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Cook County Recorder 51.00



AMENDMENT TO THE DECLARATION OF COVENANTS EASEMENTS AND RESTRICTION FOR VILLAS OF CASEY FARM HOMEOWNERS ASSOCIATION

PREAMBLE

WHEREAS, by the Declaration registered with the Recorder of Deeds of Cook County, Illinois, the Association is under the provisions of the Illinois Not-for-Profit Corporation Act; and

WHEREAS, the Owners of the Villas of Casey Farms Homeowners Association desire to amend the Declaration in order that portable, free-standing basketball backboards be allowed to be placed on the owners' driveway or patio; and

WHEREAS, the Amendment has been signed and acknowledged by the voting members having at least fifty-one percent (51%) of the total votes of the members.

AMENDMENT

NOW, THEREFORE, the Declaration of Covenants, Easements and Restrictions for Villas of Casey Farms Homeowners Association is hereby amended in accordance with the following text:

1. Article 7 "Covenants and Restrictions as to Use and Occupancy" is hereby amended to add to Section 7.09 "Portable, free-standing basketball backboards are permitted on the driveway or patio adjacent to the owners' house during the months of April to October inclusive. The basketball hoop must be positioned no more than halfway down the driveway, residents cannot play in the street, and residents may not shoot basketballs after 9 p.m. or before 9 a.m."
2. Those provisions not Amended shall stay the same.
3. The terms not defined herein shall retain their original meaning.

END OF TEXT OF AMENDMENT

[Signature]
Signature of Voting Member

Signed and acknowledged by
Theresa Calvert before
me this 6th day of July 1998.

910 Sweet Flower Drive
Address

7/6/98
Date

RECORDING FEE'S 51
DATE 11-3-99 COPIES 6
[Signature]
Notary Public

UNOFFICIAL COPY 09035109

August 19, 1998

NOTICE OF AMENDMENT TO THE DECLARATION OF COVENANTS EASEMENTS AND RESTRICTIONS FOR VILLAS OF CASEY FARMS HOMEOWNERS ASSOCIATION

Dear Casey Farms Homeowner:

On August 24, 1998, five days from now, the attached Amendment to Article 7 of the Declaration of Covenants will become effective, as 34 of the 60 homeowners have already signed it.

Our Declarations allow a majority of the homeowners to petition to change the Declarations, but everyone must be notified in writing before it becomes effective.

For all of you who have already signed it, my family thanks you very much. It has been an unusual chance to meet some of our neighbors we never knew, and get to know others better that we only knew in passing. It has been hard to find every one home; if we couldn't find you, or we already knew you were against the Declaration change I did not bother you to try and change your mind.

Now for the history for those who do not know what all the big fuss is about portable basketball hoops!

Last September I bought a portable basketball hoop for my son's tenth birthday. Our By-Laws prohibit attached basketball hoops; there is nothing in our rules prohibiting portable ones in your own driveway.

Late last year the Board through the Property Manager sent a letter out to several homeowners, including me, telling us to take down our basketball hoops. Since winter was coming, I did so.

This Spring I put my son's basketball hoop back up in our driveway. At the April Board meeting the Board voted 4-1 to temporarily ban all basketball hoops until it could be determined by the attorney whether we could ban them based on the theory that they were obstructing the entrance to the garages. My husband, Don, voted against it. He argued unsuccessfully that the Board cannot pass a rule until it has been given to the homeowners in writing for 30 days, and the Board held a public hearing on it, as our By-Laws so state.

At the next meeting in June my husband was called on the carpet by the Board for not following the Board's rules. When he asked which specific rule he was told there wasn't one, but he has to do what the Board says.

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August 19, 1998

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When he got home that evening and told me of the events, and the hostility of the Board toward him because of my actions, we felt we had no other choice than to draft a petition to overrule the Board. We already knew that many of the homeowners felt it was ridiculous to tell you that you could not play basketball in your own driveway.

Since a majority of the homeowners have already signed the Amendment, it will become effective in five days. The Board's attorney has written me a letter, as well as the Board, stating our petition is valid as soon as we have given the five day notice. I hope this should put an end to the great basketball hoop controversy once and for all.

If you have not signed the petition yet, but would like to do so, please bring it by our house, and we will add it to the list.

Thank you for your time in reading this letter.

Sincerely,

Linda R. Laxton

Linda R. Laxton
994 Sweetflower Drive
Hoffman Estates, IL 60194
Phone: 885-0129

PROPERTY OF COOK COUNTY CLERK'S OFFICE

PARCEL 1:

AREA 1 SUBAREA A, AREA 1 SUBAREA B, AREA 2 SUBAREA A, AREA 2 SUBAREA B, AREA 3 SUBAREA A, AREA 3 SUBAREA B, AREA 4 SUBAREA A, AREA 4 SUBAREA B, AREA 5 SUBAREA A, AREA 5 SUBAREA B, AREA 6 SUBAREA A, AREA 6 SUBAREA B, AREA 7 SUBAREA A, AREA 7 SUBAREA B, AREA 8 SUBAREA A, AREA 8 SUBAREA B, AREA 9 SUBAREA A, AREA 9 SUBAREA B, AREA 10 SUBAREA A, AREA 10 SUBAREA B, AREA 11 SUBAREA A, AREA 11 SUBAREA B, AREA 12 SUBAREA A, AREA 12 SUBAREA B, AREA 13 SUBAREA A, AREA 13 SUBAREA B, AREA 14 SUBAREA A, AREA 14 SUBAREA B, AREA 15 SUBAREA A, AREA 15 SUBAREA B, AREA 16 SUBAREA A, AREA 16 SUBAREA B, AREA 17 SUBAREA A, AREA 17 SUBAREA B, AREA 18 SUBAREA A, AREA 18 SUBAREA B, AREA 19 SUBAREA A, AREA 19 SUBAREA B, AREA 20 SUBAREA A, AREA 20 SUBAREA B, AREA 21 SUBAREA A, AREA 21 SUBAREA B, AREA 22 SUBAREA A, AREA 22 SUBAREA B, AREA 23 SUBAREA A, AREA 23 SUBAREA B, AREA 24 SUBAREA A, AREA 24 SUBAREA B, AREA 25 SUBAREA A, AREA 25 SUBAREA B, AREA 26 SUBAREA A, AREA 26 SUBAREA B, AREA 27 SUBAREA A, AREA 27 SUBAREA B, AREA 28 SUBAREA A, AREA 28 SUBAREA B, AREA 29 SUBAREA A, AREA 29 SUBAREA B, AREA 30 SUBAREA A, AREA 30 SUBAREA B, IN CASEY FARMS UNIT TWO SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

OUTLOTS C AND D IN CASEY FARMS UNIT TWO SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EXHIBIT "A"

<u>PINS</u>	07-17-111-001-0000 through 07-17-112-001-0000 " 07-17-113-007-0000 " 07-17-114-001-0000 " 07-17-115-001-0000 " 07-17-116-001-0000 " 07-17-214-001-000	07-17-111-048-0000 07-17-112-025-0000 07-17-113-018-0000 07-17-114-013-0000 07-17-115-011-0000 07-17-116-013-0000
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PREPARED BY AND MAILED TO:

DAVID H. KEAY
 128 S. County Farm Rd
 WHEATON, IL. 60187