THIS INSTRUMENT PREPARED BY AND SHOULD BE RETURNED TO:

Brian Meltzer MELTZER, PURTILL & STELLE LLC 1515 East Woodfield Road Second Floor Schaumburg, Illinois 60173-5431

Image# 041317650003 Type: AMD Recorded: 04/04/2007 at 03:32:59 PM Receipt#: 2007-00015428 Total Amt: \$39.00 Page 1 of 3 IL Rental Housing Fund: \$10.00 Lake County IL Recorder Mary Ellen Vanderventer Recorder File 6163327

#### **ABOVE SPACE FOR RECORDER'S USE ONLY**

03/23/07

# SPECIAL AMENDMENT NO. 2 TO DECLARATION FOR THE MIDLANE CLUB COURTYARD HOMES

This Special Amendment is made by Lennar Chicago, Inc., an Illinois corporation, successor by merger to Concord Homes, Inc., a Delaware corporation ("Declarant").

# $\underline{R} \underline{E} \underline{C} \underline{I} \underline{T} \underline{A} \underline{L} \underline{S}$

Declarant recorded the Declaration for The Midlane Club Courtyard Homes in the Office of the Recorder of Deeds for Lake County, Illinois, on May 23, 2006, as Document No. 5997443 ("Declaration"). In Article Twelve of the Declaration, Declarant reserved the right and power to add and submit certain real estate to the Declaration by making portions of the Development Area subject to the Declaration as part of the Premises. Declarant exercised the right and power reserved in Article Twelve by recording Supplement No. 1 to Declaration for The Midlane Club Courtyard Homes, recorded with the Lake County Recorder on June 22, 2006, as Document No. 6014852. The Declaration is currently Recorded with respect to the real estate which is legally described in Exhibit A hereto.

In Article Ten of the Declaration, Declarant reserved the right and power to record a Special Amendment to, among other things, correct errors, omissions, ambiguities or inconsistencies in the Declaration or any Exhibit thereto. Declarant exercised the right and power reserved in Article Ten by Recording Special Amendment No. 1 on December 26, 2006 as Document No. 6111395. It has come to the attention of the Declarant that the legal description of the Premises, as set forth on Exhibit B to the Declaration, as supplemented, contains errors. Declarant, once again, desires to exercise the right and power reserved in Article Ten to correct these errors.

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



1. <u>Correction and Amendment of Exhibit B</u>. To reflect the correction of the legal description to the Premises, Exhibit B to the Declaration is hereby amended and restated to be set forth in the Second Amended and Restated Exhibit B to the Declaration which is attached hereto.

2. <u>Covenants to Run with Land</u>. The covenants, conditions, restrictions, and easements contained in the Declaration, as amended by this Special Amendment, shall run with and bind the Premises.

3. <u>Continuation</u>. As expressly hereby supplemented and amended, the Declaration shall continue in full force and effect in accordance with its terms.

Dated: March 2007

#### **DECLARANT:**

LENNAR CHICAGO, INC., an Illinois corporation, successor by merger to Concord Homes, Inc., a Delaware corporation

By:

Dean A. Edmeier, a Vice President

STATE OF ILLINOIS ) ) SS COUNTY OF <u>Cook</u> )

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Dean A. Edmeier, a Vice President of Lennar Chicago, Inc., an Illinois corporation, successor by merger to Concord Homes, Inc., a Delaware corporation (the "Corporation"), who is 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 said instrument as his free and voluntary act and as the free and voluntary act of the Corporation for the uses and purposes herein set forth.

GIVEN under my hand and Notarial Seal this  $27^{\circ}$  day of March, 2007.

Hanan Mun Notary Public

"OFFICIAL SEAL" Hanan Merza Notary Public, State of Illinois Commission Expires 8/30/2010

# SECOND AMENDED AND RESTATED EXHIBIT B TO DECLARATION FOR THE MIDLANE CLUB COURTYARD HOMES

### The Premises

## I. Lots

. . .

Lots 1, 2, 5 through 20, both inclusive, and 100 through 119, both inclusive, in the Greens at Midlane North Access Subdivision, being a subdivision of Part of Section 2, Township 45 North, Range 11 East of the Third Principal Meridian, in Lake County, Illinois, pursuant to the plat thereof recorded in Lake County, Illinois, on February 22, 2005, as Document No. 5737715.

### II. <u>Common Area</u>

None at this time