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COUNTY RECORDER

Mays & Wolden & Associates

**THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OF KINGS POINTE
CONDOMINIUM**

This Declaration made and entered into this 30th day of October, 1996, by Mercantile Trust & Savings Bank as Trustee under the provisions of a Trust Agreement dated August 9, 1979, and known as Trust Number 49-6669 and its beneficial owner, hereinafter referred to as "Developer",

W I T N E S S E T H:

WHEREAS, by Declaration of Condominium of Kings Pointe Condominium (the "Declaration") recorded in the Office of the Recorder of Deeds of Adams County, Illinois, on the 10th day of November, 1994, as Document No. 25460, and recorded in 91 of Miscellaneous Records at Page 582, the Trustee and Developer submitted certain real estate to the provision of the Illinois Condominium Act; and

WHEREAS, the Declaration reserves to the Trustee and Developer the right to amend the Declaration, Exhibit "B", by setting forth the amended percentages of the undivided interest in the common elements allocated to each unit as additional units are added to said Condominium development; and to amend Exhibit "D" showing Unit Details as additional units are added; and

WHEREAS, Units 37, 38, 39 and 40 have now been constructed and are shown in Amended Exhibit "D".

NOW, THEREFORE, the Trustee and Developer does hereby amend First Amended Exhibit "B" of said Declaration and Second Amended Exhibit "B" of said Declaration and Exhibit "D" of said Declaration as follows:

1. Exhibit "B" of the Declaration is hereby amended by substituting therefor the "Third Amended Exhibit "B" which is attached hereto and made a part hereof. The percentage of ownership in the common elements appurtenant to each Unit is thereby shifted to the percentages set forth in the "Third Amended Exhibit B" which is attached hereto.

2. Exhibit "D" of the Declaration and amended Exhibit "D" of the Declaration are hereby amended by adding thereto the Second Amended Exhibit "D" which is attached hereto and made a part hereof. Second Amended Exhibit "D" shows unit details for Units 37, 38, 39 and 40. The legal description for Second Amended

Exhibit "D" is as follows:

A part of the East 16.25 acres of the West 26.25 acres of the North 42.5 acres of the Northeast Quarter of Section 25 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:

Commencing at a point on the North line of said Northeast Quarter, which point is a record North $89^{\circ}00'$ East 850.80 feet from the Northwest corner of said Northeast Quarter, said point also being the Northeast corner of Steinkamp Subdivision as shown by the plat of said subdivision recorded in Book 7 of Plats at Page 12 in the Office of the Recorder of Deeds of Adams County, Illinois, thence from said point South $00^{\circ}07'$ West along the east line of said Steinkamp Subdivision 33 feet measured as South $00^{\circ}14'47''$ West 33 feet, said point being a point on the south right-of-way of Kochs Lane and the northeast corner of Lot 1 of said Steinkamp Subdivision, thence North $88^{\circ}58'25''$ East along said south right-of-way line 614.58 feet to the Northwest corner of Lot 2 of Cedardale Subdivision, thence a record south $00^{\circ}12'$ West measured as South $00^{\circ}05'28''$ West a distance of 224.83 feet to the true point of beginning, thence from said true point of beginning continuing South $00^{\circ}05'28''$ West a distance of 34.98 feet, thence South $41^{\circ}34'07''$ West 200.55 feet, thence following a circular arc to the left having a central angle of $26^{\circ}48'25''$ and a radius of 90.00 feet a chord distance of 41.73 feet, thence following a circular arc to the right having a central angle of $31^{\circ}30'37''$ and a radius of 20.00 feet a chord distance of 10.86 feet, thence North $40^{\circ}54'19''$ West 82.74 feet, thence following a circular arc to the right having a central angle of $30^{\circ}37'19''$ and a radius of 30.00 feet a chord distance of 15.84 feet, thence following a circular arc to the left having a central angle of $11^{\circ}40'45''$ and a radius of 125.00 feet a chord distance of 25.44 feet, thence following a circular arc to the right having a central angle of $82^{\circ}10'59''$ and a radius of 20 feet a chord distance of 26.29 feet, thence North $60^{\circ}13'14''$ East a distance of 22.67 feet, thence following a circular arc to the right having a central angle of $48^{\circ}11'14''$ and a radius of 25.00 feet a chord distance of 20.41 feet, thence following a circular arc to the left having a central angle of $96^{\circ}09'50''$ and a radius of 50.00 feet a chord distance of 74.40 feet, thence South $89^{\circ}29'45''$ East 129.29 feet to the true point of beginning, containing 0.65 acres.

THIRD AMENDED EXHIBIT "B"

<u>Unit</u>	<u>Percentage of Ownership</u> <u>Interest in the</u> <u>Common Elements</u>
1	1/16th Interest
2	1/16th Interest
3	1/16th Interest
4	1/16th Interest
5	1/16th Interest
6	1/16th Interest
7	1/16th Interest
8	1/16th Interest
9	1/16th Interest
10	1/16th Interest
11	1/16th Interest
12	1/16th Interest
37	1/16th Interest
38	1/16th Interest
39	1/16th Interest
40	1/16th Interest

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