

THIRD AMENDMENT TO "DECLARATION OF CONDOMINIUM PURSUANT TO  
THE CONDOMINIUM PROPERTY ACT  
EAGLE TRACE CONDOMINIUMS"

This Declaration is made on May 19, 1997, by T-C Bldg. Corp., a Delaware corporation authorized to do business in the State of Illinois, having its principal offices in Quincy, Illinois, hereinafter referred to as "Developer".

WHEREAS, by Declaration of Condominium pursuant to The Condominium Property Act Eagle Tract Condominiums (the "Declaration") recorded in the Office of the Recorder of Deeds of Adams County, Illinois on August 28, 1992 as document number 99609, the Developer submitted certain real estate to the provisions of the Illinois Condominium Property Act (the "Act"); and

WHEREAS, all terms used herein shall have the same meaning as defined in the original Declaration.

WHEREAS, the Declaration reserves to the Developer the right to amend the original Plat to show measurements, elevations, locations and other data in connection with Units constructed after the recording of the original Plat; and

WHEREAS, the Declaration reserves to the Developer the right to annex a portion of the additional land described in Exhibit E in the Declaration to become a part of the Parcel and thereby add additional land to the Condominium created by the Declaration; and

WHEREAS, the Developer now desires

- a) to update the Plat to show the measurements, elevations, locations and other data in connection with Units constructed after recording of the original Plat and
- b) to annex to said Parcel and to submit to the provisions of the Act and the Declaration certain real estate (the "Additional Property") described in Exhibit A-1 attached hereto, which Additional Property is a portion of the additional land described in the Declaration.

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

1. The original plat is amended to set forth the measurements, elevations, locations and other data required in connection with Unit 614, Unit 616, Unit 801 and Unit 803 as set forth in the amended Plat of Survey and Unit Descriptions recorded in Book 15 of Plats, at page 847 which by reference is made a part hereof. See attached Exhibit D sheets 2 and 3 of 3.

2. The additional land set forth on Exhibit A-1 attached hereto which by reference is made a part hereof is hereby annexed to the Parcel as defined in the Declaration, and is hereby submitted to the provisions of the Act as part of the Condominium in accordance with and shall be deemed to be governed in all other respects by, the terms and provisions of the Declaration.
3. The additional land shall be subject to all easements reserved in a Plat of Survey dated August, 1992 prepared by Klingner & Associates and recorded on August 28, 1992 in Book 13 of R-W, at page 885.
4. Exhibit A of the Declaration is hereby amended by deleting said Exhibit A and substituting therefore the Exhibit A which is attached hereto and by reference made a part hereof.
5. Exhibit B of the Declaration is hereby amended by substituting therefore the Exhibit B which is attached hereto. The percentage of ownership in the Common Elements appurtenant to each Unit is hereby changed to the percentages set forth in the Exhibit B which is attached hereto and by reference made a part hereof.
6. Exhibit D of the Declaration is hereby amended by substituting therefore the Exhibit D which is attached hereto and by reference made a part hereof.
7. Exhibit E of the Declaration is hereby amended by substitution of Exhibit E which is attached hereto and by reference made a part hereof.
8. The additional Common Elements annexed by this instrument are hereby granted and conveyed to the grantees of all units, including the grantees of the units heretofore conveyed, all as set forth in the Declaration.
9. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

EXHIBIT A  
TO DECLARATION OF CONDOMINIUM  
EAGLE TRACE CONDOMINIUMS

LEGAL DESCRIPTION

A part of the Southeast Quarter of Section 14 in Township 1 South of the Base Line and in Range 9 West of the Fourth Principal Meridian, Adams County, Illinois, being a part of a 12.47 acre tract recorded in Book 513 of Deeds at page 2159 in the Office of the Adams County Recorder of Deeds and being more particularly bounded and described as follows:

