

98K119947

FILED FOR RECORD
KANE COUNTY, ILL.

1990 DEC 28 AM 9:00

Lynda M. Roeser
RECORDER

SECOND ADDITION AND AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS
UNIT 3

Prepared by and return to::
Ronald O. Roeser
ROESER & VUCHA
920 Davis Road, Suite 100
Elgin, IL 60123
847/888-1820

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**SECOND ADDITION AND AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS**

DECLARATION, made this 24th day of December, 1998 by **RONALD O. ROESER**, as Trustee under Trust Number 1998, dated May 20, 1998 (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), and

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 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 (the **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:

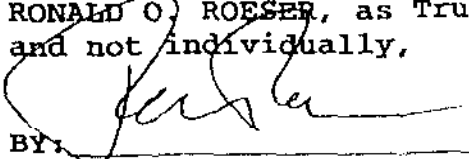
1. The foregoing recitals and the Declaration are incorporated herein by reference.

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

3. Except as expressly set forth herein, the Declaration shall remain in full force and effect.

The foregoing Declaration is executed by the undersigned not personally but as Trustee as aforesaid in the exercise of the power and authority conferred upon and vested in it a such Trustee and it is expressly understood and agreed that nothing herein contained shall be construed as creating any liability on the said undersigned, either individually or as Trustee aforesaid to perform any covenant either express or implied herein contained.

RONALD O. ROESER, as Trustee
and not individually,

BY: 
Ronald O. Roeser, Trustee

This instrument is executed by RONALD O. ROESER as Trustee under the provisions of a Trust Agreement dated May 20, 1998 and known as Trust No. 1998, not personally, but solely as Trustee aforesaid, in the exercise of the power and authority conferred upon and vested in him 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 warrants that he 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 the Trustee in his individual capacity.

STATE OF ILLINOIS)
)
COUNTY OF K A N E)

The undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT RONALD O. ROESER, personally known to me to be the above cited Trustee, and 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 severally acknowledged that as such Trustee, he signed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal
this 24th day of December, 1998.

Carolyn Barclay

Notary Public

This document prepared by
and should be returned to:

Ronald O. Roeser
ROESER & VUCHA
920 Davis Road, Suite 100
Elgin, IL 60123
847/888-1820



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EXHIBIT "A"

LOTS 58 THROUGH 78 IN SPRINGACRES HILLS UNIT 3, A SUBDIVISION
LOCATED IN PARTS OF SECTIONS 16 AND 17, TOWNSHIP 42 NORTH, RANGE 8,
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF
CARPENTERSVILLE, KANE COUNTY, ILLINOIS.

WPS.0: SAH-U3.ROR0
6/12/98:12/2/98
12/23/98

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