

This document prepared by and mail to:

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Will County Recorder Page 1 of 12

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**THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP
AND EASEMENTS, RESTRICTIONS AND COVENANTS FOR
BROOKSIDE EAST OF TINLEY PARK CONDOMINIUMS AND DECLARATION
OF BYLAWS FOR THE BROOKSIDE EAST OF TINLEY PARK
CONDOMINIUM ASSOCIATION AN ILLINOIS NOT-FOR-PROFIT
CORPORATION**

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OWNERSHIP AND EASEMENTS, RESTRICTIONS AND COVENANTS FOR BROOKSIDE EAST OF TINLEY PARK CONDOMINIUMS AND DECLARATION OF BYLAWS FOR THE BROOKSIDE EAST OF TINLEY PARK CONDOMINIUM ASSOCIATION, AN ILLINOIS NOT-FOR-PROFIT CORPORATION is made and entered into by State Bank of Countryside, not Individually, but as Trustee under Trust Agreement dated March 13, 2000 and known as Trust Number 00-2164 (The "Declarant")

WITNESSETH:

WHEREAS, by the Declaration of Condominium Ownership and Easements, Restrictions and Covenants for BROOKSIDE EAST OF TINLEY PARK and Declaration of Bylaws for BROOKSIDE EAST OF TINLEY PARK CONDOMINIUM ASSOCIATION, AN ILLINOIS NOT-FOR-PROFIT CORPORATION ("Declaration") recorded in the Office of the Recorder of Deeds of Will County, Illinois, as Document No.R2005202322, State Bank of Countryside, not Individually, but as Trustee under Trust Agreement dated March 13, 2000 and known as Trust Number 00-2164 submitted certain real estate (the "Property") to the provisions of the Declaration of said Condominium development being known as BROOKSIDE EAST OF TINLEY PARK CONDOMINIUM ASSOCIATION (the "Condominiums"); and

WHEREAS, BY ARTICLE XII of the Declaration the right is reserved in the Declarant, State Bank of Countryside, not Individually, but as Trustee under Trust Agreement dated March 13, 2000 and known as Trust Number 00-2164, and the Developer, Blackwater Development Co., respectively to annex and to add certain real property to the Property described in the Declaration and thereby add to the Condominiums; and

WHEREAS, there has been two previous amendments to the original Declaration recorded as Document No. R2005202322 and said amendments being recorded as Document Numbers R2005225682 and R2006117307, respectively, covering the following described real estate:

ORIGINAL:

LOT 13 & LOT C, IN BROOKSIDE PLACE PHASE THREE, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. R2004144789 IN WILL COUNTY, ILLINOIS.

PIN: 19-09-12-100-013-0000 (PIQ & OP)
P/A: 7710 GREENWAY BOULEVARD, TINLEY PARK, IL

FIRST AMENDMENT:

LOT 10 IN BROOKSIDE PLACE PHASE THREE, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. R2004144789 IN WILL COUNTY, ILLINOIS.

PIN: 19-09-12-100-013-0000 (PIQ & OP)
P/A: 7722 GREENWAY BOULEVARD, TINLEY PARK, IL

SECOND AMENDMENT:

LOT 12 IN BROOKSIDE PLACE PHASE THREE, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. R2004144789 IN WILL COUNTY, ILLINOIS.

PIN: 19-09-12-100-013-0000 (PIQ & OP)
P/A: 7716 GREENWAY BOULEVARD, TINLEY PARK, IL

WHEREAS, State Bank of Countryside, not Individually, but as Trustee under Trust Agreement dated March 13, 2000 and known as Trust Number 00-2164, as the legal title holder of the Property to be annexed and Blackwater Development Co. as the Developer wishes to so annex and add to said Property and thereby submit to the Declaration as a part of the Condominiums the following real property (the "Additional Property").

LOT 11 IN BROOKSIDE PLACE PHASE THREE, BEING A SUBDIVISION OF PART OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NO. R2004144789 IN WILL COUNTY, ILLINOIS.

PIN: 19-09-12-100-013-0000 (PIQ & OP)
P/A: 7728 GREENWAY BOULEVARD, TINLEY PARK, IL

which property is described in Exhibit "C" to the said Declaration as Additional Property; and

WHEREAS, the Additional Property is now improved with one (1) building, containing sixteen (16) condominium units and making a total of sixteen (16) additional units as defined in the Declaration.