Beginning at a point on the West line of the Southeast Quarter of said Section 14 South 01° 17' 59" West 813.92 feet from the Northwest corner of said Southeast Quarter, said point also being the Southwest corner of Spring Lake Estates Second Addition, a Subdivision of said Southeast Quarter, thence South 68° 50' 35" East along the South line of said Spring Lake Estates Second Addition a distance of 186.66 feet, thence North 83° 43' 50" East along said South line 110.00 feet, thence South 14° 30' 51" East 171.94 feet, thence South 02° 22' 52" West 111.99 feet, thence South 17° 03' 09" East 110.00 feet, thence South 72° 56' 51" West 219.69 feet, thence South 13° 50' 18" West 320.00 feet to a point on the North line of the Franklin Brenner property, thence North 89° 32' 20" West along said North line 86.00 feet to a point on the West line of said Southeast Quarter, thence North 01° 17' 59" East along said West line of said Southeast Quarter a distance of 813.52 feet to the point of beginning, containing 4.18 acres, as shown on the Plat of Survey prepared by Klingner & Associates and recorded in Book 14 of Plats, at page 1279;

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A part of the Southeast Quarter of Section 14 in Township 1 South of the Base Line and in Range 9 West of the Fourth Principal Meridian, Adams County, Illinois, being a part of a 12.47 acre tract recorded in Book 513 of Deeds at page 2159 in the Office of the Adams County Recorder of Deeds and being more particularly bounded and described as follows:

Commencing at the Northwest corner of said 12.47 acre tract, said corner also being the Northwest corner of Eagle Trace Condominium, said point being a point on the West line of the Southeast Quarter of said Section 14 a distance South 01° 17' 59" West 813.92 feet from the Northwest corner of said Southeast Quarter, thence South 68° 50' 35" East along the North lines of said 12.47-acre tract and said Eagle Trace Condominium a distance of 186.66 feet, thence North 83° 43' 50" East along said north lines 110.00 feet, thence South 14° 30' 51" East along the East line of said Eagle Trace Condominium a distance of 171.94 feet, thence South 02° 22' 52" West along said East line a distance of 111.99 feet, thence South 17° 03' 09" East along said East line a distance of 90.00 feet to a point 20.00 feet from the South line of said 12.47-acre tract, said point being the true point of beginning, thence from said true point of beginning North 72° 56' 51" East parallel with the South

line of the aforesaid 12.47-acre tract a distance of 78.08 feet, thence South 89° 32' 20" East parallel with said South line a distance of 211.23 feet, thence North 00° 28' 13" West 142.00 feet, thence South 84° 58' 19" East 25.12 feet, thence North 32° 21' 57" East 82.99 feet, thence North 00° 28' 13" West 150.00 feet, thence North 00° 33' 55" West 20.01 feet to a point on the North line of said 12.47-acre tract, said point also being the Southwest corner of Lot 114 in Spring Lake Estates Second Addition, thence South 88° 41' 09" East along said North line a distance of 320.00 feet to the Northeast corner of said tract, thence South 24° 58' 13" West along the East line of said tract a distance of 384.56 feet, thence South 45° 52' 04" West along said East line a distance of 65.16 feet to the Southeast corner of said tract, thence North 89° 32' 20" West along the South line of said tract a distance of 688.00 feet, thence South 72° 56' 51" West along said South line 75.00 feet to the Southeast corner of the aforesaid Eagle Trace Condominium, thence North 17° 03' 09" West along the East line of said Eagle Trace Condominium a distance of 20 feet to the true point of beginning, containing 2.63 acres.

Subject to easements reserved in a plat of survey dated August, 1992 prepared by Klingner & Associates and recorded on August 28, 1992 in Book 13 of Right-of-Ways, at page 885.

TOGETHER with an easement over real estate hereafter described which easement shall be for purposes of ingress and egress over the private street designated as "Eagle Avenue" reserved as a street easement by T-C Bldg. Corp. in a Plat of Survey dated August, 1992 prepared by Klingner & Associates and recorded in Book 13 of Right-of-Ways, at page 885. The grantee of this easement and its successors and assigns of the easement hereby assumes the obligation to maintain any streets located on said easement and all landscaping improvements located thereon. T-C Bldg. Corp. for itself and its successors and assigns reserves the right to dedicate said easement as a public street. The real estate over which the easement is granted is described as follows:

Beginning at a point on the West line of the Southeast Quarter of said Section 14 a distance South 01° 17' 59" West 813.92 feet from the Northwest corner of said Southeast Quarter, said point also being the Southwest corner of Spring Lake Estates Second Addition, a Subdivision of said Southeast Quarter, thence South 68° 50' 35" East along the South line of said Spring Lake Estates Second Addition, a distance of 186.66 feet, thence North 83° 43' 50" East along said South line 460.00 feet, thence North 89° 23' 02" East along said South line 135.73 feet, thence South 88° 41' 09" East along said South line 556.00 feet, thence South 24° 58' 13" West 384.56 feet, thence South 45° 52' 04" West 65.16 feet, thence North 89° 32' 20" West parallel with the North line of the Franklin Brenner Property a distance of 688.00 feet, said North line formerly described as being 1112.13 feet North of the

Exhibit A Continued

Page 2 of 3 pages

Southeast corner of said Southeast Quarter and 1086.23 feet North of the Southwest corner of said Southeast Quarter, thence South 72° 56' 51" West 294.69 feet, thence South 13° 50' 18" West 320.00 feet to a point on the North line of said Franklin Brenner Property, thence North 89° 32' 20" West along said North line a distance of 86.00 feet to a point on the West line of said Southeast Quarter, thence North 01° 17' 59" East along said West line a distance of 813.52 feet to the point of beginning, containing 12.47 acres, except the following described tract: Beginning at a point on the West line of the Southeast Quarter of said Section 14 South 01° 17' 59" West 813.92 feet from the Northwest corner of said Southeast Quarter, said point also being the Southwest corner of Spring Lake Estates Second Addition, a Subdivision of said Southeast Quarter, thence South 68° 50' 35" East along the South line of said Spring Lake Estates Second Addition a distance of 186.66 feet, thence North 83° 43' 50" East along said South line 110.00 feet, thence South 14° 30' 51" East 171.94 feet, thence South 02° 22' 52" West 111.99 feet, thence South 17° 03' 09" East 110.00 feet, thence South 72° 56' 51" West 219.69 feet, thence South 13° 50' 18" West 320.00 feet to a point on the North line of the Franklin Brenner property, thence North 89° 32' 20" West along said North line 86.00 feet to a point on the West line of said Southeast Quarter, thence North 01° 17' 59" East along said West line of said Southeast Quarter a distance of 813.52 feet to the point of beginning, containing 4.18 acres, as shown on the Plat of Survey prepared by Klingner & Associates and recorded in Book 14 of Plats, at page 1279.

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A part of the Southeast Quarter of Section 14 in Township 1 South of the Base Line and in Range 9 West of the Fourth Principal Meridian, Adams County, Illinois, being a part of a 12.47 acre tract recorded in Book 513 of Deeds at page 2159 in the Office of the Adams County Recorder of Deeds and being more particularly bounded and described as follows, to-wit:

Commencing at the Northwest corner of said 12.47 acre tract, said corner also being the Northwest corner of Eagle Trace Condominium, said point being a point on the West line of the Southeast Quarter of said Section 14 a distance South  $01^{\circ} 17' 59''$  West 813.92 feet from the Northwest corner of said Southeast Quarter, thence South  $68^{\circ} 50' 35''$  East along the North lines of said 12.47-acre tract and said Eagle Trace Condominium a distance of 186.66 feet, thence North  $83^{\circ} 43' 50''$  East along said north lines 110.00 feet, thence South  $14^{\circ} 30' 51''$  East along the East line of said Eagle Trace Condominium a distance of 171.94 feet, thence South  $02^{\circ} 22' 52''$  West along said East line a distance of 111.99 feet, thence South  $17^{\circ} 03' 09''$  East along said East line a distance of 90.00 feet to a point 20.00 feet from the South line of said 12.47-acre tract, said point being the true point of beginning, thence from said true point of beginning North  $72^{\circ} 56' 51''$  East parallel with the South line of the aforesaid 12.47-acre tract a distance of 78.08 feet, thence South  $89^{\circ} 32' 20''$  East parallel with said South line a distance of 211.23 feet, thence North  $00^{\circ} 28' 13''$  West 142.00 feet, thence South  $84^{\circ} 58' 19''$  East 25.12 feet, thence North  $32^{\circ} 21' 57''$  East 82.99 feet, thence North  $00^{\circ} 28' 13''$  West 150.00 feet, thence North  $00^{\circ} 33' 55''$  West 20.01 feet to a point on the North line of said 12.47-acre tract, said point also being the Southwest corner of Lot 114 in Spring Lake Estates Second Addition, thence South  $88^{\circ} 41' 09''$  East along said North line a distance of 320.00 feet to the Northeast corner of said tract, thence South  $24^{\circ} 58' 13''$  West along the East line of said tract a distance of 384.56 feet, thence South  $45^{\circ} 52' 04''$  West along said East line a distance of 65.16 feet to the Southeast corner of said tract, thence North  $89^{\circ} 32' 20''$  West along the South line of said tract a distance of 688.00 feet, thence South  $72^{\circ} 56' 51''$  West along said South line 75.00 feet to the Southeast corner of the aforesaid Eagle Trace Condominium, thence North  $17^{\circ} 03' 09''$  West along the East line of said Eagle Trace Condominium a distance of 20 feet to the true point of beginning, containing 2.63 acres.

