



\* 2 0 0 8 R 2 9 6 9 8 \*

2008R29698

08/01/2008 02:47PM

REC FEE: 61.00

REC REST FEE: 4.00

GIS FEE: 9.00

GIS REST FEE: 1.00

RHSP FEE: 10.00

TOTAL: \$88.75

PAGES: 12

DELLA

MARY ANN LAMM

SANGAMON COUNTY RECORDER

**SECOND AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP OF  
NORTHPOINTE COMMONS CONDOMINIUMS, PHASE 1  
BEING  
NORTHPOINTE COMMONS CONDOMINIUMS, PHASE 3**

This Second Amendment to Declaration of Condominium Ownership is made and entered into as of the 31st day of July, 2008, by **BRADY NORTHPOINTE, LLC**, an Illinois Limited Liability Company, ("Developer"),

WHEREAS, by a Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Sangamon County, Illinois, on February 7, 2007, as Document No. 2007R04543, ("the Declaration"), Developer submitted certain real estate to the provisions of the Illinois Condominium Property Act, ("the Act"), which said condominium is known as Northpointe Commons Condominium, Phase 1, ("the Condominium"); and

WHEREAS, the Declaration reserves to Developer the right to annex and add to the Parcel and Property, as defined in the Declaration, and thereby annex and add to the Condominium created by the Declaration, all or any portion of the additional land as described in Article 25 of the Declaration; and

WHEREAS, the Developer annexed and added to said Parcel and Property an additional part of Lot 1 in Northpointe Subdivision Plat Number 1 by First Amendment to Declaration of Condominium Ownership of Northpointe Commons Condominium, Phase 1 being Northpointe Commons Condominium, Phase 2, which said document was recorded on July 3, 2007, in the Recorder's Office of Sangamon County, Illinois as Document Number 2007R24526; and

WHEREAS, the Developer now desires to so annex and add to said Parcel and Property, and to submit to the provisions of the Act and the Declaration, certain additional real estate described as follows, to-wit:

Part of Lot 1 in Northpointe Subdivision Plat Number 1 as recorded in the Office of the Sangamon County Recorder of Deeds; described more particularly as follows:

Commencing at an iron pipe marking the Northeast corner of the aforementioned Lot 1, thence South 89 degrees 26 minutes 11 seconds West along the North line of Lot 1 a distance of 220.15 feet, thence South 00 degrees 42 minutes 10 seconds East a distance of 90.63 feet, thence North 89 degrees 17 minutes 50 seconds East a distance of 135.11 feet, thence South 12 degrees 49 minutes 23 seconds East a distance of 143.30 feet to the true point of beginning, thence continuing South 12 degrees 49 minutes 23 seconds East a distance of 85.02 feet, thence South 77 degrees 13 minutes 02 seconds West a distance of 115.74 feet, thence North 12 degrees 52 minutes 37 seconds West a distance of 84.07 feet, thence North 76 degrees 44 minutes 55 seconds East a distance of 115.82 feet to the true point of beginning. Said parcel contains 0.225 acre, more or less, all in the County of Sangamon, State of Illinois.

Basis of bearing is South 89 degrees 26 minutes 11 seconds West along the North line of Lot 1 in Northpointe Subdivision (hereinafter, the "Additional Property"), and

Common address: 627-631 Buoy Court, Chatham, IL  
Tax Identification No.: Part of 28-01-127-001

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

1. The Additional Property is hereby annexed and added to the Parcel and Property, as defined in the Declaration, and is hereby submitted to the provisions of the Act, as part of the Condominium, in accordance with and shall be 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 adding to said *Exhibit A*, the *Exhibit A* which is attached hereto, which includes an updated plat of Lot 1 in Northpointe Subdivision, showing the location of Units 601, 603, 605 and 607 in Phase 1 of the Condominium and showing the location of Units 617, 619 and 621 in Phase 2 of the Condominium and showing the location of the Additional Property as Phase 3 on said Lot 1, and showing the location of Units 627, 629 and 631 on the Additional Property, and also showing on said *Exhibit A* a survey of Units 627, 629 and 631.

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

4. *Exhibit C* of the Declaration shall not be changed by this instrument and shall continue in full force and effect in accordance with its terms as shown on the original Declaration.

5. 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.



6. Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with all of its terms.

IN WITNESS WHEREOF, the undersigned, BRADY NORTHPOINTE, LLC, has caused this instrument to be executed by its authorized representative as of the day and year first above written.

