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Doc#. 1719915104 Fee: \$90.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 07/18/2017 10:38 AM Pg: 1 of 22

THIS INSTRUMENT PREPARED
BY AND SHOULD BE RETURNED
TO:

Scott D. Gudmundson
Gudmundson Law, P.C.
250 Parkway Drive, Suite 150
Lincolnshire, Illinois 60069
17010994WF

ABOVE SPACE FOR RECORDER'S USE ONLY

SUPPLEMENT NO. 2 TO DECLARATION FOR KETTERING

This Supplement to Declaration for Kettering ("Supplement No. 2") is made by M/I Homes of Chicago LLC, a Delaware limited liability company ("Declarant").

RECITALS

Declarant recorded the Declaration for Kettering in the Office of the Recorder of Deeds for Cook County, Illinois, on May 8, 2015, as Document No. 1512818013 (as amended and supplemented, the "Declaration").

In Article Thirteen of the Declaration, Declarant reserved the right and power to annex, add and subject additional portions of the Development Area to the provisions of this Declaration as additional Premises by recording a Supplement to the Declaration. Declarant exercised the rights and powers reserved in Article Thirteen of the Declaration by recording the following document:

<u>Document</u>	<u>Recording Date</u>	<u>Recording No.</u>
Supplement No. 1	3/14/16	1607422002

In Section 13.06 of the Declaration, Declarant reserved the right and power to record a Supplement to the Declaration to designate a Designated Builder under the Declaration.

Declarant desires to exercise the right and power reserved in Section 13.06 to designate a Designated Builder under the Declaration.

NOW, THEREFORE, Declarant does hereby amend and supplement the Declaration as follows:

1. Terms. All Terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.

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2. Designation of Designated Builder. Declarant hereby designates Beechen & Dill Homes, Inc., an Illinois corporation, as a "Designated Builder" with respect to that portion of the Premises legally described on Exhibit A attached hereto (the "B&D Lots"), for all purposes of the Declaration. Subject to the terms of Section 3 below, Designated Builder shall have the following rights with respect to the B&D Lots:

(i) The right to construct homes and to temporarily store construction equipment and materials on that portion of the Development Area owned by the Designated Builder;

(ii) The right to construct and maintain model units, sales or leasing offices, parking areas, advertising signs, lighting and banners, or other promotional facilities at such locations on the B&D Lots owned by the Designated Builder and in such forms as the Designated Builder may deem advisable and to use such model units (including model units which are sold by and leased back to the Designated Builder), sales or leasing offices or other facilities for the purpose of selling or leasing Homes on the B&D Lots;

(iii) The right of ingress, egress and parking in and through, and the right to use and enjoy the Community Area, at any and all reasonable times without fee or charge;

(iv) The right and power to lease any Homes owned by it to any person or entity which it deems appropriate in its sole discretion;

(v) The right not to pay assessments under Section 6.02 of the Declaration with respect to Lots owned by the Designated Builder during the period prior to the Turnover Date;

(vi) The right not to pay the initial capital contribution provided in Section 6.07 of the Declaration upon the closing of the sale of a Lot by Declarant to the Designated Builder; provided, however, that, in such case, the amounts payable under Section 6.07 of the Declaration shall be paid upon the closing of the Lot by the Designated Builder to a third party purchaser;

(vii) The right to be treated as the Declarant under Section 13.07 of the Declaration with respect to the waiver of implied warranty of habitability provided for therein.

The rights hereby granted by the Declarant to the Designated Builder pursuant to this Section shall continue until such time as the Designated Builder is no longer vested with, or controls title to, any portion of the Development Area, regardless of whether the rights of the Declarant under the Declaration have terminated or expired.

3. Contract Provision. This Supplement No. 2 is executed and delivered by Declarant at the closing of the sale of the B&D Lots to Designated Builder pursuant to the terms of that certain Real Estate Sale Contract with any Effective Date of April 20, 2017 (as amended, the "Contract") by and between Declarant, as seller, and Designated Builder, as buyer.

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Notwithstanding anything to the contrary contained herein, if, at any time, Designated Builder defaults in its obligations in the Contract, which default is not cured within the applicable cure period, if any, set forth in the Contract, including, without limitation, any failure to timely close its acquisition of any of the Lots (as defined therein), Designated Builder's status as such Designated Builder with respect to the B&D Lots shall be revoked, and Designated Builder and the B&D Lots shall be subject to all provisions of the Declaration applicable to an Owner, including, without limitation, the obligation to pay assessments under Section 6.02 of the Declaration with respect to B&D Lot(s) then owned by Designated Builder and the obligation to immediately pay the initial capital contribution provided in Section 6.07 of the Declaration with respect to B&D Lot(s) then owned by Designated Builder.

4. Architectural Approval. Pursuant to the provisions of Section 9.09 of the Declaration, Declarant hereby approves for construction by Designated Builder on the B&D Lots, the nine (9) models listed below, the floor plans and elevations of which are attached hereto as Exhibit A and made a part hereof. Such construction shall be undertaken by Designated Builder in strict compliance with and remain subject to the terms of the Declaration, the Kettering Annexation Agreement and the Design Guidelines (as such terms are defined in that certain Real Estate Sale Contract dated April 20, 2017 by and between Declarant, as seller, and Designated Builder, as buyer (the "Sale Contract")). This approval applies only to the nine (9) models listed below and the floor plans and elevations attached hereto as Exhibit A. Should Designated Builder elect to add any additional models to or revise the approved models, floor plans and/or elevations in any material fashion, such additional models and/or material modifications shall be subject to the approval of Declarant. Nothing in this Section shall affect the provisions of Section 11.B of the Sale Contract.

	Plan Name	Sq. ft. Range	Type
1.	Brighton	2200-2500	Ranch
2.	Plan 2300	2300	Ranch
3.	Keystone	2891-2900	2 story
4.	Telluride	2946	2 story
5.	Hampton	3164-3372	2 story
6.	Plan 3300	3300	2 story
7.	Boulder	3300-3500	2 story
8.	Silverton	3600	2 story
9.	Cascade	3600-4200	2 story

5. Covenants to Run with Land. The covenants, conditions, restrictions, and easements contained in the Declaration, as amended by this Supplement No. 2, shall run with and bind the Premises, including any Added Premises.

6. Continuation. As expressly hereby supplemented and amended, the Declaration shall continue in full force and effect in accordance with its terms.

