



8 0 1 8 3 0 3  
Tx:4013139

**2011R-04566**

**GEORGIA VOLM**

**ADAMS COUNTY CLERK/RECORDER**

**ADAMS COUNTY, ILLINOIS**

**RECORDED ON**

**05/19/2011 11:01 AM**

**REC FEE: 22.00**

**GIS RECORDER FEE: 1.00**

**GIS COUNTY FEE: 19.00**

**RHSP HOUSING FEE: 10.00**

**FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR JAYDEN COURT CONDOMINIUMS**

FIFTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR JAYDEN COURT CONDOMINIUMS

This Declaration, made and entered into this 5<sup>th</sup> day of May, 2011, by Brian T. Schuette (hereinafter sometimes referred to as the "Developer");

WITNESSETH:

WHEREAS, by a Declaration of Condominium (Declaration) dated March 18, 2009 and recorded on March 19, 2009 in the Recorder's Office of Adams County, Illinois, in Book 709, Page 3408, and the First Amendment to Declaration of Condominium for Jayden Court Condominiums dated June 16, 2009 and recorded on June 18, 2009 in the Recorder's Office of Adams County, Illinois, in Book 709, page 8043, and the Second Amendment to Declaration of Condominium for Jayden Court Condominiums dated October 1, 2009 and recorded on October 6, 2009 in the Recorder's Office of Adams County, Illinois, in Book 709, page 12419, and the Third Amendment to Declaration of Condominium for Jayden Court Condominiums dated September 23, 2010 and recorded on September 27, 2010 in the Recorder's Office of Adams County, Illinois, in Document Number 2010R-09435, and the Fourth Amendment to Declaration of Condominium for Jayden Court Condominiums dated September 24, 2010 and recorded on September 28, 2010 in the Recorder's Office of Adams County, Illinois, in Document Number 2010R-09492 the Developer submitted certain real estate to the provisions of the Illinois Condominium Property Act (Act); and

WHEREAS, the Declaration reserves to the Developer (as defined in the Declaration) 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 Developer now desires to so annex and add to the Parcel and Property and submit to the provisions of the Act and the Declaration certain real estate (Additional Property), described as follows:

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

Lot 3 of Jayden Court Condominium Subdivision, a subdivision of a part of the Southeast Quarter of said Section 8 as recorded in Book 709 at Page 1997 in the Office of the Adams County Recorder of Deeds, containing 0.469 acres, more or less.

which Additional Property is a portion of the Additional Land;

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

1. The Additional Property is hereby annexed to the Parcel and Property, as defined in the Declaration, and is hereby submitted to the provisions of the Act as a part of the Condominium in accordance with, and deemed to be governed in all respects by, the terms and provisions of the Declaration.

2. Exhibit A of the Declaration is hereby amended by substituting therefor Exhibit A attached hereto, whereby the legal description of the Parcel is amended to include the Additional Property, and the legal description of the Units is amended to include Units 4615 and 4617.

3. Exhibit B of the Declaration is hereby amended by substituting therefor Exhibit B attached hereto. The percentage of ownership in the Common Elements appurtenant to each Unit is hereby shifted to the percentages set forth in Exhibit B attached hereto.

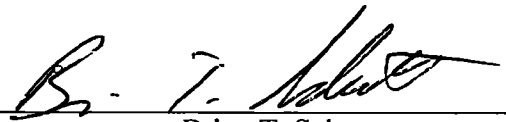
4. Exhibit D of the Declaration is hereby amended by substituting therefor Exhibit D attached hereto.

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

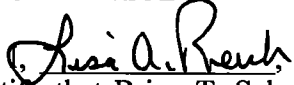
6. The additional Common Elements annexed by this instrument are hereby granted and conveyed to the grantees of all Units, including the grantees of Units heretofore conveyed, all as set forth in the Declaration.

7. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

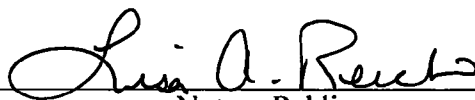
IN WITNESS WHEREOF, Brian T. Schuette as Developer, have caused his signature to be affixed hereunto, this 5<sup>th</sup> day of May, 2011.

  
Brian T. Schuette

STATE OF ILLINOIS       )  
                                  ) ss.  
COUNTY ADAMS        )

, a Notary Public in and for the above County and State, do hereby certify that Brian T. Schuette, 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, sealed, and delivered this instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 5<sup>th</sup> day of May, 2011.

  
Notary Public



## EXHIBIT A

### **Legal Description of Parcel:**

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

Lots 3, 4, 5, 6, 7 and 8 of Jayden Court Condominium Subdivision, a subdivision of a part of the Southeast Quarter of said Section 8 as recorded in Book 709 at Page 1997 in the Office of the Adams County Recorder of Deeds, containing 2.849 acres, more or less.

### **Legal Description of Units:**

Unit 4614 of Jayden Court Condominiums.

Unit 4616 of Jayden Court Condominiums

Unit 4602 of Jayden Court Condominiums

Unit 4604 of Jayden Court Condominiums

Unit 4621 of Jayden Court Condominiums

Unit 4623 of Jayden Court Condominiums

Unit 4608 of Jayden Court Condominiums

Unit 4610 of Jayden Court Condominiums

Unit 4620 of Jayden Court Condominiums

Unit 4622 of Jayden Court Condominiums

Unit 4615 of Jayden Court Condominiums

Unit 4617 of Jayden Court Condominiums

## EXHIBIT B

Unit	Percentage of Ownership Interest in the Common Elements
4614	8.33%
4616	8.33%
4602	8.33%
4604	8.33%
4621	8.33%
4623	8.33%
4608	8.33%
4610	8.33%
4620	8.33%
4622	8.33%
4615	8.33%
4617	8.33%
TOTAL	100%



## EXHIBIT D

[see attached]

## EXHIBIT E

### **Legal Description of Additional Land:**

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

Lots, 1, 2, and 9 of Jayden Court Condominium Subdivision, a subdivision of a part of the Southeast Quarter of said Section 8 as recorded in Book 709 at Page 1997 in the Office of the Adams County Recorder of Deeds.

### **Plat of Addition Land is attached hereto.**

[see attached plat]

HARRISON STREET

S 89°49'10" E

S 89°49'10" E 442.15'

NORTH LINE  
SE 1/4 SECTION 8

SCALE: 1" = 30'



THE DRAWING HAS BEEN CONSTRUCTED TO THE STANDARD SCALE NOTED. A GRAPHIC SCALE IS PROVIDED FOR INTERPRETATION OF REDUCED DRAWINGS. SCALE ANY DRAWING WITH CAUTION.

### DESCRIPTION

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

Lots 3, 4, 5, 6, 7 and 8 of Jayden Court Condominium Subdivision, a subdivision of a part of the Southeast Quarter of said Section 8 as recorded in Book 709 at Page 1997 in the Office of the Adams County Recorder of Deeds, containing 2.849 acres, more or less.

### TABLE OF AREAS

INITIAL CONDOMINIUMS	0.484 ACRES
AMENDMENT 1 - LOT 8	0.630 ACRES
AMENDMENT 2 - LOT 4	0.461 ACRES
AMENDMENT 3 - LOT 7	0.318 ACRES
AMENDMENT 4 - LOT 5	0.487 ACRES
AMENDMENT 5 - LOT 3	0.469 ACRES
TOTAL	2.849 ACRES

### LEGEND

SECTION LINE	_____
PROPERTY LINE	_____
LOT LINE	_____
STREET LINE	_____
EDGE OF PAVEMENT	_____
CENTERLINE	_____
EASEMENT	_____
BUILDING SETBACK	_____
CURB AND GUTTER	_____
UNIT AND STREET NUMBER	3832
CONDOMINIUM LIMITS	_____

