

FILED FOR RECORD
KANE COUNTY, ILL.

95K063037

95 OCT 20 PM 3:30

Lynnda M. Reivick
RECORDER

FIRST ANNEXATION
AND AMENDMENT TO
DECLARATION OF
COVENANTS AND
RESTRICTIONS

1134 0977

DECLARATION, made this 20th day of October 1995
by SUBURBAN BANK OF BARRINGTON, as Trustee under Trust Number 1016,
dated April 9, 1993, (hereinafter referred to as TRUSTEE OR
DECLARANT).

WITNESSETH:

WHEREAS, the Declarant is the record owner of real property
described in Exhibit A attached hereto and made part hereof, in the
Village of Carpentersville, Kane County, Illinois (hereinafter
referred to as the Premises), described as follows:

Lots 31 through 57 inclusive, in Springacres
Hills Unit 2, a Subdivision of part of the
South Half of Section 16, Township 42 North,
Range 8, East of the Third Principal Meridian,
in the Village of Carpentersville, Kane
County, Illinois.

WHEREAS, Declarant is desirous of establishing for the mutual
benefit of all future owners of any part of the Premises certain
rights, restrictions and obligations with respect to the use,
conduct and maintenance thereof, and

WHEREAS, Declarant desires and intends that the several
owners, mortgagees, occupants and any other persons hereafter

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acquiring any interest in said Premises shall, at all times, enjoy the benefits of and shall hold their interest subject to rights, easements, privileges and restrictions, all of which are declared to be in furtherance of a plan to promote and protect the cooperative and aesthetic aspects of the Premises and is established for the purpose of enhancing and perfecting the value, desirability and attractiveness thereof, and

WHEREAS, a Declaration of Covenants and Restrictions was made by the Trustee on July 19, 1994 and recorded on July 26, 1994 as document 94 K 058701 (DECLARATION), which provides for addition of territory to be subject thereto, and

WHEREAS, the Declarant intends to annex the premises described in Exhibit A hereto to the property now subject to said DECLARATION.

NOW THEREFORE, the Declarant hereby declares as follows:

1. The foregoing recitals and the DECLARATION are incorporated herein by reference.

2. All of the property described in Exhibit A is to be held conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to the limitations, restrictions, conditions, and covenants contained in said DECLARATION, and in this document, which shall be binding upon all parties having or acquiring any right, title, or interest in the described lands or any part thereof which property is hereby submitted and annexed to the terms of the DECLARATION.

3. The DECLARATION is amended, in the following respects:

a. The following is added to Article 3:

3-3. The Association is charged with the responsibility to maintain, repair or improve all water drainage ways, retention and detention areas as defined by a Plat of Subdivision whether located on common areas or property of other Owners or association Members.

There is hereby granted to the Association an easement of ingress and egress over and upon subject individual lots for the purpose of maintaining such drainage and detention areas.

b. The following amendments and addition is made to Article 5, paragraph 5-3:

The first sentence of said paragraph is deleted.

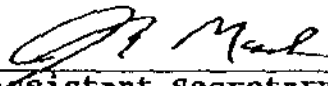
4. This Document of Annexation and Amendment is incorporated by reference into the DECLARATION. The DECLARATION and this annexation shall be governed by all subsequent documents of annexation and amendment.


5. All portions of the DECLARATION in conflict with the provisions hereof are, to the extent a conflict exists, hereby likewise amended.

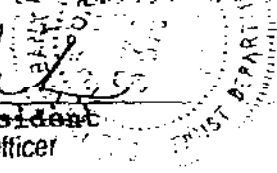
This Statement is Based Solely upon information and belief, upon information furnished by the beneficiary or beneficiaries of the aforesaid trust. The undersigned has no personal knowledge of any of the facts or statements herein contained.

SUBURBAN BANK OF BARRINGTON, ILL.
Trustee and not individually

ATTEST:


Assistant Secretary
SONIA A. SUCKOW, TRUST OFFICER

BY: 
Assistant Vice President
Mary D. Wilson, Land Trust Officer



This instrument is executed by the Suburban Bank of Barrington as Trustee under the provisions of a Trust Agreement dated April 9, 1993, and known as Trust No. 1016, not personally, but solely as Trustee aforesaid, in the exercise of the power and authority conferred upon and vested in it as such Trustee. This instrument is executed and delivered by the Trust solely in the exercise of the powers expressly conferred upon the Trustee under the Trust and upon the written direction of the beneficiaries and/or holders of the power of direction of said Trust and Suburban Bank of Barrington warrants that it possesses full power and authority to execute this instrument. It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, warranties, covenants, undertakings and agreements herein made on the part of the Trustee in form purporting to be the said representations, warranties, covenants, undertakings and agreements of said Trustee are each and every one of them not made with the intention of binding Suburban Bank of Barrington in its individual capacity.