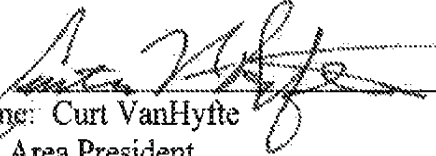
(signature page and joinders follow)

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Dated: July 12, 2017

DECLARANT:


M/I HOMES OF CHICAGO, LLC, a Delaware limited liability company

By: 
Name: Curt VanHyfte
Its: Area President

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

The undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Curt VanHyfte as Area President of M/I Homes of Chicago LLC, a Delaware limited liability company ("Company"), personally known to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of the Company for the uses and purposes therein set forth.

GIVEN under my hand and Notary seal this 12th day of July, 2017.

 Carla Vonne Randolph
Notary Public

"OFFICIAL SEAL"
CARLA VONNE RANDOLPH
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 6/29/2023

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JOINDER TO SUPPLEMENT NO. 2 TO DECLARATION FOR KETTERING

The undersigned, Beechen & Dill Homes, Inc., an Illinois corporation, as the legal title holder of the Lots legally described on Exhibit A attached hereto ("B&D Lots"), hereby joins in Supplement No. 2 to which this Joinder is attached for the sole purpose of accepting its designation as a Designated Builder under the Declaration and acknowledging its agreement to the terms and conditions of such designation as provided in Supplement No. 2.

Date: July 12, 2017

BEECHEN & DILL HOMES, INC.

By: [Signature]
Name: Matthew G. Dill
Its: President
Under Power of Attorney dated 7/10/17

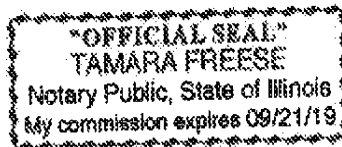
STATE OF ILLINOIS)
) SS.
COUNTY OF McHenry)

BY VALENT M. LOSALVO, UNDER POWER OF ATTORNEY

The undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Matthew G. Dill, as President of Beechen & Dill Homes, Inc., an Illinois corporation ("Company"), personally known to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered this instrument as his own free and voluntary act, and as the free and voluntary act of the Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 12th day of July, 2017.

[Signature]
Notary Public



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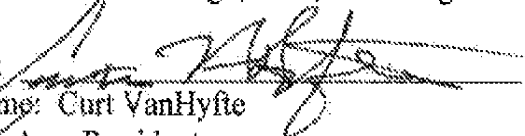
JOINDER TO SUPPLEMENT NO. 2 TO DECLARATION FOR KETTERING

The undersigned, Kettering Homeowners Association, LLC, an Illinois limited liability company, the Association under the Declaration, pursuant to the provisions of Section 3.07 of the Declaration, hereby joins in Supplement No. 2 to which this Joinder is attached for the sole purpose of joining in and evidencing its approval of Designated Builder's models, floor plans and elevations described in Section 4 of Supplement No. 2 for construction by Designated Builder on the B&D Lots.

Dated: July 12, 2017

KETTERING HOMEOWNERS ASSOCIATION, LLC

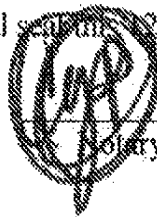
By: M/I Homes of Chicago, LLC, its Manager

By: 
Name: Curt VanHyfte
Its: Area President

STATE OF ILLINOIS)
) SS
COUNTY OF DUPAGE)

The undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Curt VanHyfte, as Area President of M/I Homes of Chicago LLC, a Delaware limited liability company, the manager of Kettering Homeowners Association, LLC, an Illinois limited liability company ("Company"), personally known to be the same person whose name is subscribed to the foregoing instrument as such, appeared before me this day in person and acknowledged that he signed and delivered said instrument as his own free and voluntary act, and as the free and voluntary act of the Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 12th day of July, 2017.

 CARLA YVONNE RANDOLPH
Notary Public

"OFFICIAL SEAL"
CARLA YVONNE RANDOLPH
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 8/29/2023

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EXHIBIT A B&D LOTS

LOTS 227, 228, 231, 232, 233, 234, 235, 236 AND 240, IN KETTERING P.U.D. UNIT SEVEN, BEING A SUBDIVISION IN THE SOUTH ½ OF THE SOUTHWEST ¼ AND THE SOUTH ½ OF THE SOUTHEAST ¼ OF SECTION 34, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 18, 2015 AS DOCUMENT NO. 1535229044 IN COOK COUNTY, ILLINOIS.

<u>Lot No.</u>	<u>Common Address</u>	<u>PIN</u>	<u>Lot Size (sq. ft.)</u>
227	13438 Adeline Ct., Lemont, IL 60439	22-34-302-013-0000	12,358
228	13444 Adeline Ct., Lemont, IL 60439	22-34-302-014-0000	13,570
231	13457 Adeline Ct., Lemont, IL 60439	22-34-302-017-0000	13,470
232	13431 Adeline Ct., Lemont, IL 60439	22-34-302-018-0000	12,573
233	13425 Adeline Ct., Lemont, IL 60439	22-34-302-019-0000	12,597
234	13419 Adeline Ct., Lemont, IL 60439	22-34-302-020-0000	14,359
235	13413 Adeline Ct., Lemont, IL 60439	22-34-302-021-0000	12,172
236	13407 Adeline Ct., Lemont, IL 60439	22-34-302-022-0000	13,010
240	13383 Adeline Ct., Lemont, IL 60439	22-34-302-026-0000	18,109

Cook County Clerk's Office

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EXHIBIT B
APPROVED FLOOR PLANS AND ELEVATIONS

(see attached)

Property of Cook County Clerk's Office

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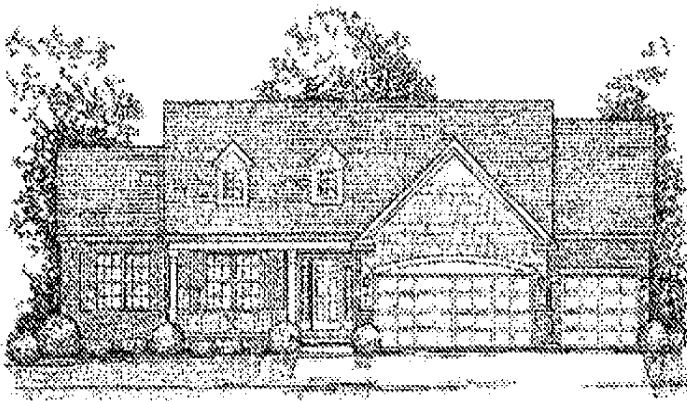