**BRADY NORTHPOINTE, LLC, Developer**

By: Dean Graven  
Dean Graven, Its Duly Authorized Representative

STATE OF ILLINOIS  
COUNTY OF SANGAMON

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Dean Graven, an authorized representative of BRADY NORTHPOINTE, LLC, whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that, as such representative he signed and delivered the foregoing instrument as his free and voluntary act and as the free and voluntary act and deed of said Limited Liability Company, for the uses and purposes therein set forth, pursuant to the authority of its Manager.

Given under my hand and notarial seal this 31st day of July, 2008.

John Patrick Joyce Jr.  
Notary Public

Prepared by and Return to:  
BROWN, HAY & STEPHENS, LLP  
J. Patrick Joyce, Jr.  
205 South Fifth Street, Suite 700  
P.O. Box 2459  
Springfield, IL 62705-2459  
(217) 544-8491



**AFFIDAVIT FOR PURPOSE OF PLAT ACT AND TRACT SURVEY REQUIREMENTS**  
**Relevant Zoning and Subdivision Ordinances Will Also Apply**

STATE OF ILLINOIS  
COUNTY OF SANGAMON

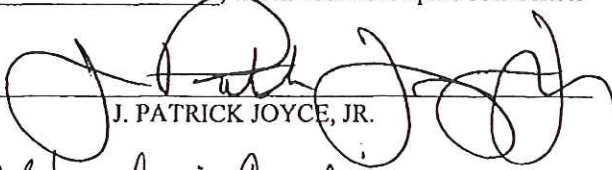

July 31, 2008

Affiant is a resident of Springfield, Illinois and is attorney for the Grantor in an Amendment to Condo Declaration bearing the above date affecting an interest in the real estate described in the accompanying document. Affiant further states this transfer is exempt from the Illinois Plat Act because it is:

- a. NOT A DIVISION OF LAND:
  - 1. Conveyance of entire parcel as described in current tax records;
  - 2. Conveyance of a parcel resulting from a division contained in a document recorded prior to November 1, 1987. Indicate recording date and Document No .
  
- b. A division or subdivision of land into tracts of five acres or more in size which does not involve any new streets or easements of access;
- \*\*  1. Division by metes and bounds description;
- 2. Fractional Parts Division;
  
- c. A division of lots or blocks in any approved and recorded subdivision which does not involve any new streets or easements of access;
- \*\*  1. Division is being done to create a new building site;
- 2. Division is being done to add land to a contiguous lot and no drainage or utility easements are affected;
  
- \*\*  d. A sale or exchange of land between owners of adjoining and contiguous land, provided a new building site is not being created;
  
- e. A conveyance of land for use as a right of way for railroad or other public utilities which does not involve any new streets or easements of access;
  
- f. A conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
  
- g. A conveyance of land for highway or other public purposes and grants relating to the dedication or vacation of land for public use;
  
- h. A conveyance made to correct descriptions in prior conveyances;
  
- \*\*  i. A conveyance of land resulting from the one-time division of a parcel which is less than five acres and existed on July 17, 1959, and which does not involve any new streets or easements of access;
  
- \*\*  j. A conveyance of land less than five acres resulting from the one-time division of a parcel greater than five acres which existed on October 1, 1973, and which does not involve any new streets or easements of access.
  
- k. A division of land to allow fee simple sale of a duplex. Indicate PUD name and zoning ordinance allowing this division:

X PLAT OFFICER of the Village of Chatham approval is: required and attached; or  
\_\_\_\_\_ Not required because the parcel is located wholly within the municipal limits of  
\_\_\_\_\_ which does not require Plat Officer  
review.

FURTHER AFFIANT SAYETH NOT.

  
\_\_\_\_\_  
J. PATRICK JOYCE, JR.  
  
\_\_\_\_\_  
Vicki Collins

Notary Public

SUBSCRIBED AND SWORN TO before me  
this 31st day of July, 2008



**EXHIBIT B**

<u>UNIT NO.</u>	<u>PERCENTAGE INTEREST IN THE COMMON ELEMENTS</u>
601	10.0%
603	10.0%
605	10.0%
607	10.0%
617	10.0%
619	10.0%
621	10.0%
627	10.0%
629	10.0%
631	<u>10.0%</u>
	100.0%