### BENCHMARKS

- CHISELED "A" FLANGE BOLT FIRE HYDRANT NORTHEAST CORNER 46TH & HARRISON STREETS - ELEV 698.86
- CHISELED "A" EAST FIRE HYDRANT IN JAYDEN COURT - ELEV 704.19
- CHISELED "A" WEST FIRE HYDRANT IN JAYDEN COURT - ELEV 703.05

## AMENDMENT 5 JAYDEN COURT CONDOMINIUMS

2.849 ACRES

I HEREBY STATE THAT THE ABOVE EXHIBIT AND PLAN OF JAYDEN COURT CONDOMINIUMS DRAWN FROM EXISTING RECORDS AND FIELD MEASUREMENTS WAS MADE UNDER MY DIRECT SUPERVISION AND THAT THE SAME IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THE REPRESENTATIONS OF THE UNITS SHOWN ON THIS EXHIBIT WERE DRAWN FROM FIELD MEASUREMENTS OF THE CONSTRUCTED UNITS.

I DO FURTHER STATE THAT THE PARCELS INCLUDED IN THIS EXHIBIT AND PLAN OF JAYDEN COURT CONDOMINIUMS ARE NOT LOCATED IN THE SPECIAL FLOOD HAZARD AREA IDENTIFIED FOR UNINCORPORATED AREAS OF ADAMS COUNTY, ILLINOIS, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY ON THE FLOOD INSURANCE RATE MAP, PANEL 180 OF 276, COMMUNITY PANEL NO. 170001 (000) B, DATED NOVEMBER 15, 1985.

*Stephen P. Mook*  
STEPHEN P. MOOK  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2784  
LICENSE EXPIRATION DATE: NOVEMBER 30, 2012



SURVEYED FOR: BRIAN SCHUETTE

DESIGN FIRM NO. 184-2738

**KLINGNER & ASSOCIATES, P.C.**  
Engineers • Architects • Surveyors

1816 North 44th Street, Quincy, IL 62450  
4610 Park Street, Hannibal, MO 63450  
1810 N. 4th Street, Suite 100, Springfield, IL 62761  
40 North Prairie Street, Galesburg, IL 62434  
Ph: (217) 222-8070 Fax: (217) 222-8080  
Ph: (217) 222-4000 Fax: (217) 222-4012  
Ph: (217) 259-1038 Fax: (217) 259-1035  
Ph: (262) 442-4442 Fax: (262) 442-4443  
Internet Address: [www.klingner.com](http://www.klingner.com)

JAYDEN COURT CONDOMINIUMS  
BRIAN SCHUETTE, DEVELOPER

EXHIBIT D  
EXISTING UNITS  
AMENDMENT 5

SHEET NO.

1/3

21  
BOOK 705, PAGE 11910  
TRINITY LAKES  
SUBDIVISION

TRINITY LAKES  
FIRST ADDITION  
BOOK 708, PAGE 1734

BASIS OF BEARINGS:  
SOUTH LINE OF HARRISON = N 89°49'10" E

FIELD WORK COMPLETED APRIL 25, 2011.  
INTERIOR LOT CORNERS WILL BE SET AFTER  
CONSTRUCTION.

### NOTES:

- TIES SHOWN ARE TO EXTERIOR FOUNDATION WALLS.
- MEASUREMENTS ARE IN FEET.
- LOTS 1 THROUGH 9 ARE SUBJECT TO THE CONDITIONS OF THE RECORD PLANNED DEVELOPMENT.
- UNIT NUMBERS ARE THE SAME AS STREET NUMBERS.