BRIGHTON

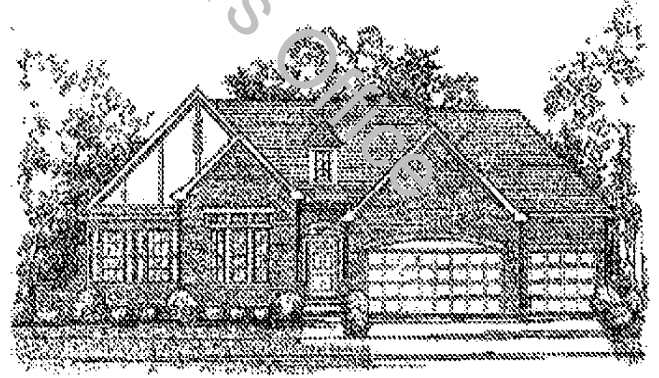
2,200 - 2,500 SQ FT 3-4 BEDROOMS & 2 BATHS



Elevation B



Elevation A



Elevation C

Beechen & Dill Homes Inc.

Phone: 630.920.9430 | Email: info@beechendill.com

www.beechendill.com



B&D's commitment to the highest standards of design and construction quality requires that specifications, equipment, finish, size, dimensions and prices be subject to change without notice. Plans and elevations are artist's conceptions. Features and colors available vary per elevation. Square Footage is Approximate and based off 12' x 12' foot grid. © 2018

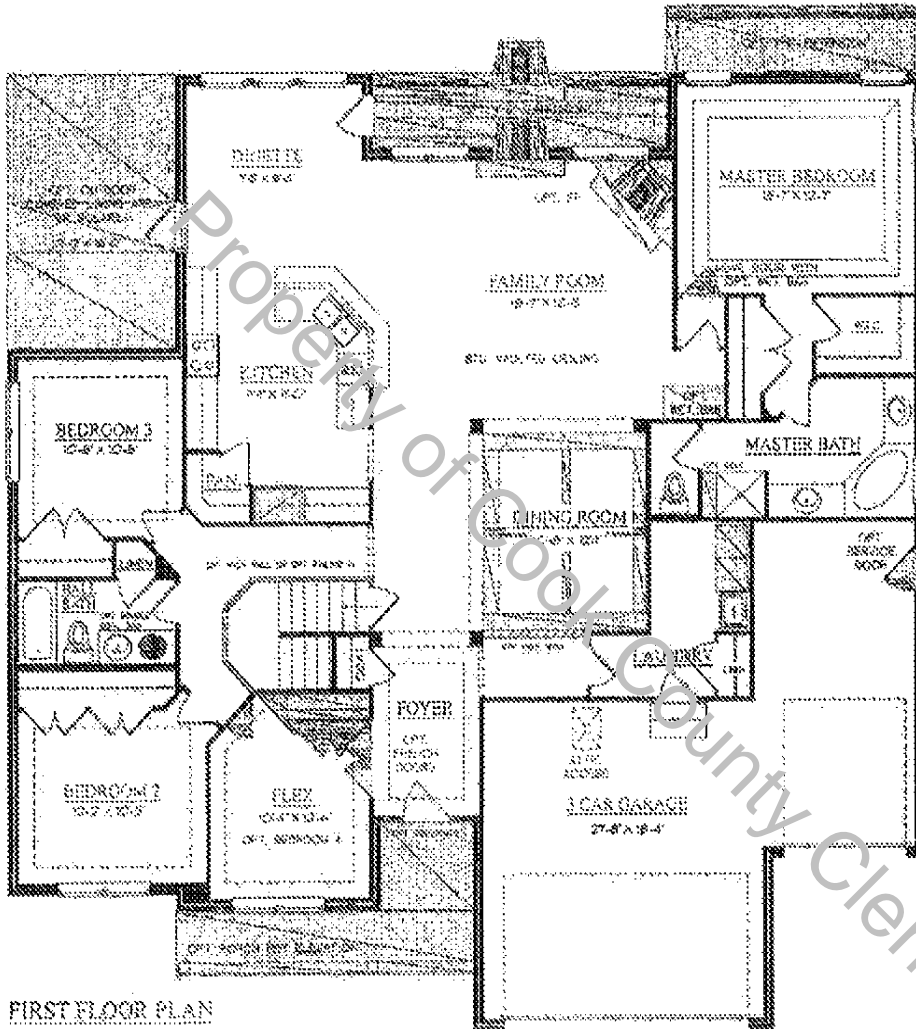


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BRIGHTON

2,200 - 2,500 SQ FT 3-4 BEDROOMS & 2 BATHS



Brighton Features

- 9' First Floor Ceilings
- Raised Panel, 8' Insulated Entry Door
- Large Family Room Open to Kitchen
- Study with Optional French Doors
- Spacious Kitchen Plan with Breakfast Bar Overlooking Great Room
- Laundry Room with Closet
- 3 Car Garage Standard
- Full Basement
- Optional 4th Bedroom Layout
- Optional Fireplace



B&D is committed to the highest standards of design and construction. Quality features that specifications, equipment, finish plans, dimensions and prices are subject to change without notice. Plans and elevations are artist's interpretations. Features and options available vary per elevation. Square Footage is Approximate and based off architectural calculations.



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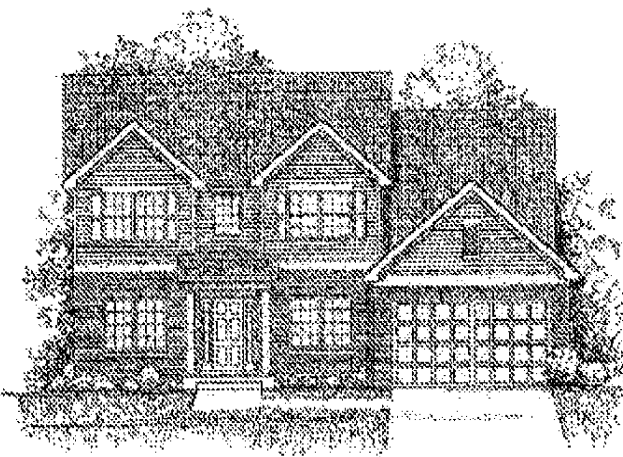
KEYSTONE

2,821-2,900 SQ FT 3-4 BEDROOMS & 2.5 BATHS



Elevation C

*Shown As Side Load Garage



Elevation A



Elevation B

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B&D's commitment to the highest standards of design and construction quality require that specific plans, equipment, materials, dimensions and prices be subject to change without notice. Plans and elevations are artistic interpretations. Features and options available vary per elevation. Square Footage is Approximate and based off standard module sizes.