# NOTICE

DOCUMENT# 2008R29698

DESCRIPTION: Condominium Survey-  
Phase 3. Part. Lot 1 Northpointe  
Sub Plat 1

DATE: 8 - 1 - 2008

CABINET: H - 166B

TWP- Chatham



**CONDOMINIUM SURVEY**

**LEGAL DESCRIPTION - PHASE 3**

CLIENT: BRADY HOMES  
FIELD WORK COMPLETED: 03/03/08  
VILLAGE OF CHATHAM

TWP. 043N

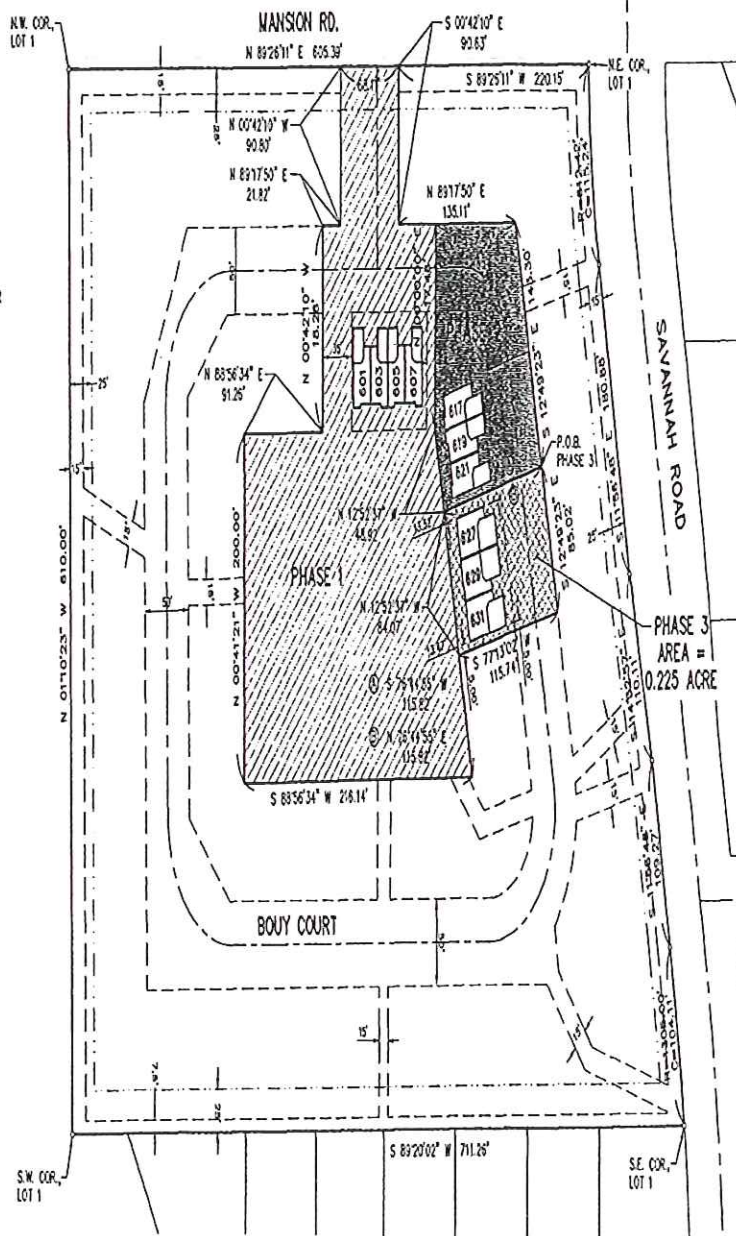
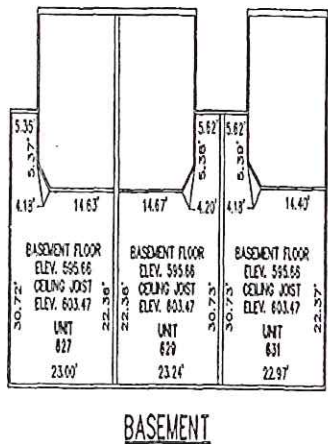
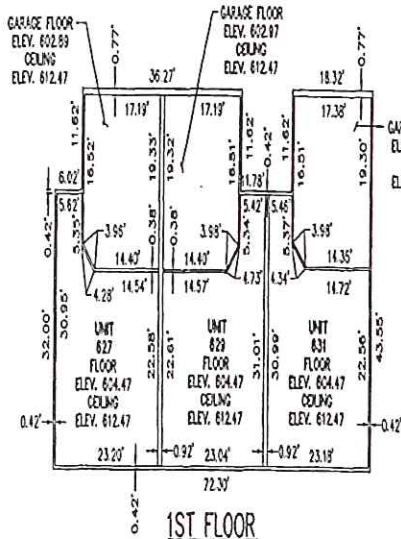
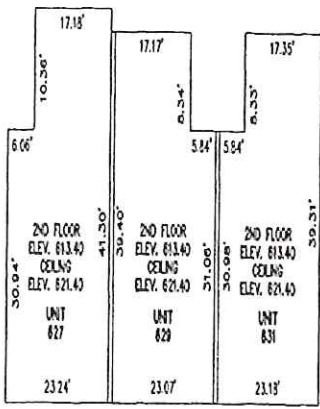
**NOTES:**

