN LAKE ESTATES CONDOMINIUM  
PALOS HILLS, ILLINOIS

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<u>UNIT</u>	<u>PERCENTAGE INTEREST IN COMMON ELEMENTS</u>
1	3.125%
2	3.125%
3	3.125%
4	3.125%
5	3.125%
6	3.125%
7	3.125%
8	3.125%
14	6.250%
15	3.125%
16	3.125%
17	3.125%
18	3.125%
23	3.125%
24	3.125%
25	3.125%
26	3.125%
27	3.125%
28	3.125%
29	3.125%
30	3.125%
31	3.125%
32	3.125%
35	3.125%
36	3.125%
39	3.125%
40	3.125%
43	3.125%
44	3.125%
45	3.125%
46	3.125%
	<hr/> 100.00%

EXHIBIT "C"

ADDITIONAL LAND

That part of the West half of the Northwest Quarter of Section 23, Township 37 North, Range 12, East of the Third Principal Meridian lying Northwesterly of the North Reserve Line of the Calumet Feeder Canal and lying Westerly of a 50.00 feet wide strip dedicated for highway purposes by Document No. 18627365, (excepting from the foregoing described parcel of Real Estate, the North 450.00 feet of the West 600.00 feet thereof).

and

That part of the East half of the Northeast Quarter (except the West 925.01 feet thereof) and except the East 224.87 feet of the North 503.00 feet thereof) of Section, Township 37 North, Range 12, East of the Third Principal Meridian, lying North of the North Reserve line of the Calumet Feeder Canal, all in Cook County, Illinois.

(Excepting from the foregoing those portions thereof previously submitted to the Illinois Condominium Property Act as part of the Hidden Lake Estates Condominium by the Declaration of Condominium Ownership recorded April 29, 1980 as Document No. 25439399, the First Amendment recorded July 2, 1981 as Document No. 25925710, the Second Amendment recorded January 27, 1983 as Document No. 26486473, and that part thereof legally described in Exhibit "A" attached hereto).