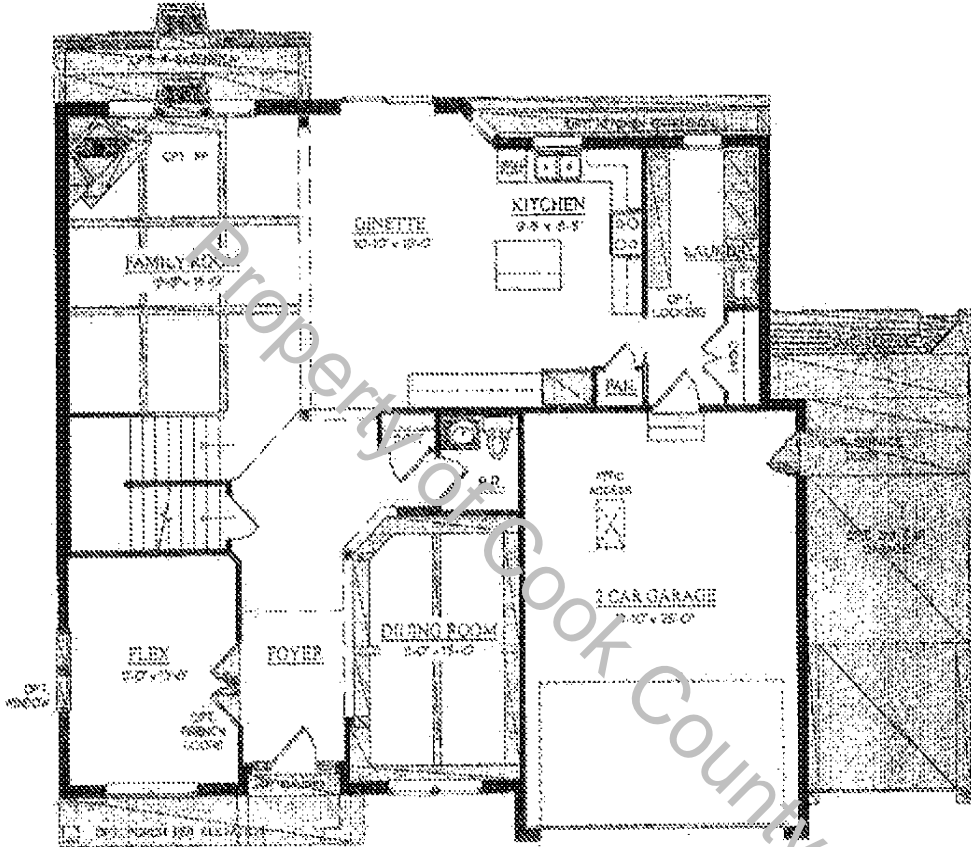


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KEYSTONE

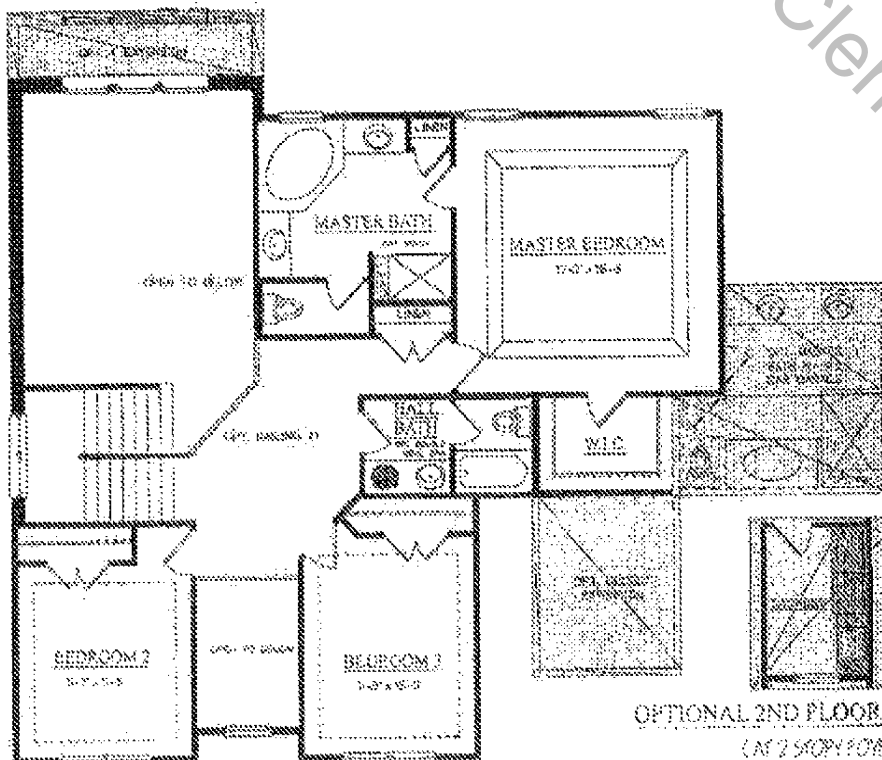
2,821-2,900 SQ. FT. 3-4 BEDROOMS & 2.5 BATHS



FIRST FLOOR PLAN

First Floor Features

- 9' First Floor Ceilings
- 2 Story Foyer
- Raised Panel, 8' Insulated Entry Door
- 2 Story Great Room
- Flex Room with Optional French Doors
- Open Kitchen with Pantry & Breakfast Nook
- Sliding Glass Patio Door
- Powder Room and Coat Closet
- Laundry Room with Optional Closet
- 2 Car Garage Standard, 3 Car Optional



SECOND FLOOR PLAN

Second Floor Features

- Master Bedroom with Tray Ceiling and Walk-In Closet
- Master Bath Suite features Split Vanities, Private Water Closet, and Soaker Tub
- Stair Railing Overlooks - Open to Below

OPTIONAL 2ND FLOOR LAUNDRY
(AT 2 SLOPE) (OPT)
(ONLY AVAILABLE ON A G60 ELEVATION)

OPTIONAL BEDROOM 4
(AT MASTER BATH)



Beechen & Dill's representations to the Buyer regarding the design and construction quality features that are included in this plan are subject to change without notice. Plans and elevations are artist's conceptions. Features and options available vary per elevation. Square Footage of Hydroponics and based on drainage calculations.