VERTICAL PLANES ARE MEASURED TO THE INTERIOR SURFACES OF THE VERTICAL WALL, THIS BEING THE FINISHED INTERIOR SURFACES OF THE PERIMETER WALLS AND LATERAL EXTENSIONS THEREOF. HORIZONTAL PLANES ARE MEASURED TO THE FINISHED CEILING SURFACES AND TOP OF THE SUB-FLOORS.

ALL ELEVATIONS SHOWN ARE REFERENCED TO THE WEST CAP BEAM ON THE FIRE HYDRANT AT THE NORTH-EAST CORNER OF PHASE 3. ELEV. = 802.88 (1988 DATUM)

PART OF LOT 1 IN NORTHPOINTE SUBDIVISION PLAT NUMBER 1 AS RECORDED IN THE OFFICE OF THE SANGAMON COUNTY RECORDER OF DEEDS, DESCRIBED MORE PARTICULARLY AS FOLLOWS:  
COMMENCING AT AN IRON PIPE MARKING THE NORTH-EAST CORNER OF THE APPROXIMATE LOT 1, THENCE SOUTH 89 DEGREES 28 MINUTES 11 SECONDS WEST ALONG THE NORTH LINE OF LOT 1 A DISTANCE OF 22015 FEET, THENCE SOUTH 00 DEGREES 42 MINUTES 10 SECONDS EAST A DISTANCE OF 90.83 FEET, THENCE NORTH 89 DEGREES 17 MINUTES 50 SECONDS EAST A DISTANCE OF 135.11 FEET, THENCE SOUTH 12 DEGREES 49 MINUTES 23 SECONDS EAST A DISTANCE OF 143.30 FEET TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING SOUTH 12 DEGREES 49 MINUTES 23 SECONDS EAST A DISTANCE OF 85.02 FEET, THENCE SOUTH 77 DEGREES 13 MINUTES 02 SECONDS WEST A DISTANCE OF 115.74 FEET, THENCE NORTH 12 DEGREES 52 MINUTES 37 SECONDS WEST A DISTANCE OF 84.07 FEET, THENCE NORTH 78 DEGREES 44 MINUTES 55 SECONDS EAST A DISTANCE OF 115.82 FEET TO THE TRUE POINT OF BEGINNING. SAID PARCEL CONTAINS 0.225 ACRE, MORE OR LESS, ALL IN THE COUNTY OF SANGAMON, STATE OF ILLINOIS.

BEARS OF BEARING IS SOUTH 89 DEGREES 28 MINUTES 11 SECONDS WEST ALONG THE NORTH LINE OF LOT 1 IN NORTHPOINTE SUBDIVISION.



DATE	BY	REVISIONS
03/03/08	TONELLIATO	1
03/03/08	BISHOP	2
03/03/08	OFFICIALES	3
03/03/08	OFFICIALES	4
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03/03/08	OFFICIALES	98
03/03/08	OFFICIALES	99
03/03/08	OFFICIALES	100

No lot or survey is shown with 1/4" to 200' map scale unless shown in a separate survey. No lot or survey is shown with 1/4" to 200' map scale unless shown in a separate survey. No lot or survey is shown with 1/4" to 200' map scale unless shown in a separate survey.

**GREENE & BRADFORD, INC.**  
CONSULTING ENGINEERS  
2001 SOUTH STATE STREET, SUITE 101  
CHATTAM, ILLINOIS 62413  
PHONE: 618-242-2222 FAX: 618-242-2223  
WWW.GREENE-AND-BRADFORD.COM



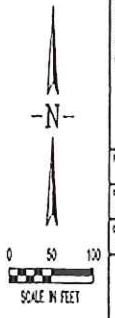
**CONDOMINIUM SURVEY**  
UNITS 827, 829 AND 831  
PHASE 3 NORTHPOINTE  
SUBDIVISION, LOT 1, PLAT NO. 1  
CHATHAM, ILLINOIS