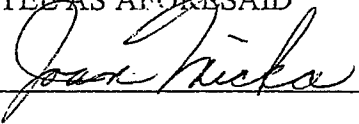
NOW THEREFORE, State Bank of Countryside, not Individually, but as Trustee under Trust Agreement dated March 13, 2000 and known as Trust Number 00-2164, for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows:

1. The Additional Property is hereby annexed to the Parcel and Property as defined in the Declaration and Declarant hereby declares that the additional property shall be held, sold and conveyed subject to the party wall rights, covenants, conditions, easements and restrictions contained in the Declaration all of which shall run with the land and be binding on all parties having or acquiring any right, title or interest therein or any part thereof, and shall insure to the benefit of each Owner thereof.
2. The Plat attached to the Declaration as Exhibit "A" showing the boundaries of the Property and delineating and describing the Units contained therein, is hereby amended and supplemented by the addition of one (1) page attached hereto showing the boundaries of the annexed Property and describing the additional units contained in said annexed Property.
3. The Second Amended Exhibit "B" is deleted and The Third Amended Exhibit "B" is hereby incorporated into the Declaration.
4. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms.

Trustee Exculpation. It is expressly understood and agreed, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings and agreements of said Declarant are nevertheless, each and every one of them, made and intended not as personal representations, covenants, undertakings and agreements by the Declarant personally, but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Declarant not in its own right, but solely in the exercise of the powers conferred upon it as Trustee, as aforesaid, and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against STATE BANK OF COUNTRYSIDE or any of the beneficiaries under the Trust Agreement, on account of this instrument or on account of any representation, covenant, undertaking or agreement of said Declarant in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released. It is understood and agreed by the parties hereto, anything to the contrary notwithstanding, that the Declarant will act only on the direction of the beneficiaries.

Signed as of the day and year first above written.

STATE BANK OF COUNTRYSIDE,
NOT INDIVIDUALLY, BUT AS
TRUSTEE AS AFORESAID

BY: 

NAME: Joan Kiska

TITLE: _____

ATTEST:

BY: 

STATE BANK OF COUNTRYSIDE


CONSENT OF MORTGAGEE

STATE BANK OF COUNTRYSIDE holder of mortgages on the property dated August 6, 2002 and recorded August 21, 2002 as Document No. R2002-135457 and modified by document recorded September 22, 2004 as Document No. R2004-175165, hereby consents to the execution and recording of the within Amendment to the Declaration of Condominium Ownership and Easements, Restrictions, and Covenants for Condominiums and Declaration of Bylaws for the Brookside East of Tinley Park Condominium Association, an Illinois Not-for-Profit Corporation and agrees that said mortgages are subject to the provisions of said Declaration as amended.

IN WITNESS WHEREOF, the said STATE BANK OF COUNTRYSIDE has caused this instrument to be signed by its duly authorized officers on its behalf, all done at Countryside, Illinois on this 31 day of July, 2006.

BY: 

ATTEST:



THIRD AMENDED EXHIBIT "B"

<u>UNIT NUMBER</u>	<u>COMMON ELEMENTS</u>
7710-1-NE	1.562
7710-1-NW	1.562
7710-1-SE	1.562
7710-1-SW	1.562
7710-2-NE	1.562
7710-2-NW	1.562
7710-2-SE	1.562
7710-2-SW	1.562
7710-3-NE	1.562
7710-3-NW	1.562
7710-3-SE	1.562
7710-3-SW	1.562
7710-4-NE	1.562
7710-4-NW	1.562
7710-4-SE	1.562
7710-4-SW	1.562
7722-1-NE	1.562
7722-1-NW	1.562
7722-1-SE	1.562
7722-1-SW	1.562
7722-2-NE	1.562
7722-2-NW	1.562
7722-2-SE	1.562
7722-2-SW	1.562
7722-3-NE	1.562
7722-3-NW	1.562
7722-3-SE	1.562
7722-3-SW	1.562
7722-4-NE	1.562
7722-4-NW	1.562
7722-4-SE	1.562
7722-4-SW	1.562

UNIT NUMBER

COMMON ELEMENTS

7716-1-NE	1.563
7716-1-NW	1.563
7716-1-SE	1.563
7716-1-SW	1.563
7716-2-NE	1.563
7716-2-NW	1.563
7716-2-SE	1.563
7716-2-SW	1.563
7716-3-NE	1.563
7716-3-NW	1.563
7716-3-SE	1.563
7716-3-SW	1.563
7716-4-NE	1.563
7716-4-NW	1.563
7716-4-SE	1.563
7716-4-SW	1.563
7728-1-NE	1.563
7728-1-NW	1.563
7728-1-SE	1.563
7728-1-SW	1.563
7728-2-NE	1.563
7728-2-NW	1.563
7728-2-SE	1.563
7728-2-SW	1.563
7728-3-NE	1.563
7728-3-NW	1.563
7728-3-SE	1.563
7728-3-SW	1.563
7728-4-NE	1.563
7728-4-NW	1.563
7728-4-SE	1.563
7728-4-SW	1.563

100.00000%