2011R-04566  
GEORGETOWN  
ADAMS COUNTY CLERK/RECORDER  
ADAMS COUNTY, ILLINOIS  
RECORDED ON  
05/19/2012 11:01 AM  
REC FEE: 20.00  
GIS RECORDER FEE: 1.00  
GIS COUNTY FEE: 19.00  
RSPS PROCESSING FEE: 12.00

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LEGEND

SECTION LINE  
PROPERTY LINE  
LOT LINE  
STREET LINE  
EDGE OF PAVEMENT  
CENTERLINE  
EASEMENT  
BUILDING SETBACK  
CURB AND GUTTER  
UNIT AND STREET NUMBER  
CONDOMINIUM LIMITS

**BENCHMARKS:**

1. CHISELED "+" FLANGE BOLT FIRE HYDRANT NORTHEAST CORNER 46TH & HARRISON STREETS - ELEV 698.86
2. CHISELED "+" EAST FIRE HYDRANT IN JAYDEN COURT - ELEV 704.19
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BASIS OF BEARINGS:

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DESIGN FIRM NO. 184-2738

**KLINGNER**  
& ASSOCIATES, P.C.

Engineers • Architects • Surveyors

☐ 816 North 24th Street, Quincy, IL  
☐ 4510 Paris Galloway Road, Hannibal, MO  
☐ 610 N. 4th Street, Suite 100, Burlington, IA  
☐ 48 North Prairie Street, Galesburg, IL

Internet Address: [www.klininger.com](http://www.klininger.com)  
 Ph (217) 223-3670 • Fax (217) 223-3603  
 Ph (573) 221-4080 • Fax (573) 221-4012  
 Ph (319) 753-1636 • Fax (319) 752-3606  
 Ph (309) 342-4042 • Fax (309) 341-3781

**JAYDEN COURT CONDOMINIUMS**  
BRIAN SCHUETTE, DEVELOPER

EXHIBIT D  
EXISTING UNITS  
AMENDMENT 5

SHEET NO.