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TELLURIDE

2,946 SQ FT 4 BEDROOMS & 2.5 BATHS



Elevation D



Elevation A



Elevation B



Elevation C

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Beechen & Dill Homes Inc. is an Equal Housing Opportunity company. All our homes are built to the highest standards of design and construction. We are committed to providing the highest quality homes and services. All homes are built to the highest standards of design and construction. We are committed to providing the highest quality homes and services. All homes are built to the highest standards of design and construction. We are committed to providing the highest quality homes and services.

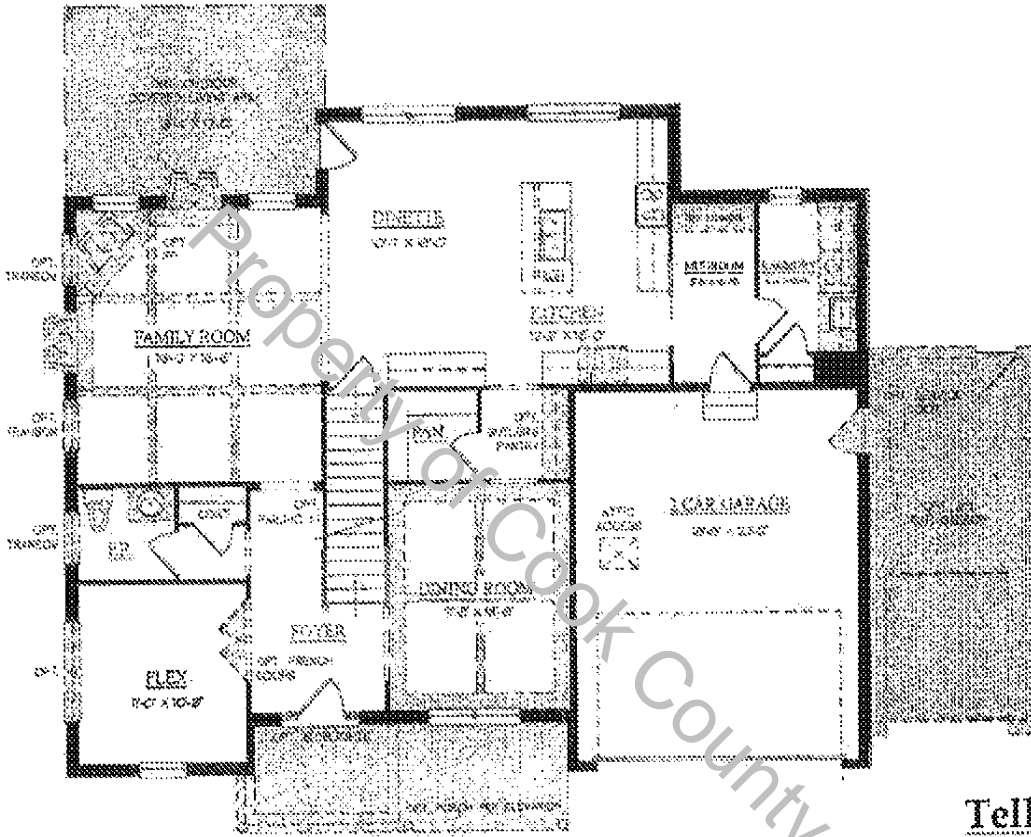


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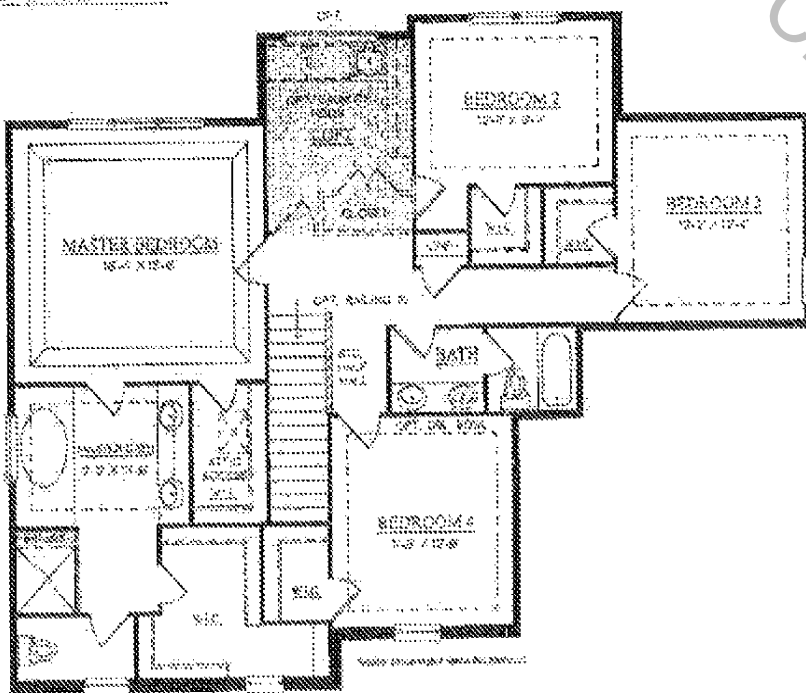


TELLURIDE

2,946 SQ FT | 4 BEDROOMS & 2.5 BATHS



FIRST FLOOR PLAN



SECOND FLOOR PLAN

Telluride Features

- 9' First Floor Ceilings
- Raised Panel, 8' Insulated Entry Door
- Flex Room and Formal Dining Room
- Open Kitchen with Island and Breakfast Nook
- Large Mudroom & Laundry Room
- Optional 2nd Floor Laundry Room
- 2 Car Garage Standard, 3 Car Optional
- Master Bedroom with Dual Walk-in Closets
- Grand Master Bathroom Featuring Double Bowl Vanity
- Private Water Closet, Separate Shower and Soaker Tub
- Integrated Outdoor Living Area - Optional
- Optional Butler's Pantry



Equal Housing Opportunity logo and disclaimer text regarding design and construction quality.

