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Doc#: 0429419016  
Eugene "Gene" Moore Fee: \$38.00  
Cook County Recorder of Deeds  
Date: 10/20/2004 09:16 AM Pg: 1 of 8

(The Above Space for Recorder's Use Only)

## FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS RELATING TO THE BOUNDARY LOTS

This First Amendment to Declaration of Covenants, Conditions and Restrictions Relating to the Boundary Lots (this "**Amendment**") is made as of the 13th day of October, 2004 by PULTE HOME CORPORATION, a Michigan corporation (hereinafter referred to as "**Declarant**").

### WITNESSETH:

WHEREAS, Declarant is the Declarant under that certain Declaration of Covenants, Conditions and Restrictions Relating to the Boundary Lots recorded December 12, 2003 as Document No. 0334634076 with the Cook County, Illinois Recorder of Deeds, as amended from time to time (the "**Declaration**"); and

WHEREAS, Article Eleven of the Declaration grants Declarant the right to add certain "**Additional Land**" (defined as land within the area described on Exhibit B to the Declaration or any area contiguous to the Properties or the area described on Exhibit B to the Declaration) to the Property which is subject to the Declaration; and

WHEREAS, under the terms of the Declaration, Additional Land may be added to the Properties in the form of Boundary Lots and/or Common Area, all as defined under the Declaration; and

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OK BY BW

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T	<i>[Signature]</i>	V
I	<i>[Signature]</i>	

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WHEREAS, Declarant desires to annex certain land which is owned by Declarant and is contained within the Additional Land as a part of the Properties, which is legally described on Exhibit A attached hereto and incorporated herein.

WHEREAS, the Property subject to the terms and conditions of the Declaration is located in Orland Park, Illinois and is legally described in Exhibit A attached hereto and incorporated herein.

NOW, THEREFORE, Declarant, for the purposes above set forth, does hereby declare that the Declaration is amended as follows:

1. The recitals above are hereby incorporated herein and made a part hereof. All capitalized terms used herein shall have the same meaning as in the Declaration unless otherwise defined herein.

2. The certain real estate described as Common Area and Boundary Lots on Exhibit A to this Amendment attached hereto and made a part hereof is hereby annexed to the Declaration and the same shall be and become part of the Properties and shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions contained in the Declaration and applicable to Common Area and Boundary Lots, which shall run with the real property described on Exhibit A attached hereto and be binding on all parties having any right, title or interest therein or any part thereof, their heirs, successor and assigns and shall inure to the benefit of each Owner thereof. As a result of the Declaration and this First Amendment, the Boundary Lots and the Common Area now subject to the easements, restrictions, covenants and conditions contained in the Declaration are collectively described on Exhibit B attached hereto and made a part hereof.

3. The Landscape Plan which is attached to the Declaration of Covenants, Conditions and Restrictions Relating to the Boundary Lots and recorded as Document No. 0334634076 as Exhibit D is hereby expanded to include Landscape Plan L5 which is attached hereto as Exhibit C and by this reference made a part hereof.

5. The recitals above are hereby incorporated herein and made a part hereof. All capitalized terms used herein shall have the same meaning as in the Declaration unless otherwise defined herein.

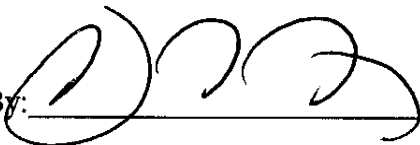
6. In all other respects the Declaration shall remain unmodified and in full force and effect.

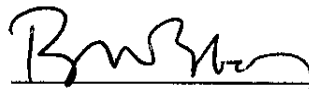
[Signature page follows]

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IN WITNESS WHEREOF, the undersigned Declarant has hereunto set its hand and seal on the date first above written.

PULTE HOME CORPORATION

By: 

  
Its Attorneys-in-Fact

This Document Prepared by and  
After Recording Return to:

GARDNER CARTON & DOUGLAS LLP  
191 North Wacker Drive, Suite 3700  
Chicago, Illinois 60606  
Attention: Katherine N. O'Connell

Box 128

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STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COOK     )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that David Carrier and Brian Brunhofer personally known to me to be the Attorneys-in-Fact of PULTE HOME CORPORATION, a Michigan corporation, 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 acknowledged that they signed and delivered the said instrument as Attorneys-in-Fact of said corporation, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 13th day of October, 2004.

*Janice A. Byrd*  
\_\_\_\_\_  
Notary Public

My Commission Expires: 12/06/04



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**EXHIBIT A**  
to First Amendment to  
Declaration of Covenants, Conditions and Restrictions  
Relating to the Boundary Lots

Legal Description of Property Added to the Declaration by this First Amendment

Boundary Lots:

Lots 126, 127, 128, 129, 130, 131, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160 and 161 in Southmoor Subdivision Unit 2, being a re-subdivision of part of Lot 4 in Southmoor Subdivision, as designated on that Plat of Subdivision of Southmoor Subdivision Unit 2, recorded on May 11, 2004 in Cook County, Illinois as Document No. 0413203069.

Common Area:

Outlots M, O and P in Southmoor Subdivision Unit 2, being a re-subdivision of part of Lot 4 in Southmoor Subdivision, as designated on that Plat of Subdivision of Southmoor Subdivision Unit 2, recorded on May 11, 2004 in Cook County, Illinois as Document No. 0413203069.

PINs: 23-34-300-001  
23-34-301-002

Address of Property: Lots and outlots located within Southmoor Subdivision Unit 2 in Orland Park, Illinois.

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**Exhibit B**  
to First Amendment to  
Declaration of Covenants, Conditions and Restrictions  
Relating to the Boundary Lots

Legal Description of Property Bound by the Declaration  
as a Result of the Declaration and the First Amendment

Boundary Lots:

Lots 12, 13, 14, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69 and 70 in Southmoor Unit 1, being a re-subdivision of part of Lot 4 in Southmoor Subdivision, as designated on that Plat of Subdivision of Southmoor Subdivision Unit 1, recorded on August 29, 2003 in Cook County, Illinois as Document No. 032134197.

Lots 126, 127, 128, 129, 130, 131, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160 and 161 in Southmoor Subdivision Unit 2, being a re-subdivision of part of Lot 4 in Southmoor Subdivision, as designated on that Plat of Subdivision of Southmoor Subdivision Unit 2, recorded on May 11, 2004 in Cook County, Illinois as Document No. 0413203069.

Common Area:

Open Space Lots H, I and J in Southmoor Unit 1, being a re-subdivision of part of Lot 4 in Southmoor Subdivision, as designated on the Plat of Subdivision of Southmoor Subdivision Unit 1, recorded on August 29, 2003 in Cook County, Illinois as Document No. 0324134197.

Outlots M, O and P in Southmoor Subdivision Unit 2, being a re-subdivision of part of Lot 4 in Southmoor Subdivision, as designated on that Plat of Subdivision of Southmoor Subdivision Unit 2, recorded on May 11, 2004 in Cook County, Illinois as Document No. 0413203069.

PINs: 23-34-300-001  
23-34-301-002

Address of Property: Lots and outlots located within Southmoor Subdivision Units 1 and 2 in Orland Park, Illinois.



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**EXHIBIT C**  
to First Amendment to  
Declaration of Covenants, Conditions and Restrictions  
Relating to the Boundary Lots