2/3

## AMENDMENT 5

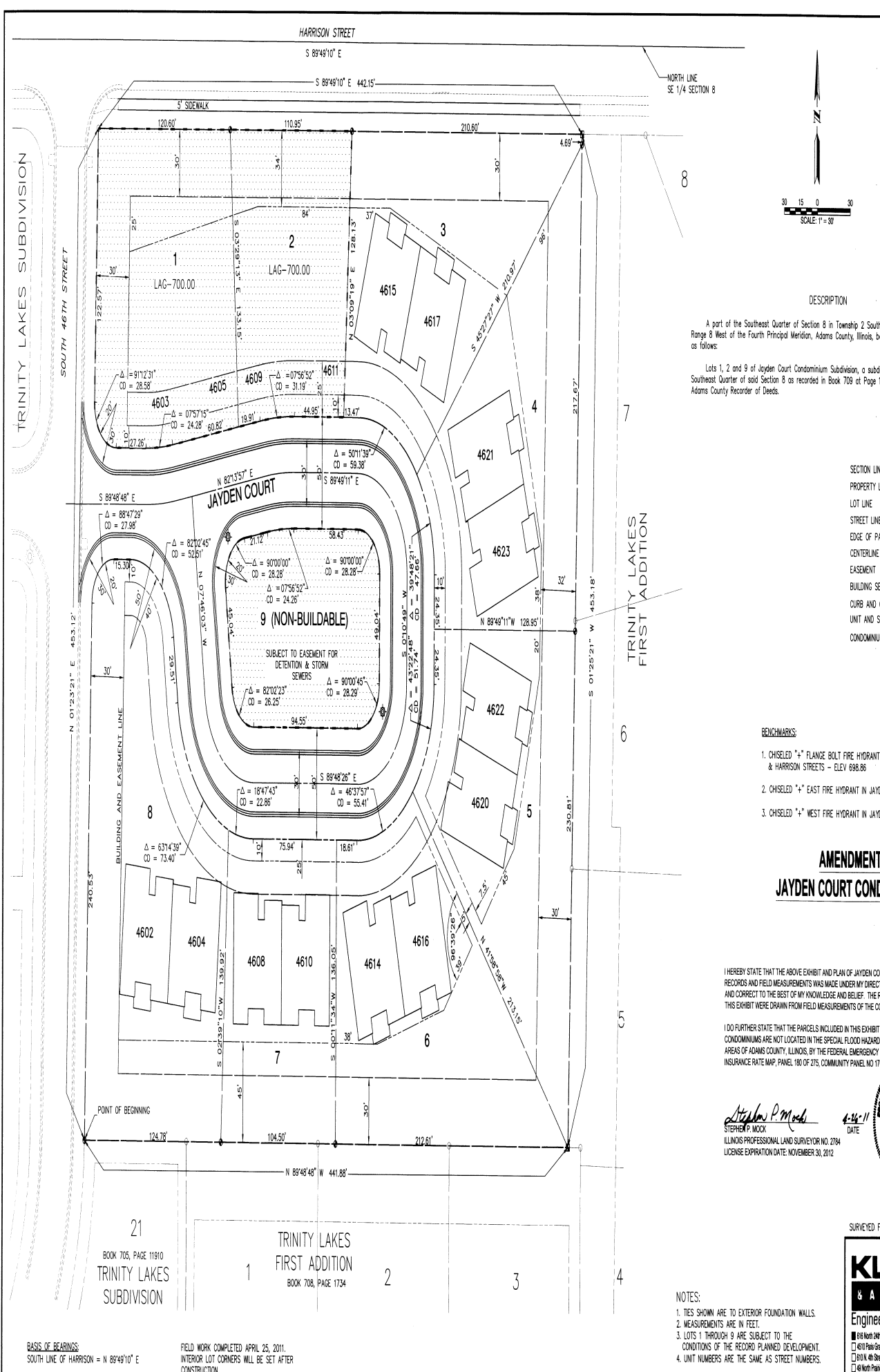
## JAYDEN COURT CONDOMINIUMS

2.849 ACRES

Stephen P. Mock 4-26-11  
STEPHEN P. MOCK DATE  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2784







2011-04566  
KINGMAN, ILLINOIS  
ADAMS COUNTY CLERK-RECORDER  
RECORDED IN  
15, 19, 20, 21, 22, 23, 24  
156 REC. 2349  
650 RECORDER FEE: \$1.00  
ADAMS COUNTY FEE: \$1.00  
RHP \$10.00 (FEE: \$1.00)

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LEGEND

- SECTION LINE
- PROPERTY LINE
- LOT LINE
- STREET LINE
- EDGE OF PAVEMENT
- CENTERLINE
- EASEMENT
- BUILDING SETBACK
- CURB AND GUTTER
- UNIT AND STREET NUMBER
- CONDOMINIUM TO BE ADDED

BENCHMARKS:

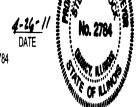
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JAYDEN COURT CONDOMINIUMS

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*Stephen P. Mock*  
STEPHEN P. MOCK  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2764  
LICENSE EXPIRATION DATE: NOVEMBER 30, 2012



SURVEYED FOR: BRIAN SCHUETTE

DESIGN FIRM NO. 184-2738  
**KLINGNER & ASSOCIATES, P.C.**  
Engineers • Architects • Surveyors  
818 North 24th Street, Quincy, IL Ph: 217/228-9800  
4810 Plain Street, Hannibal, MO Ph: 573/222-4000  
810 N. 4th Street, Suite 100, Burlington, IA Ph: 319/251-1856  
1410 North Main Street, Galena, IL Ph: 309/346-4042  
Internet Address: www.klingner.com

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BASIS OF BEARINGS:  
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FIELD WORK COMPLETED APRIL 25, 2011.  
INTERIOR LOT CORNERS WILL BE SET AFTER CONSTRUCTION.

DESIGNED	DRAWN	CHECKED	DATE	REVISION	DESCRIPTION	DATE
JCC/AMW	JEB/CJH		2011/05/10	1		
08-0016	5100A/49		APRIL 2011			
	ES-11111E		1" = 30'			

JAYDEN COURT CONDOMINIUMS  
BRIAN SCHUETTE, DEVELOPER

EXHIBIT E  
REMAINING PROPERTY  
TO BE ADDED  
AMENDMENT 5

SHEET NO.  
1/1