PLAT NO.	07-226-01
REC'D	1/5/2011
SCALE	1" = 50'
DATE	07/28/2008
BY	1
OF	1 SHEETS

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
*Richard J. ...*  
ILLINOIS PROFESSIONAL LAND SURVEYOR # 2590  
1-5-08  
DATE SIGNED



- LEGEND**
- IRON PIPE
  - EASEMENTS
  - (IMPASS, EGRESS, DRAINAGE & UTILITY)
  - SETBACK LINE





\* 2 0 1 0 R 1 1 2 1 2 \*

2010R11212

04/12/2010 03:25PM

REC FEE: 71.00

RHSP FEE: 10.00

TOTAL: \$81.00

PAGES: 6

CHRISTINE

JOSHUA A. LANGFELDER  
SANGAMON COUNTY RECORDER

**THIRD AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP OF  
NORTHPOINTE COMMONS CONDOMINIUMS, PHASE 1 BEING  
NORTHPOINTE COMMONS CONDOMINIUMS, PHASE 4**

This Third Amendment to Declaration of Condominium Ownership is made and entered into as of the 9<sup>th</sup> day of April, 2010, by **BRADY NORTHPOINTE, LLC**, an Illinois Limited Liability Company, ("Developer"),

WHEREAS, by a Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Sangamon County, Illinois, on February 7, 2007, as Document No. 2007R04543, ("the Declaration"), Developer submitted certain real estate to the provisions of the Illinois Condominium Property Act, ("the Act"), which said condominium is known as Northpointe Commons Condominium, Phase 1, ("the Condominium"); and

WHEREAS, the Declaration reserves to Developer the right to annex and add to the Parcel and Property, as defined in the Declaration, and thereby annex and add to the Condominium created by the Declaration, all or any portion of the additional land as described in Article 25 of the Declaration; and

WHEREAS, the Developer annexed and added to said Parcel and Property an additional part of Lot 1 in Northpointe Subdivision Plat Number 1 by First Amendment to Declaration of Condominium Ownership of Northpointe Commons Condominium, Phase 1 being Northpointe Commons Condominium, Phase 2, which said document was recorded on July 3, 2007, in the Recorder's Office of Sangamon County, Illinois as Document Number 2007R24526; and

WHEREAS, the Developer annexed and added to said Parcel and Property an additional part 1 of Lot 1 in Northpointe Subdivision Plat Number 1 by Second Amendment to Declaration of Condominium Ownership of Northpointe Commons Condominium, Phase 1 being Northpointe Commons Condominium, Phase 3, which said document was recorded on August 1, 2008, in the Recorder's Office of Sangamon County, Illinois as Document Number 2008R29698; and

WHEREAS, the Developer now desires to so annex and add to said Parcel and Property, and to submit to the provisions of the Act and the Declaration, certain additional real estate described as follows, to-wit:



PART OF LOT 1 NORTHPOINTE SUBDIVISION PLAT NUMBER 1 AS RECORDED IN THE OFFICE OF THE SANGAMON COUNTY RECORDER OF DEEDS; DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE AFOREMENTIONED LOT 1, THENCE SOUTH 89 DEGREES 26 MINUTES 11 SECONDS WEST ALONG THE NORTH LINE OF LOT 1 A DISTANCE OF 220.15 FEET, THENCE SOUTH 00 DEGREES 42 MINUTES 10 SECONDS EAST 90.63 FEET, THENCE NORTH 89 DEGREES 17 MINUTES 50 SECONDS EAST 135.11 FEET, THENCE SOUTH 12 DEGREES 49 MINUTES 23 SECONDS EAST 228.32 FEET TO THE TRUE POINT OF BEGINNING, THENCE CONTINUING SOUTH 12 DEGREES 49 MINUTES 23 SECONDS EAST A DISTANCE OF 93.84 TO A POINT MARKING THE BEGINNING OF A 100.00 FOOT RADIUS TANGENT CURVE TO THE RIGHT, THENCE SOUTHWESTERLY 20.60 FEET ALONG SAID CURVE HAVING A LONG CHORD THAT BEARS SOUTH 06 DEGREES 55 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 20.56, THENCE NORTH 78 DEGREES 03 MINUTES 16 SECONDS EAST 92.01 FEET TO THE POINT ON THE EAST LINE OF LOT 1, THENCE SOUTH 11 DEGREES 56 MINUTES 48 SECONDS EAST ALONG SAID EAST LINE A DISTANCE OF 100.48 FEET TO AN IRON PIPE MARKING THE BEGINNING OF A 1305.00 FOOT RADIUS CURVE TO THE RIGHT, THENCE SOUTHEASTERLY 92.51 FEET ALONG SAID EAST LINE WITH SAID CURVE HAVING A LONG CHORD THAT BEARS SOUTH 09 DEGREES 54 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 92.49 FEET, THENCE NORTH 76 DEGREES 23 MINUTES 25 SECONDS WEST 114.13 FEET, THENCE NORTH 42 DEGREES 18 MINUTES 27 SECONDS WEST 133.73 FEET TO A POINT MARKING THE BEGINNING OF A 50.00 FOOT RADIUS, NON-TANGENT CURVE TO THE LEFT, THENCE NORTHEASTERLY 62.63 FEET ALONG SAID CURVE HAVING A LONG CHORD THAT BEARS NORTH 23 DEGREES 03 MINUTES 44 SECONDS EAST FOR A DISTANCE OF 58.61 FEET, THENCE NORTH 12 DEGREES 49 MINUTES 23 SECONDS WEST 93.88 FEET, THENCE NORTH 77 DEGREES 13 MINUTES 02 SECONDS EAST 50.00 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 0.662 ACRES MORE OR LESS, ALL IN THE COUNTY OF SANGAMON, STATE OF ILLINOIS. BASIS OF BEARING IS SOUTH 89 DEGREES 26 MINUTES 11 SECONDS WEST ALONG THE NORTH LINE OF LOT 1.

