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[Signature]
COUNTY RECORDER

Schmiedeskamp, Robertson

**THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM
OF GARDENDALE CONDOMINIUM**

This Declaration made and entered into this 28th day of October, 1997, by Mercantile Trust & Savings Bank, an Illinois banking corporation, not individually but as Trustee under Trust Agreement dated June 11, 1994, and known as Trust Number 49-8193 ("Declarant").

WITNESSETH:

WHEREAS, by Declaration of Condominium of Gardendale Condominium dated June 27, 1994 and recorded in the Office of the Recorder of Deeds of Adams County, Illinois on July 25, 1994, in Book 91 of Miscellaneous at page 440 as amended by a First Amendment to Declaration of Condominium of Gardendale Condominium dated December 19, 1994 and recorded on December 21, 1994, in Book 91 of Miscellaneous at page 636 and as amended by a Second Amendment to Declaration of Condominium of Gardendale Condominium dated May 31, 1996 and recorded on June 4, 1996, in Book 92 of Miscellaneous at page 49 (the "Declaration"), the Declarant submitted certain real estate therein described to the provisions of the Act; and

WHEREAS, the Declaration reserves unto the Declarant the right to annex and add to the Parcel and Property, and thereby to add to the Condominium created by the Declaration, all or any portion of the Additional Land; and

WHEREAS, Declarant now desires to so annex and add to said Parcel and Property and to submit to the provisions of the Act and the Declaration a portion of the Additional Land (the "Additional Property") as described in Part II of Exhibit A attached hereto, which Additional Property is a portion of said Additional Land.

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

1. The Additional Property described in Part II of Exhibit A is hereby annexed and added to the Parcel and Property and is hereby submitted to the provisions of the Act as part of the Condominium in accordance with, and to be governed in all other respects by, the terms and provisions of the Declaration.

2. Exhibit A of the Declaration is hereby amended by deleting said Exhibit A and by substituting therefor Part I of Exhibit A which is attached hereto.

3. Exhibit A-1 of the Declaration is hereby amended by substituting therefor Exhibit A-1 which is attached hereto.

4. Exhibit B of the Declaration is hereby amended by substituting therefor Exhibit B which is attached hereto. The percentage of ownership in the

Common Elements pertinent to each Unit is hereby shifted to the percentages set forth in Exhibit B which is attached hereto.

5. Exhibit D of the Declaration is hereby amended by substituting therefor Exhibit D which is attached hereto.

6. 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.

7. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its original terms. All capitalized words and phrases having a defined meaning when used in the Declaration shall have the same meaning when used herein.

EXHIBIT A

PART I:

A part of the Southwest Quarter of Section 6 in Township 2 South of the Base Line and in Range 8 West of the Fourth Principal Meridian, Adams County, Illinois, being described as follows:

Beginning at the southeast corner of Emery Gardens, a subdivision recorded in Book 13 of Plats at Page 839 in the Office of the Adams County Recorder of Deeds, thence North $0^{\circ} 26' 00''$ East along the east line of said Emery Gardens 660.00 feet to a point on the south line of State Street, thence South $89^{\circ} 10' 00''$ East along the south line of said State Street a distance of 75.00 feet, thence South $0^{\circ} 26' 00''$ West parallel with the east line of said Emery Gardens a distance of 182.50 feet, thence South $89^{\circ} 10' 00''$ East parallel with the south line of said State Street 90.00 feet, thence South $00^{\circ} 26' 00''$ West parallel with the east line of said Emery Gardens 147.50 feet to a point 330.00 feet from the south line of said State Street, thence South $89^{\circ} 10' 00''$ East parallel with said south line a distance of 184.55 feet, thence South $00^{\circ} 26' 00''$ West parallel with the east line of said Emery Gardens 61.00 feet, thence South $49^{\circ} 00' 33''$ West 179.44 feet, thence North $89^{\circ} 10' 00''$ West parallel with the south line of said State Street 100.00 feet, thence South $0^{\circ} 26' 00''$ West parallel with the east line of said Emery Gardens 150.00 feet, thence North $89^{\circ} 10' 00''$ West parallel with the south line of said State Street 115.00 feet to the point of beginning, containing 2.530 acres, all as delineated on the Plat of Survey of Gardendale Condominium, which Plat of Survey is recorded in Book 15 of Plats at page 937 in the Recorder's Office of Adams County, Illinois and referenced as Exhibit D to the Declaration of Condominium made by Mercantile Trust & Savings Bank, an Illinois banking corporation, not individually but as Trustee under Trust Agreement dated June 11, 1994, and known as Trust No. 49-8193, which Declaration of Condominium was recorded in the Office of the Recorder of Deeds of Adams County, Illinois in Book 91 of Miscellaneous Records at page 440, as amended by a First Amendment to Declaration of Condominium recorded in the Office of the Recorder of Deeds of Adams County, Illinois in Book 91 of Miscellaneous Records at page 636, and as further amended by a Second Amendment to Declaration of Condominium recorded in the Office of the Recorder of Deeds of Adams County, Illinois in 92 of Miscellaneous Records at page 49, and as further amended by a Third Amendment to Declaration of Condominium recorded in the Office of the Recorder of Deeds of Adams County, Illinois in Book 92 of Miscellaneous Records at page 685.