STATE OF ILLINOIS)
COUNTY OF Cook)

The undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Mary D. Wilson, Land Trust Officer personally known to me to be an Assistant Vice President of the above cited Trustee, and JOHN A. MUCHOMBY, TRUST OFFICER, personally known to me to be the Assistant Secretary of said Trustee, and 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 severally acknowledged that as such Assistant Vice President and Assistant Secretary, they signed and delivered the said instrument in such capacities and caused its seal to be affixed thereto, pursuant to authority, given by the Board of Directors of said Trustee as their free and voluntary act, and as the free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 30 day of Oct., 1995.

Constance M. Doyle
Notary Public



CONSENT OF MORTGAGEE

Suburban Bank of Barrington, holder of mortgages on the property herein described dated April 9, 1993 and recorded April 16, 1993 as Document Nos. 93K25352 and 93K25354 hereby consents to the execution and recording of the attached Declaration of Covenants and restrictions and agrees that said mortgage is subject to the provisions thereof.

IN WITNESS whereof Suburban Bank of Barrington has caused this instrument to be signed by its duly authorized officers on its behalf this 6 day of OCTOBER, 1995.

Suburban Bank of Barrington,
Don R. Kretzinger
Assistant Vice President

Attest:
David L. [Signature]
Assistant Secretary

This document prepared by and should be returned to:

Ronald O. Roeser
ROESER, VUCHA & CARBARY
920 Davis Road, Suite 100
Elgin, IL 60123

WP6.0: WP6.0: w6-12.rtf 06/10/95; 06/14/95; 06/15/95, 07/05/95, 06/14/95; 06/16/95, 06/16/95; 06/21/95, 06/26/95; 06/29/95

EXHIBIT A

SPRINGACRES HILLS UNIT 2

THAT PART OF THE NORTH HALF OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY BOUNDARY OF SPRINGACRES HILLS UNIT 1, THE FOLLOWING 7 COURSES, AZIMUTH 253 DEGREES 45 MINUTES 43 SECONDS, 162.09 FEET; AZIMUTH 228 DEGREES 49 MINUTES 30 SECONDS, 216.04 FEET; AZIMUTH 266 DEGREES 14 MINUTES 23 SECONDS, 48.96 FEET; AZIMUTH 192 DEGREES 45 MINUTES 47 SECONDS, 189.17 FEET; AZIMUTH 177 DEGREES 34 MINUTES 56 SECONDS, 68.86 FEET; AZIMUTH 193 DEGREES 40 MINUTES, 59 SECONDS, 139.00 FEET; AZIMUTH 249 DEGREES 25 MINUTES 03 SECONDS, 232.38 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE AZIMUTH 180 DEGREES 23 MINUTES 11 SECONDS, ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, 329.86 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE AZIMUTH 89 DEGREES 58 MINUTES 18 SECONDS, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, 327.93 FEET; THENCE AZIMUTH 00 DEGREES 24 MINUTES 35 SECONDS, ALONG THE EAST LINE OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 16, 16.00 FEET; THENCE AZIMUTH 73 DEGREES 11 MINUTES 24 SECONDS, 235.27 FEET; THENCE SOUTHERLY ALONG A CURVE TO THE LEFT WITH RADIUS OF 306.00 FEET AND CHORD AZIMUTH 147 DEGREES 31 MINUTES 00 SECONDS, AN ARC DISTANCE OF 105.37 FEET; THENCE AZIMUTH 47 DEGREES 39 MINUTES 06 SECONDS, 66.00 FEET; THENCE AZIMUTH 50 DEGREES 02 MINUTES 10 SECONDS, 164.91 FEET; THENCE AZIMUTH 111 DEGREES 37 MINUTES 39 SECONDS, 84.25 FEET; THENCE AZIMUTH 77 DEGREES 29 MINUTES 21 SECONDS, 240.00 FEET; THENCE AZIMUTH 354 DEGREES 20 MINUTES 11 SECONDS, 196.16 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT WITH RADIUS OF 200.00 FEET AND CHORD AZIMUTH 118 DEGREES 07 MINUTES 31 SECONDS, AN ARC DISTANCE OF 191.90 FEET; THENCE AZIMUTH 55 DEGREES 36 MINUTES 48 SECONDS, 350.29 FEET TO A LINE DRAWN FROM A POINT ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16, 866.30 FEET EASTERLY OF THE NORTHWEST CORNER THEREOF, TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16, 877.00 FEET EASTERLY OF THE SOUTHWEST CORNER THEREOF; THENCE AZIMUTH 359 DEGREES 58 MINUTES 06 SECONDS, ALONG SAID LINE, 517.81 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE AZIMUTH 269 DEGREES 54 MINUTES 15 SECONDS, ALONG SAID NORTH LINE, 866.30 FEET TO THE POINT OF BEGINNING, IN KANE COUNTY, ILLINOIS.

AREA OF DESCRIBED PROPERTY = 25.0087 ACRES

WPD: SAH/2L/ROR
9/7/85

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