Common address: 640 - 642 Buoy Court, Chatham, IL  
Tax Identification No.: Part of 28-01-127-026

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

1. The Additional Property is hereby annexed and added to the Parcel and Property, as defined in the Declaration, and is hereby submitted to the provisions of the Act, as part of the

Condominium, in accordance with and shall be 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 adding to said *Exhibit A*, the *Exhibit A* which is attached hereto, which includes an updated plat of Lot 1 in Northpointe Subdivision, showing the location of Units 601, 603, 605 and 607 in Phase 1 of the Condominium showing the location of Units 617, 619 and 621 in Phase 2 of the Condominium, showing the location of Units 627, 629, and 631 in Phase 3 of the Condominium, and showing the location of the additional property as Phase 4 on said Lot 1, and showing the location of Units 640 and 642 on the additional property and also showing on said *Exhibit A* a survey of Units 640 and 642.

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

4. *Exhibit C* of the Declaration shall not be changed by this instrument and shall continue in full force and effect in accordance with its terms as shown on the original Declaration.

5. 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.

6. The Owners of Units 640 and 642, in this Phase 4 and the Owners of any Units in future phases of Northpointe Commons Condominium, which Units have the rear portion of the Unit facing the periphery of the Northpointe Commons Condominium Development, shall have the right to construct a fence that shields the rear of the Property from the periphery of the Condominium Development. The Owners of interior Units in Northpointe Commons Condominium, the rear of which Units face the pond, shall not have the right to construct a fence.

Any such fence shall be erected at the cost of the Unit Owner, and shall be kept in good repair and shall be maintained by the Unit Owner, and although said fence(s) will not be shown on Condominium Survey, such fences shall be considered limited common elements. The type, location, height, appearance and composition of such fences, must be approved in advance by the Developer and/or the Condominium Association prior to the erection thereof. No such fence shall be constructed without the Unit Owner first having provided plans showing the location, composition, type, height and any other feature requested by the Developer and/or the Condominium Association, and having then obtained the approval of the Developer and/or the Condominium Association.



The area within said fence shall still be considered part of the common area of the Condominium, and the Unit Owner erecting and maintaining such fence shall not have the right to use the fenced area solely for his/her own purposes. If such a fence causes the mowing charges for the common areas, to be increased such Unit Owner shall be charged a surcharge for such excess expense. In the event that the Unit Owner served by such fence does not keep said fence in good repair and does not maintain the same, the Developer and/or the Condominium Association may make such repairs and/or furnish such maintenance at the cost of the Unit Owner or may remove such fence at the cost and expense of such Unit Owner.

In addition to approval of such a fence by the Developer and/or Condominium Association, any such fence that is erected must also comport with the Zoning Laws of the Village of Chatham.

7. Except as expressly amended hereby, the Declaration shall remain in full force and effect in accordance with all of its terms.

IN WITNESS WHEREOF, the undersigned, BRADY NORTHPOINTE, LLC, has caused this instrument to be executed by its authorized representative as of the day and year first above written.

