


①

This document prepared by
(and after recording, return to):
W. Roger Carlson, Jr.
Toussaint & Carlson, Ltd.
2500 S. Highland Ave., Suite 360
Lombard, Illinois 60148
Tel: (630) 928-0040


Image# 044318800008 Type: CNA
Recorded: 02/13/2009 at 07:58:32 AM
Receipt#: 2009-00006991
Total Amt: \$42.00 Page 1 of 8
IL Rental Housing Fund: \$10.00
Lake County IL Recorder
Mary Ellen Vanderveer Recorder
File 6435952 **COPY**

Permanent Tax Index Number:
11-18-104-038 (underlying)
11-18-104-041 (underlying)

Property Address:
For informational purposes only:
900 Technology Way, Libertyville, Illinois

155551
290009487
745551
2

(Space above line reserved for recording information.)

FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
OF
LIBERTYVILLE OFFICE CONDOMINIUMS

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM ("First Amendment") is made and entered into this 3rd day of February, 2009, by LIBERTYVILLE OFFICE INVESTORS, LLC, an Arizona limited liability company ("Declarant").

WITNESSETH:

WHEREAS, that certain Declaration of Condominium of Libertyville Office Condominiums, dated June 15, 2007 was prepared and recorded with Lake County on June 25, 2007 as document number 6202023 (the "Declaration"), for the property located at 900 Technology Way, Libertyville, Illinois, legally described on Exhibit A thereto ("Property"); and

WHEREAS, Section 16 of the Declaration provides for amendments thereto under the circumstances therein stated and Section 31 of the Illinois Condominium Property Act (the "Act") allows for the subdivision of the condominium Units; and

WHEREAS, Declarant has prepared this First Amendment in order to add a newly created unit 220 in accordance with the Declaration and the Act; and

WHEREAS, the undersigned President of Libertyville Office Condominiums Association ("Association") has provided an affidavit attached hereto as Exhibit A; and

WHEREAS, Declarant hereby declares that the real property described above is, and shall be held, transferred, sold and conveyed subject to the covenants, conditions and restrictions set forth in the Declaration, and this First Amendment thereto, all of which shall be binding on all parties having or acquiring any right, title and interest therein and shall inure to the benefit of each owner thereof.

NOW, THEREFORE, Declarant declares as follows:

1. **Definitions.** All of the defined terms set forth herein shall have the same meaning as set forth in the Declaration, unless specifically stated to the contrary herein, or if the context clearly requires a different construction or meaning.
2. **Exhibit B.** Exhibit B of the Declaration is amended to read as provided on Exhibit B attached hereto.
3. **Exhibit C.** Exhibit C of the Declaration is amended to read as provided on Exhibit C attached hereto.
4. **Exhibit D.** Exhibit D of the Declaration is amended to read as provided on Exhibit D attached hereto.
5. **Ratification.** The Declaration, as modified by this First Amendment, remains in full force and effect and is hereby ratified and confirmed.

IN WITNESS WHEREOF, the undersigned president of the Association has caused this First Amendment to be executed on the day and year first above written.

LIBERTYVILLE OFFICE CONDOMINIUMS ASSOCIATION

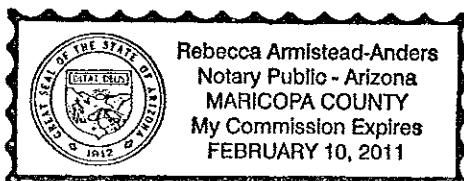
By: [Signature]
Jonathon Vento, President

State of ARIZONA)
County of MARICOPA) ss.

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that Jonathon Vento, 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 and delivered the said instrument as his free and voluntary act, and as the free and voluntary act of the president of the Libertyville Office Condominiums Association, an Illinois not-for-profit corporation, and as such president, and authorized officer of the Board of said not-for-profit corporation, for the uses and purposes therein set forth; and on his oath stated that he is duly authorized to execute said instrument.

GIVEN under my hand and notarial seal this 3RD day of FEBRUARY, 2008.

[Signature]
Notary Public



CONSENT OF MORTGAGE HOLDER

UNION NATIONAL BANK, an Illinois banking corporation, holder of a Mortgage on the Parcel dated April 19, 2006, recorded May 3, 2006, as document 5986906; and a Construction Mortgage dated June 15, 2007, recorded July 24, 2007, as document 6216889; hereby consents to the execution and recording of the within First Amendment to the Declaration of Condominium and agrees that said Mortgage is subject thereto and to the provisions of the Condominium Property Act of the State of Illinois.

IN WITNESS WHEREOF, UNION NATIONAL BANK has caused this Consent of Mortgage Holder to be signed by its duly authorized officers on its behalf; all done at Elgin, Illinois, on this 3rd day of February, 2008.9

UNION NATIONAL BANK, an Illinois Banking Corporation

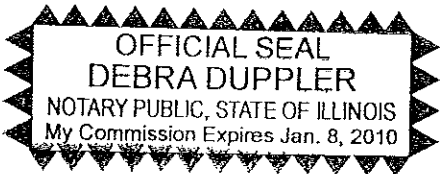
By: [Signature]
Its: Rick M. Zonts, Asst. Vice President

Attest: [Signature]
Its: JAY D. DEIHS Senior Vice President

STATE OF Illinois
COUNTY OF Kane)ss.

