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SANGAMON COUNTY
ILLINOIS

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Mary Anne Sargent
RECORDER

**AMENDMENT TO
DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS
FOR COBBLESTONE ESTATES SUBDIVISION
THIRD ADDITION**

WHEREAS Cobblestone Development Company, a joint venture, is the owner of Lots 80 through 107 inclusive in Cobblestone Estates Subdivision Third Addition, a subdivision of the following described property:

(See attached Exhibit "A" for legal description)

as set forth in the plat recorded in the office of the Recorder of Deeds, Sangamon County, Illinois on December 29, 1994 as Document No. 94-51110.

AND WHEREAS Cobblestone Development Company wishes to submit the property described in Exhibit "A" comprising Cobblestone Estates Subdivision Third Addition to the provisions of the Declaration of Easements, Covenants and Restrictions for Cobblestone Estates Subdivision First Addition, which declaration was recorded October 21, 1993 as Document No. 93-46127 in the office of the Recorder of Deeds, Sangamon County, Illinois;

NOW, THEREFORE, Cobblestone Development Company, a joint venture, does hereby declare as follows:

1. That the property described in Exhibit "A" comprising Cobblestone Estates Subdivision Third Addition, Lots 80 through 107 inclusive, is hereby declared to be subject to the terms, covenants, conditions and restrictions of the Declaration of Easements, Covenants and Restrictions for Cobblestone Estates Subdivision First Addition recorded in the office of Recorder of Deeds, Sangamon County, Illinois on October 21, 1993 as Document No. 93-46127.

2. That pursuant to the power to amend the covenants and restrictions contained in paragraph 33.D, the Developer hereby substitutes the following amended paragraph 30:

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30. REMEDIES FOR VIOLATION.

In the event of a violation or breach of any of these covenants and restrictions by any person or entity subject to such covenants and restrictions, a person or entity enjoying the benefit of these restrictions shall have the right to proceed in a judicial action at law or in equity to compel compliance with the terms of these covenants and restrictions or to prevent the breach or violation of them. The Homeowners Association and the Developer shall, in addition, have the right to be compensated for actual expenses incurred as a result of any proceeding brought to enforce these restrictions or to remedy a breach or violation thereof, including reasonable attorneys' fees.

3. Paragraph 1.C of the covenants and restrictions is hereby amended with respect to the following provisions:

1.C The following minimum requirements shall apply to all residential improvements within this subdivision:

(1) Minimum floor area of a single level dwelling unit shall be 1,800 square feet, exclusive of basement area, if any.

(2) The minimum floor area of a two level dwelling unit shall be 2,000 square feet, exclusive of basement area, if any.

(3) The minimum side yard dimension shall be those set forth in applicable zoning ordinances and as established on each individual site by the Architectural Control Committee, which shall have the authority to require site plans requiring side yards not less than fifteen (15) feet total between two adjacent dwelling units.

4. Except where specifically amended by this document, the Declaration of Easements, Covenants and Restrictions for Cobblestone Estates Subdivision First Addition referred to above shall apply in full to Cobblestone Estates Subdivision Third Addition as described herein.

5. This document is executed by Joseph G. Albers and Thomas A. Giacomini as authorized representatives of the Cobblestone Development Company joint venture, pursuant to the authority granted to them under Section 5 of the Joint Venture Agreement creating Cobblestone Development Company dated the 1st day of January, 1993.

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COBBLESTONE DEVELOPMENT COMPANY,

By: Joseph G. Albers
Joseph G. Albers,
authorized signatory

By: Thomas A. Giacomini
Thomas A. Giacomini,
authorized signatory

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, Sandra S. Harvill, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that JOSEPH G. ALBERS, 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 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 3rd day of January, 1995.

Sandra S. Harvill

Notary Public
"OFFICIAL SEAL"
Sandra S. Harvill
Notary Public, State of Illinois
My Commission Expires 05/25/98

STATE OF ILLINOIS)
) SS.
COUNTY OF SANGAMON)

I, Sandra S. Harvill, a Notary Public in and for said County and State aforesaid, DO HEREBY CERTIFY that THOMAS A. GIACOMINI, 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 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 3rd day of January, 1995.

Sandra S. Harvill

Notary Public

Prepared by and Return to:

James D. Kelly
Presney, Kelly & Presney
726 South Second Street
Springfield, Illinois 62704
(217) 525-0016

Notary Public
"OFFICIAL SEAL"
Sandra S. Harvill
Notary Public, State of Illinois
My Commission Expires 05/25/98

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"EXHIBIT A"
COBBLESTONE ESTATE THIRD ADDITION

Part of the North Half of the Southwest Quarter of the Northeast Quarter of Section 11, Township 15 North, Range 6 West of the Third Principal Meridian, Springfield, Sangamon County, Illinois, described as follows: From a stone monument at the center of said Section 11, N.00°-04'-21"W., on the West line of said Northeast Quarter of Section 11, 1014.88 feet to the point of beginning; thence continuing N.00°-04'-21"W., 309.72 feet to the Northwest corner of the Southwest Quarter of said Northeast Quarter; thence N.89°-30'-39"E., on said Quarter Quarter Section line, 1210.00 feet; thence S.00°-29'-21"E., 150.00 feet; thence S.01°-36'-57"W., 60.04 feet; thence S.00°-29'-21"E., 140.00 feet; thence S.89°-30'-39"W., 1035.34 feet; thence N.00°-04'-21"W., 39.02 feet; thence S.89°-55'-39"W., 175.00 feet to the point of beginning, containing 9.57 acres, more or less.

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