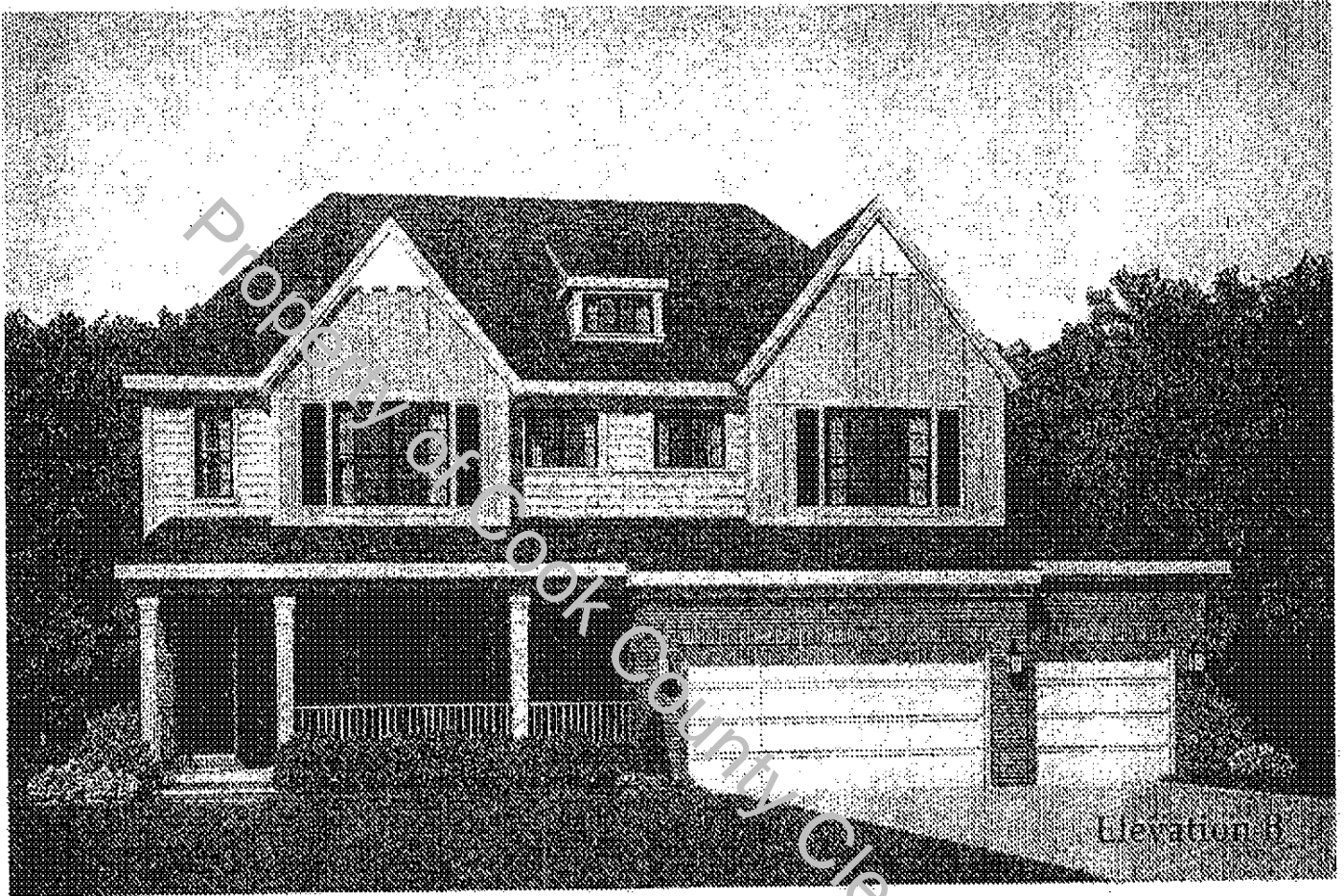


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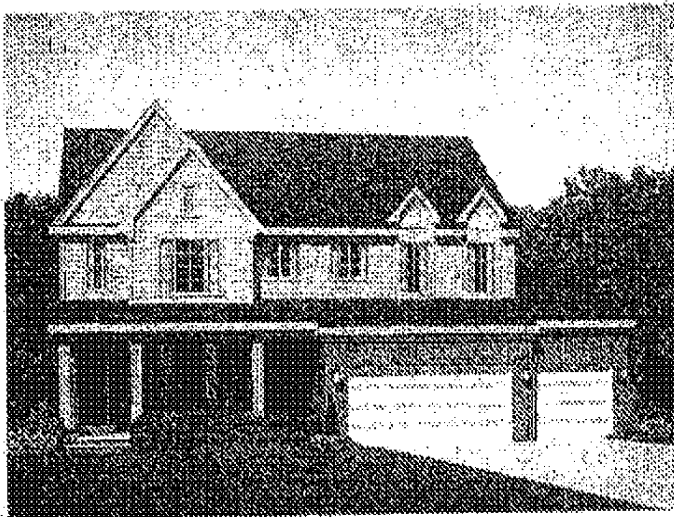


HAMPTON

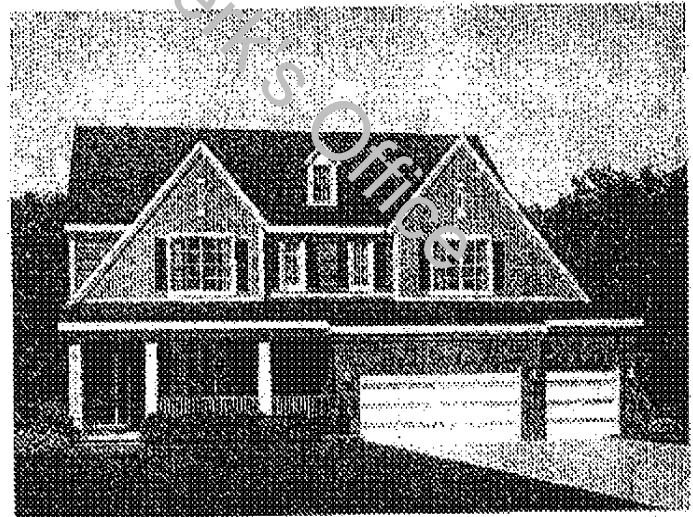
3,164 - 3,372 SQ FT 4 BEDROOMS & 2.5 BATHS



Elevation B



Elevation A



Elevation C

Beechen & Dill Homes Inc.