I, Debra Duppler, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that Rick M. Zonts and Jay D. Deihls [names], the AVP and S. V. P. [titles], respectively, of Union National Bank, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of Union National Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal the 3rd day of February 2008.9



Debra Duppler
Notary Public
My commission expires: 1-8-2010

EXHIBIT A
TO
FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM OF
LIBERTYVILLE OFFICE CONDOMINIUMS


AFFIDAVIT

The undersigned President of Libertyville Office Condominiums Association, being first duly sworn under oath, states and deposes as follows:

1. All members of the Board of Directors have approved the First Amendment to Declaration of Condominium of Libertyville Office Condominiums to which this affidavit has been made an exhibit ("First Amendment").
2. As of the date of this First Amendment, no Units have been sold.
3. Other than the mortgage holder, Union National Bank, there are no bona fide liens of Record against any Unit in Libertyville Office Condominiums Association.

AFFIANT FURTHER SAYETH NOT

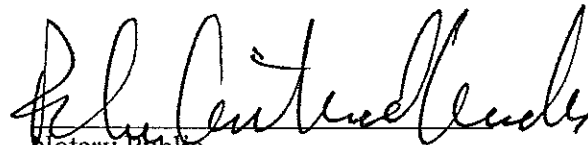
LIBERTYVILLE OFFICE CONDOMINIUMS
ASSOCIATION

By: 
Jonathon Vento, President

State of ARIZONA)
County of MARICOPA) ss.

I, the undersigned, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that Jonathon Vento, 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 and delivered the said instrument as his free and voluntary act, and as the free and voluntary act of the president of the Libertyville Office Condominiums Association, an Illinois not-for-profit corporation, and as such president, and authorized officer of the Board of said not-for-profit corporation, for the uses and purposes therein set forth; and on his oath stated that he is duly authorized to execute said instrument.

GIVEN under my hand and notarial seal this 3RD day of FEBRUARY, 2008.


Notary Public

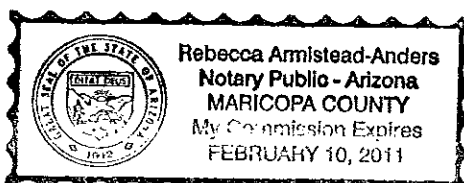


EXHIBIT B
TO
DECLARATION OF CONDOMINIUM OF
LIBERTYVILLE OFFICE CONDOMINIUMS

LEGAL DESCRIPTION OF UNITS

UNIT NUMBERS 100, 200, 220, and 300 IN LIBERTYVILLE OFFICE CONDOMINIUMS, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND: THAT PART OF LOT 5, FINAL PLAT OF PINE MEADOW CORPORATE CENTER SUBDIVISION, AND PART OF LOT H, LIBERTYVILLE BUSINESS PARK 6TH PLAT OF RESUBDIVISION, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE SOUTH 89°53'51" EAST ALONG THE NORTHERLY LINE THEREOF 439.67 FEET; THENCE SOUTH 0°00'00" EAST ALONG A LINE 409.23 FEET TO A POINT ON A SOUTHERLY LINE OF SAID LOT THAT IS 100.66 FEET WESTERLY OF A SOUTHEAST CORNER OF SAID LOT; THENCE NORTH 89°54'16" WEST 150.35 FEET ALONG SAID SOUTHERLY LINE TO AN EASTERLY LINE OF SAID LOT H; THENCE SOUTH 0°05'44" WEST ALONG SAID EASTERLY LINE 35.0 FEET TO THE EASTERLY EXTENSION OF A SOUTHERLY LINE OF SAID LOT 5; THENCE NORTH 89°54'16" WEST ALONG SAID EXTENSION AND SOUTHERLY LINE OF SAID LOT 290.0 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 0°05'44" EAST ALONG THE WESTERLY LINE OF SAID LOT 444.29 FEET TO THE POINT OF BEGINNING IN THE VILLAGE OF LIBERTYVILLE, LAKE COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "D" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 6202023, AS AMENDED FROM TIME TO TIME; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

EXHIBIT C
UNIT OWNERS' PERCENTAGE INTERESTS IN THE COMMON ELEMENTS

<u>UNIT</u>	<u>PERCENTAGE INTEREST IN COMMON ELEMENTS</u>
100 – A	15.74%
100 – B	16.06%
200	28.28%
220	6.27%
300	<u>33.65%</u>
TOTAL	100.0%

EXHIBIT D
TO
DECLARATION OF CONDOMINIUM OF
LIBERTYVILLE OFFICE CONDOMINIUMS
PLAT OF CONDOMINIUM