**BRADY NORTHPOINTE, LLC, Developer**

By: Robert F. Brady  
Robert F. Brady, Its Duly Authorized Representative

STATE OF ILLINOIS  
COUNTY OF SANGAMON

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Robert F. Brady, an authorized representative of BRADY NORTHPOINTE, LLC, whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that, as such representative he signed and delivered the foregoing instrument as his free and voluntary act and as the free and voluntary act and deed of said Limited Liability Company, for the uses and purposes therein set forth, pursuant to the authority of its Manager.

Given under my hand and notarial seal this 9<sup>th</sup> day of April, 2010.

Jane M. Torrance  
Notary Public

**Prepared by and Return to:**  
BROWN, HAY & STEPHENS, LLP  
J. Patrick Joyce, Jr.  
205 South Fifth Street, Suite 700  
P.O. Box 2459  
Springfield, IL 62705-2459  
(217) 544-8491



**EXHIBIT B**

<u>UNIT NO.</u>	<u>PERCENTAGE INTEREST IN THE COMMON ELEMENTS</u>
601	7.858%
603	7.993%
605	7.858%
607	7.858%
617	8.129%
619	7.988%
621	7.988%
627	9.109%
629	9.002%
631	9.002%
640	8.755%
642	<u>8.460%</u>
	100.0%



# NOTICE

DOCUMENT# 2010R11212

DESCRIPTION: PT. L I NORTH POINTE

SUB. 01 CONDO SURVEY -

PHASE 4.

DATE: 4 - 12 - 10

CABINET: Hilda B







\* 2 0 1 0 R 1 6 9 6 1 \*

2010R16961

05/25/2010	03:54PM
REC FEE:	70.00
RHSP FEE:	10.00
TOTAL:	\$80.00
PAGES:	7

ANDREA

JOSHUA A. LANGFELDER  
SANGAMON COUNTY RECORDER

**FOURTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM OWNERSHIP OF  
NORTHPOINTE COMMONS CONDOMINIUMS, PHASE 1 BEING  
NORTHPOINTE COMMONS CONDOMINIUMS, PHASE 5**

This Fourth Amendment to Declaration of Condominium Ownership is made and entered into as of the 21 day of May, 2010, by **BRADY NORTHPOINTE, LLC**, an Illinois Limited Liability Company, ("Developer"),

WHEREAS, by a Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Sangamon County, Illinois, on February 7, 2007, as Document No. 2007R04543, ("the Declaration"), Developer submitted certain real estate to the provisions of the Illinois Condominium Property Act, ("the Act"), which said condominium is known as Northpointe Commons Condominium, Phase 1, ("the Condominium"); and

WHEREAS, the Declaration reserves to Developer the right to annex and add to the Parcel and Property, as defined in the Declaration, and thereby annex and add to the Condominium created by the Declaration, all or any portion of the additional land as described in Article 25 of the Declaration; and

WHEREAS, the Developer annexed and added to said Parcel and Property an additional part of Lot 1 in Northpointe Subdivision Plat Number 1 by First Amendment to Declaration of Condominium Ownership of Northpointe Commons Condominium, Phase 1 being Northpointe Commons Condominium, Phase 2, which said document was recorded on July 3, 2007, in the Recorder's Office of Sangamon County, Illinois as Document Number 2007R24526; and

WHEREAS, the Developer annexed and added to said Parcel and Property an additional part 1 of Lot 1 in Northpointe Subdivision Plat Number 1 by Second Amendment to Declaration of Condominium Ownership of Northpointe Commons Condominium, Phase 1 being Northpointe Commons Condominium, Phase 3, which said document was recorded on August 1, 2008, in the Recorder's Office of Sangamon County, Illinois as Document Number 2008R29698; and

WHEREAS, the Developer annexed and added to said Parcel and Property an additional part of Lot 1 in Northpointe Subdivision Plat Number 1 by Third Amendment to Declaration of Condominium Ownership of Northpointe Commons Condominium, Phase 1 being Northpointe Commons Condominium, Phase 4, which said document was recorded on April 12, 2010, in the Recorder's Office of Sangamon County, Illinois as Document Number 2010R11212; and

WHEREAS, the Developer now desires to so annex and add to said Parcel and Property, and to submit to the provisions of the Act and the Declaration, certain additional real estate described as follows, to-wit:

Part of Lot 1 Northpointe Subdivision Plat Number 1 as recorded in the Office of the Sangamon County Recorder of Deeds; described more particularly as follows:

Commencing at the Northeast corner of the aforementioned Lot 1, thence South 89 degrees 26 minutes 11 seconds, West along the North line of Lot 1 a distance of 220.15 feet, thence South 00 degrees 42 minutes 10 seconds East 90.63 feet, thence North 89 degrees 17 minutes 50 seconds East 135.11 feet, thence South 12 degrees 49 minutes 23 seconds East 228.32 feet, thence South 77 degrees 13 minutes 02 seconds West 50.00 feet to the true point of beginning, thence South 12 degrees 49 minutes 23 seconds East 93.88 feet to the beginning of a 50.00 foot radius, tangent curve to the right, thence Southeasterly 8.16 feet along said curve having a long chord that bears South 08 degrees 08 minutes 37 seconds East for a distance of 8.15 feet, thence South 77 degrees 13 minutes 02 seconds West 64.98 feet, thence North 12 degrees 52 minutes 37 seconds West 102.00 feet, thence North 77 degrees 13 minutes 02 seconds East 65.74 feet to the true point of beginning. Said parcel contains 0.154 acres, more or less, all in the County of Sangamon, State of Illinois.

Basis of bearing is South 89 degrees 26 minutes 11 seconds West along the North line of Lot 1.

Common address: 633-635 Buoy Court, Chatham, Illinois  
Tax Identification No.: Part of 28-01.0-127-026

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

1. The Additional Property is hereby annexed and added to the Parcel and Property, as defined in the Declaration, and is hereby submitted to the provisions of the Act, as part of the Condominium, in accordance with and shall be 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 adding to said *Exhibit A*, the *Exhibit A* which is attached hereto, which includes an updated plat of Lot 1 in Northpointe Subdivision, showing the location of Units 601, 603, 605 and 607 in Phase 1 of the Condominium, showing the location of Units 617, 619 and 621 in Phase 2 of the Condominium, showing the location of Units 627, 629, and 631 in Phase 3 of the Condominium, showing the location of Units 640 and 642 in Phase 4 of the Condominium and showing the location of the additional property as Phase 5 on said Lot 1, and showing the location of Units 633 and 635 on the additional property and also showing on said *Exhibit A* a survey of Units 633 and 635.

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

4. *Exhibit C* of the Declaration shall not be changed by this instrument and shall continue in full force and effect in accordance with its terms as shown on the original Declaration.

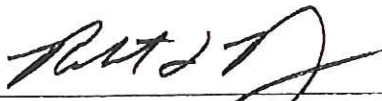
5. The additional Common Elements annexed by this instrument are hereby granted and conveyed to the grantees of all Units, including the grantees of Units heretofore conveyed, all as set forth in the Declaration.

6. Except as expressly amended hereby, the Declaration as previously amended shall remain in full force and effect in accordance with all of its terms.

IN WITNESS WHEREOF, the undersigned, BRADY NORTHPOINTE, LLC, has caused this instrument to be executed by its authorized representative as of the day and year first above written.

BRADY NORTHPOINTE, LLC, Developer

By:

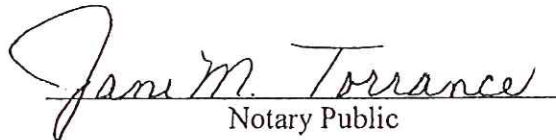
  
\_\_\_\_\_

Robert F. Brady, Its Duly Authorized Representative

STATE OF ILLINOIS  
COUNTY OF SANGAMON

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Robert F. Brady, an authorized representative of BRADY NORTHPOINTE, LLC, whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that, as such representative he signed and delivered the foregoing instrument as his free and voluntary act and as the free and voluntary act and deed of said Limited Liability Company, for the uses and purposes therein set forth, pursuant to the authority of its Manager.

Given under my hand and notarial seal this 24<sup>th</sup> day of May, 2010.

  
Notary Public

Prepared by and Return to:  
BROWN, HAY & STEPHENS, LLP  
J. Patrick Joyce, Jr.  
205 South Fifth Street, Suite 700  
P.O. Box 2459  
Springfield, IL 62705-2459  
(217) 544-8491





EXHIBIT B

<u>UNIT NO.</u>	<u>PERCENTAGE INTEREST IN THE COMMON ELEMENTS</u>
601	6.687%
603	6.803%
605	6.687%
607	6.687%
617	6.918%
619	6.798%
621	6.798%
627	7.751%
629	7.661%
631	7.661%
633	7.450%
635	7.450%
640	7.450%
642	<u>7.199%</u>
	100.0%