Phone: 630.920.9430 | Email: info@beechendill.com

www.beechendill.com



B&D's commitment to the highest standards of design and construction quality requires that specifications, equipment, illustrations, floorplans and prices be subject to change without notice. Please and alterations are all in consultation. Features and options may vary per elevation. Equity Features is Approximate and based on architect's calculations.

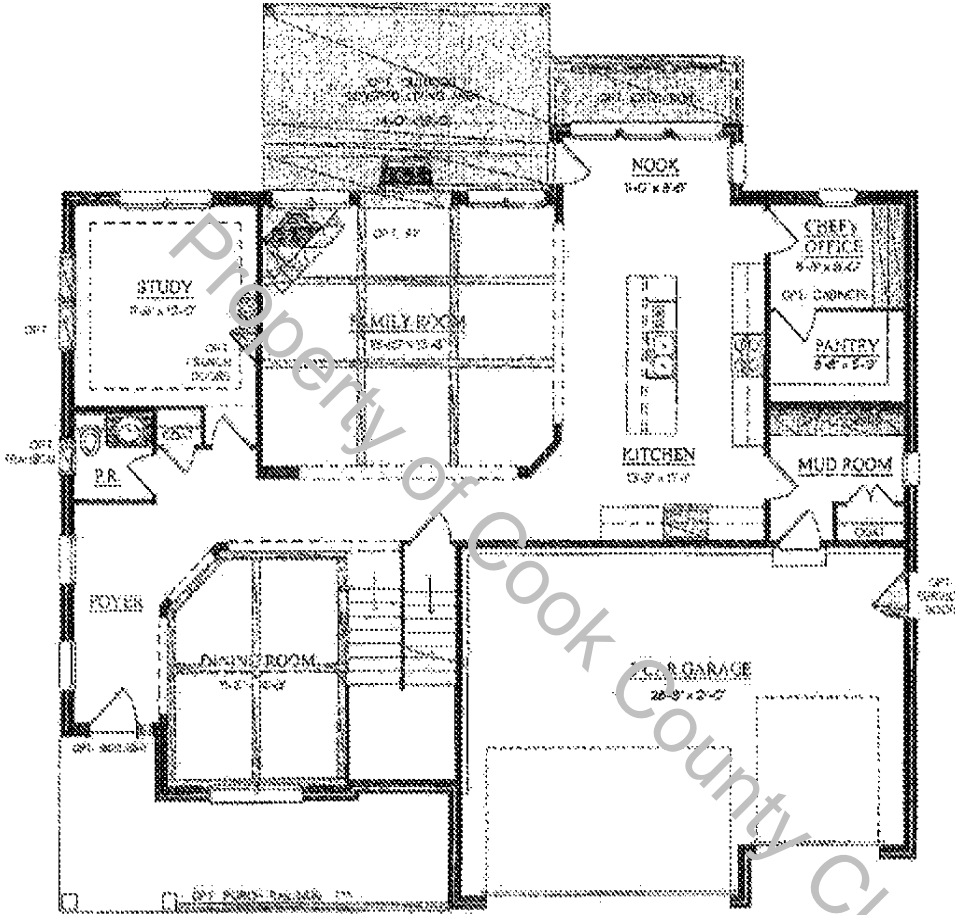


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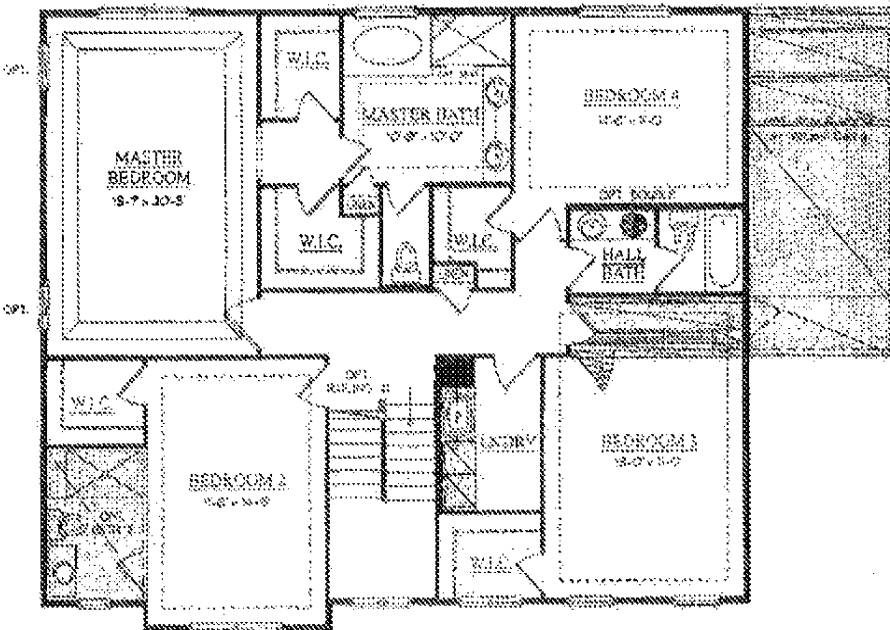


HAMPTON

3,164 - 3,372 SQ FT 4 BEDROOMS & 2.5 BATHS



FIRST FLOOR PLAN



SECOND FLOOR PLAN



Beechen & Dill's commitment to the highest standards of design and construction quality reaches into electrical, plumbing, carpentry, and finishes to ensure a home of exceptional quality. Plans and specifications are subject to change without notice. Please call or visit our website for more information. ©2004 Beechen & Dill, Inc. All rights reserved.



See Also 10/10/04

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BOULDER

3,300 - 3,500 SQ FT 4 BEDROOMS & 2.5 BATHS



Elevation C



Elevation A



Elevation B

Beechen & Dill Homes Inc.

Phone: 630.920.9430 | Email: info@beechendill.com

www.beechendill.com



Beechen & Dill Homes Inc. is committed to the highest standards of design and construction quality required for residential development. All materials, finishes and colors are subject to change without notice. Plans and elevations are artist conceptions. Features and options available vary per elevation. Square footage is approximate and based on architect's calculations.