EXHIBIT A-1

## EXHIBIT B

TO DECLARATION OF CONDOMINIUM  
EAGLE TRACE CONDOMINIUMS

## COMMON OWNERSHIP PERCENTAGES

<u>Unit</u>	<u>Percentage</u> <u>(Expressed as fraction)</u>
600 Eagle Trace	1/21
601 Eagle Trace	1/21
602 Eagle Trace	1/21
603 Eagle Trace	1/21
604 Eagle Trace	1/21
605 Eagle Trace	1/21
607 Eagle Trace	1/21
609 Eagle Trace	1/21
610 Eagle Trace	1/21
612 Eagle Trace	1/21
614 Eagle Trace	1/21
616 Eagle Trace	1/21
800 Eagle Trace	1/21
801 Eagle Trace	1/21
802 Eagle Trace	1/21
803 Eagle Trace	1/21
804 Eagle Trace	1/21
805 Eagle Trace	1/21
806 Eagle Trace	1/21
807 Eagle Trace	1/21
808 Eagle Trace	1/21

The column shows the percentage of ownership for each Unit upon completion of the second stage of development.

EXHIBIT D  
TO DECLARATION OF CONDOMINIUM  
EAGLE TRACE CONDOMINIUMS

UNIT DESCRIPTIONS

Plat of Survey prepared by Klingner & Associates recorded in Book 15 of Plats at page 847 on May 14, 1997, in Recorder's Office of Adams County, Illinois. Copy attached.



EXHIBIT E  
TO DECLARATION OF CONDOMINIUM  
EAGLE TRACE CONDOMINIUMS

LEGAL DESCRIPTION  
OF ADDITIONAL LANDS

A part of the Southeast Quarter of Section 14 in Township 1 South of the Base Line and in Range 9 West of the Fourth Principal Meridian, Adams County, Illinois, being more particularly bounded and described as follows, to-wit: Beginning at a point on the West line of the Southeast Quarter of said Section 14 a distance South 01° 17' 59" West 813.92 feet from the Northwest corner of said Southeast Quarter, said point also being the Southwest corner of Spring Lake Estates Second Addition, a Subdivision of said Southeast Quarter, thence South 68° 50' 35" East along the South line of said Spring Lake Estates Second Addition, a distance of 186.66 feet, thence North 83° 43' 50" East along said South line 460.00 feet, thence North 89° 23' 02" East along said South line 135.73 feet, thence South 88° 41' 09" East along said South line 556.00 feet, thence South 24° 58' 13" West 384.56 feet, thence South 45° 52' 04" West 65.16 feet, thence North 89° 32' 20" West parallel with the North line of the Franklin Brenner Property a distance of 688.00 feet, said North line formerly described as being 1112.13 feet North of the Southeast corner of said Southeast Quarter and 1086.23 feet North of the Southwest Quarter of said Southeast Quarter, thence South 72° 56' 51" West 294.69 feet, thence South 13° 50' 18" West 320.00 feet to a point on the North line of said Franklin Brenner Property, thence North 89° 32' 20" West along said North line a distance of 86.00 feet to a point on the West line of said Southeast Quarter, thence North 01° 17' 59" East along said West line a distance of 813.52 feet to the point of beginning, containing 12.47 acres, all situated in Adams County, Illinois.

