

NOT 08-027591

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# 043645750005 Type: CNA
Recorded: 07/31/2008 at 03:20:00 PM
Receipt#: 2008-00040419
Total Amt: \$59.00 Page 1 of 5
IL Rental Housing Fund: \$10.00
Lake County IL Recorder
Mary Ellen Vanderverter Recorder
File **6376630**

ABOVE SPACE FOR RECORDER'S USE ONLY

06/20/08

**SPECIAL AMENDMENT NO. 5 TO
DECLARATION FOR THE MIDLANE CLUB**

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

RECITALS

Declarant Recorded the Declaration for The Midlane Club on June 7, 2005 in the Office of the Recorder of Deeds for Lake County, Illinois, as Document No. 5793633 (the "Community Declaration"). The Community Declaration is currently Recorded with respect to the real estate which is legally described in Exhibit A hereto.

In Article Fifteen of the Community Declaration, Declarant reserved the right and power to annex, add and subject additional portions of the Development Area to the provisions of this Community Declaration as additional Premises by recording a supplement to this Community Declaration. In Article Thirteen of the Community Declaration, Declarant reserved the right 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 rights and powers reserved in Article Thirteen and Article Fifteen of the Community Declaration by Recording the following documents:

<u>Document</u>	<u>Recording Date</u>	<u>Recording No.</u>
Supplement No. 1	08-15-05	5837473
Supplement No. 2	08-17-05	5839097
Supplement No. 3	09-26-05	5864046
Supplement No. 4	10-11-05	5873866
Supplement No. 5	11-02-05	5888991
Supplement No. 6	11-14-05	5896466
Supplement No. 7	2-13-06	5945445
Supplement No. 8	5-10-06	5990251

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kew

<u>Document</u>	<u>Recording Date</u>	<u>Recording No.</u>
Supplement No. 9	5/23/06	5997442
Supplement No. 10	6/22/06	6014778
Supplement No. 11 and Special Amendment No. 1	12/26/06	6111394
Supplement No. 12	12/14/06	6106279
Special Amendment No. 2	4/4/07	6163326
Supplement No. 13	01/08/07	6117151
Supplement No. 14	05/25/07	6189478
Supplement No. 15	07/16/07	6213146
Supplement No. 16 and Special Amendment No. 3	10/22/07	6259140
Supplement No. 17	01/25/08	6297820
Special Amendment No. 4	03/25/08	6322700

It has come to the attention of the Declarant that there was an error in the Community Declaration when the Community Declaration was initially Recorded. Specifically, the description of the Association Maintained Pond Area contained in Section 3.02(c)(ii) of the Community Declaration was incorrect and was not consistent with the corresponding legal description of the Association Maintained Pond Area set forth in Exhibit C to the Community Declaration. Declarant once again desires to exercise the right and power reserved in Article Thirteen to correct this error.

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

1. Terms. All terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Community Declaration.

2. Amendment of Section 3.02(c)(ii). In order to correct Section 3.02(c)(ii) of the Community Declaration so that the description of the Association Maintained Pond Area contained in Section 3.02(c)(ii) is consistent with the corresponding legal description of the Association Maintained Pond Area in Exhibit C to the Community Declaration. Section 3.02(c)(ii) is hereby amended and restated, in its entirety, to be and read as follows:

“3.02(c)(ii) maintenance (including maintenance of native plantings, dredging of sediments, algae control and slope stabilization), repair and replacement of the banks of the detention area located on Lot 124.”

3. Covenants to Run with Land. The covenants, conditions, restrictions and easements contained in the Community Declaration, as amended by this Special Amendment to the Community Declaration, shall run with and bind the Premises, including the Added Premises.

4. Continuation. As expressly hereby amended, the Community Declaration shall continue in full force and effect in accordance with its terms.

Dated: June 24, 2008

DECLARANT:

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

By: Glenn V. Richmond
Glenn V. Richmond, a Vice President

STATE OF ILLINOIS)
) SS
COUNTY OF DU PAGE)

The undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Glenn V. Richmond, a Vice President of Lennar Chicago, Inc. an Illinois corporation, successor by merger to Concord Homes, Inc., a Delaware corporation (the "Corporation"), personally known to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of the Corporation for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 24th day of June, 2008.

Karen Blake
Notary Public



EXHIBIT A TO
SPECIAL AMENDMENT NO. 5 TO
DECLARATION FOR THE MIDLANE CLUB

The Premises

- A. Lots 21 through 83, both inclusive, Lot 122. Lots 146 through 153, 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 (the "Greens at Midlane Subdivision").
- B. Lots 3 and 4 in the Greens at Midlane Subdivision.
- C. Lot 144 in the Greens at Midlane Subdivision.
- D. Lot 143 in the Greens at Midlane Subdivision.
- E. Lots 140 through 142, both inclusive, in the Greens at Midlane Subdivision.
- F. Lot 123 in the Greens at Midlane Subdivision.
- G. Lot 124 in the Greens at Midlane Subdivision.
- H. Lots 138 and 139 in the Greens at Midlane Subdivision.
- I. Lots 128 and 129 in the Greens at Midlane Subdivision.
- J. Lots 125 in the Greens at Midlane Subdivision.
- K. Lots 1, 2, 5 through 20, both inclusive, and 100 through 110, both inclusive, in the Greens at Midlane Subdivision.
- L. Lots 84 through 89, both inclusive, Lots 111 through 119, both inclusive, and Lots 136 and 137 in the Greens at Midlane Subdivision.
- M. Lots 90 through 99, both inclusive, in the Greens at Midlane Subdivision.
- N. Lot 120 in the Greens at Midlane Subdivision.
- O. Lot 121 in the Greens at Midlane Subdivision.
- P. Lot 134 in the Greens at Midlane Subdivision.
- Q. Lot 135 in the Greens at Midlane Subdivision.

R. Outlot "F" (excepting the North 215.00 feet and also excepting the West 50.00 feet thereof) in The Links at Midlane Subdivision, being a subdivision of parts of the Northwest Quarter of Section 2, all in Township 45 North, Range 11 East of the Third Principal Meridian, in Lake County, Illinois.

S. Lot 145 in the Greens at Midlane Subdivision.

PIN: 07-02-200-003

ADDRESS: Various addresses south of Yorkhouse Road, Waukegan, Illinois.