PART II:

A part of the Southwest Quarter of Section 6 in Township 2 South of the Base Line and in Range 8 West of the Fourth Principal Meridian, Adams County, Illinois, being described as follows:

Beginning at the southeast corner of Emery Gardens, a subdivision recorded in Book 13 of Plats at Page 839 in the Office of the Adams County Recorder of Deeds, thence North $0^{\circ} 26' 00''$ East along the east line of said Emery Gardens 660.00 feet to a point on the south line of State Street, thence South $89^{\circ} 10' 00''$ East along the south line of said State Street a distance of 75.00 feet, thence South $0^{\circ} 26' 00''$ West parallel with the east line of said Emery Gardens 182.50 feet to the True Point of Beginning, thence from said True Point of Beginning South $89^{\circ} 10' 00''$ East parallel with the south line of said State Street a distance of 90.00 feet, thence South $00^{\circ} 26' 00''$ West parallel with the east line of said Emery Gardens 147.50 feet to a point 330.00 feet from the south line of said State Street, said point also being a point on the boundary of the Second Amendment addition to Gardendale Condominium, thence continuing South $00^{\circ} 26' 00''$ West along said boundary and parallel with the east line of said Emery Gardens a distance of 4.88 feet, thence North $89^{\circ} 10' 00''$ West along the northerly boundaries of the Second and First Amendment additions to said Gardendale Condominium a distance of 90.00 feet to the northwest corner of said First Amendment addition, thence North $00^{\circ} 26' 00''$ East parallel with the east line of said Emery Gardens 152.50 feet to the True Point of Beginning, containing 0.314 acres.

EXHIBIT A-1

Units 517, 521, 525, 601, 603, 605, 607, 609, 621 and 623 of Gardendale Condominium, as delineated on the Plat of Survey of Gardendale Condominium, and legally described as follows:

A part of the Southwest Quarter of Section 6 in Township 2 South of the Base Line and in Range 8 West of the Fourth Principal Meridian, Adams County, Illinois, being described as follows:

Beginning at the southeast corner of Emery Gardens, a subdivision recorded in Book 13 of Plats at Page 839 in the Office of the Adams County Recorder of Deeds, thence North 0° 26' 00" East along the east line of said Emery Gardens 660.00 feet to a point on the south line of State Street, thence South 89° 10' 00" East along the south line of said State Street a distance of 75.00 feet, thence South 0° 26' 00" West parallel with the east line of said Emery Gardens a distance of 182.50 feet, thence South 89° 10' 00" East parallel with the south line of said State Street 90.00 feet, thence South 00° 26' 00" West parallel with the east line of said Emery Gardens 147.50 feet to a point 330.00 feet from the south line of said State Street, thence South 89° 10' 00" East parallel with said south line a distance of 184.55 feet, thence South 00° 26' 00" West parallel with the east line of said Emery Gardens 61.00 feet, thence South 49° 00' 33" West 179.44 feet, thence North 89° 10' 00" West parallel with the south line of said State Street 100.00 feet, thence South 0° 26' 00" West parallel with the east line of said Emery Gardens 150.00 feet, thence North 89° 10' 00" West parallel with the south line of said State Street 115.00 feet to the point of beginning, containing 2.530 acres, all as delineated on the Plat of Survey of Gardendale Condominium, which Plat of Survey is recorded in Book 15 of Plats at page 937 in the Recorder's Office of Adams County, Illinois and referenced as Exhibit D to the Declaration of Condominium made by Mercantile Trust & Savings Bank, an Illinois banking corporation, not individually but as Trustee under Trust Agreement dated June 11, 1994, and known as Trust No. 49-8193, which Declaration of Condominium was recorded in the Office of the Recorder of Deeds of Adams County, Illinois in Book 91 of Miscellaneous Records at page 440, as amended by a First Amendment to Declaration of Condominium recorded in the Office of the Recorder of Deeds of Adams County, Illinois in Book 91 of Miscellaneous Records at page 636, and as further amended by a Second Amendment to Declaration of Condominium recorded in the Office of the Recorder of Deeds of Adams County, Illinois in Book 92 of Miscellaneous Records at page 49, and as further amended by a Third Amendment to Declaration of Condominium recorded in the Office of the Recorder of Deeds of Adams County, Illinois in Book 92 of Miscellaneous Records at page 685.

EXHIBIT B

<u>Unit</u>	<u>Percentage of Ownership Interest in Common Elements</u>
517	10%
521	10%
525	10%
601	10%
603	10%
605	10%
607	10%
609	10%
621	10%
623	10%

EXHIBIT D

Plat of Survey of Gardendale Condominium recorded in Book 15 of Plats at Page 937 in the Office of the Recorder of Deeds, Adams County, Illinois, which Plat is incorporated herein by reference hereto.