Excepting therefrom 2 tracts described as follows:

Tract 1:

Beginning at a point on the West line of the Southeast Quarter of said Section 14 South 01° 17' 59" West 813.92 feet from the Northwest corner of said Southeast Quarter, said point also being the Southwest corner of Spring Lake Estates Second Addition, a Subdivision of said Southeast Quarter, thence South 68° 50' 35" East along the South line of said Spring Lake Estates Second Addition a distance of 186.66 feet, thence North 83° 43' 50" East along said South line 110.00 feet, thence South 14° 30' 51" East 171.94 feet, thence South 02° 22' 52" West 111.99 feet, thence South 17° 03' 09" East 110.00 feet, thence South 72° 56' 51" West 219.69 feet, thence South 13° 50' 18" West 320.00 feet to a point on the North line of the Franklin Brenner property, thence North 89° 32' 20" West along said North line 86.00 feet to a point on

the West line of said Southeast Quarter, thence North  $01^{\circ} 17' 59''$  East along said West line of said Southeast Quarter a distance of 813.52 feet to the point of beginning, containing 4.18 acres, as shown on the Plat of Survey prepared by Klingner & Associates and recorded in Book 14 of Plats, at page 1279;

Tract 2:

Commencing at the Northwest corner of said 12.47 acre tract, said corner also being the Northwest corner of Eagle Trace Condominium, said point being a point on the West line of the Southeast Quarter of said Section 14 a distance South  $01^{\circ} 17' 59''$  West 813.92 feet from the Northwest corner of said Southeast Quarter, thence South  $68^{\circ} 50' 35''$  East along the North lines of said 12.47-acre tract and said Eagle Trace Condominium a distance of 186.66 feet, thence North  $83^{\circ} 43' 50''$  East along said north lines 110.00 feet, thence South  $14^{\circ} 30' 51''$  East along the East line of said Eagle Trace Condominium a distance of 171.94 feet, thence South  $02^{\circ} 22' 52''$  West along said East line a distance of 111.99 feet, thence South  $17^{\circ} 03' 09''$  East along said East line a distance of 90.00 feet to a point 20.00 feet from the South line of said 12.47-acre tract, said point being the true point of beginning, thence from said true point of beginning North  $72^{\circ} 56' 51''$  East parallel with the South line of the aforesaid 12.47-acre tract a distance of 78.08 feet, thence South  $89^{\circ} 32' 20''$  East parallel with said South line a distance of 211.23 feet, thence North  $00^{\circ} 28' 13''$  West 142.00 feet, thence South  $84^{\circ} 58' 19''$  East 25.12 feet, thence North  $32^{\circ} 21' 57''$  East 82.99 feet, thence North  $00^{\circ} 28' 13''$  West 150.00 feet, thence North  $00^{\circ} 33' 55''$  West 20.01 feet to a point on the North line of said 12.47-acre tract, said point also being the Southwest corner of Lot 114 in Spring Lake Estates Second Addition, thence South  $88^{\circ} 41' 09''$  East along said North line a distance of 320.00 feet to the Northeast corner of said tract, thence South  $24^{\circ} 58' 13''$  West along the East line of said tract a distance of 384.56 feet, thence South  $45^{\circ} 52' 04''$  West along said East line a distance of 65.16 feet to the Southeast corner of said tract, thence North  $89^{\circ} 32' 20''$  West along the South line of said tract a distance of 688.00 feet, thence South  $72^{\circ} 56' 51''$  West along said South line 75.00 feet to the Southeast corner of the aforesaid Eagle Trace Condominium, thence North  $17^{\circ} 03' 09''$  West along the East line of said Eagle Trace Condominium a distance of 20 feet to the true point of beginning, containing 2.63 acres.

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