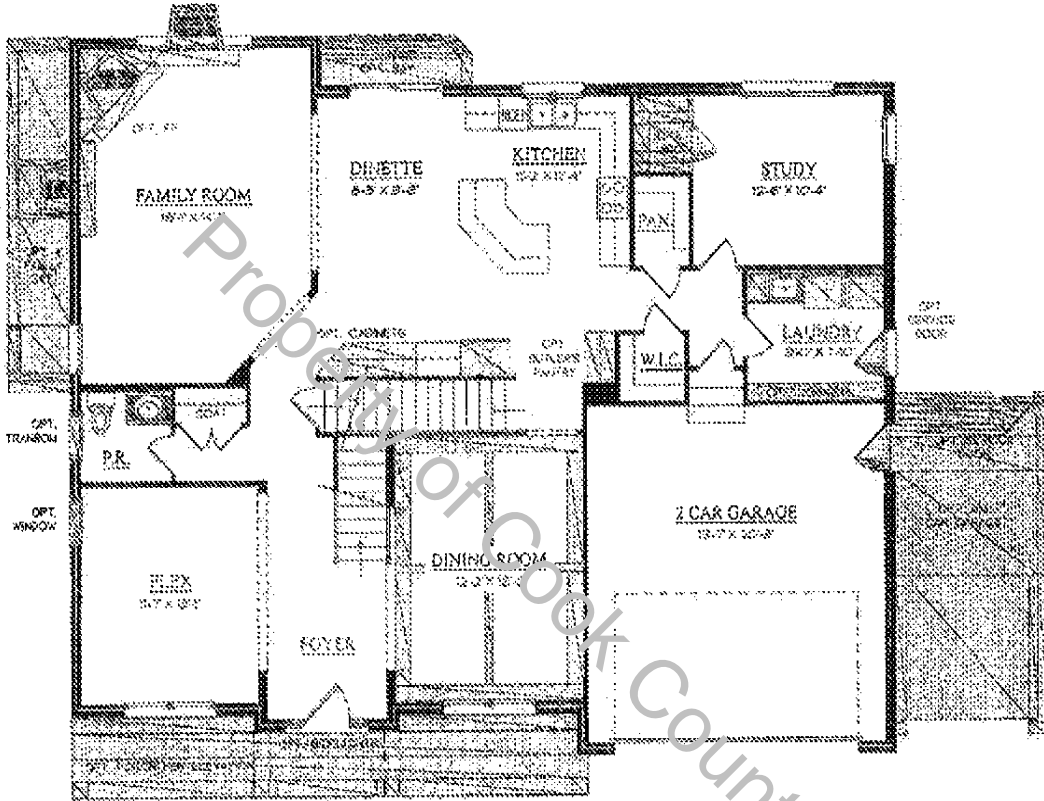


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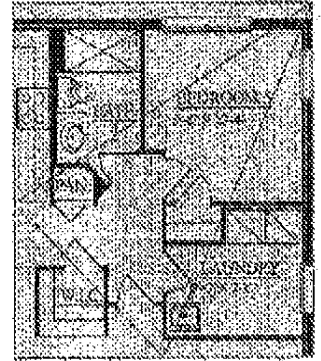


BOULDER

3,300 - 3,500 SQ FT 4 BEDROOMS & 2.5 BATHS



FIRST FLOOR PLAN



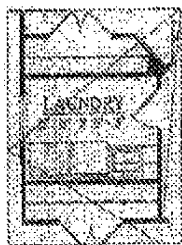
OPT. GUEST SUITE

Boulder Features

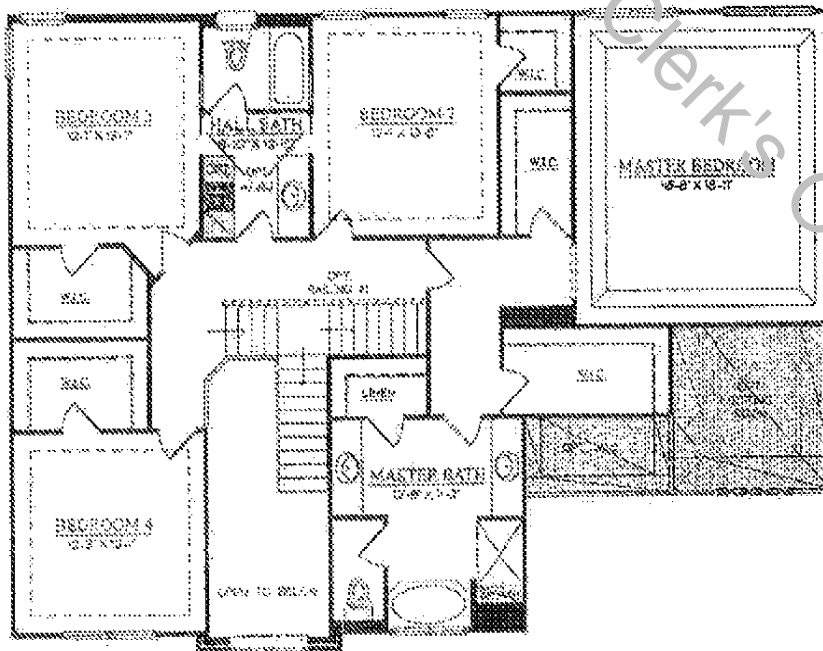
- 9' First Floor Ceilings
- Two Story Foyer with Split Staircase
- Raised panel, 8' Insulated Entry Door
- Separate Living Room and Formal Dining Room
- Study or optional First Floor Bedroom
- Island Kitchen with WI Pantry and Breakfast Nook
- Sliding Glass Patio Door
- Powder Room and Foyer Closet
- Optional 2nd Floor Laundry
- Two Car Garage Standard, Three Car Optional



OPT. BATH 3



OPT. 2ND FLOOR LAUNDRY



SECOND FLOOR PLAN



BCH's commitment to the highest standards of design and construction, quality requires that specifications, materials, finishes, dimensions and pricing be subject to change without notice. Plans and elevations are artist's conceptions. Features and options available vary per elevation. Square Footage is Approximate and based on architect's calculations.



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SILVERTON

3,600 SQ FT 4 BEDROOMS & 2.5 BATHS



Elevation B



Elevation A



Elevation C



Elevation D

Beechen & Dill Homes Inc.

Phone: 630.920.9430 | Email: info@beechendill.com

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All the construction to the required standards of design and performance quality requires that specifications, and material, all materials, furnishings and prices be subject to change without notice. Plans and specifications are subject to change and options available for consideration. Figures, loadings, dimensions and related data are those per old form.

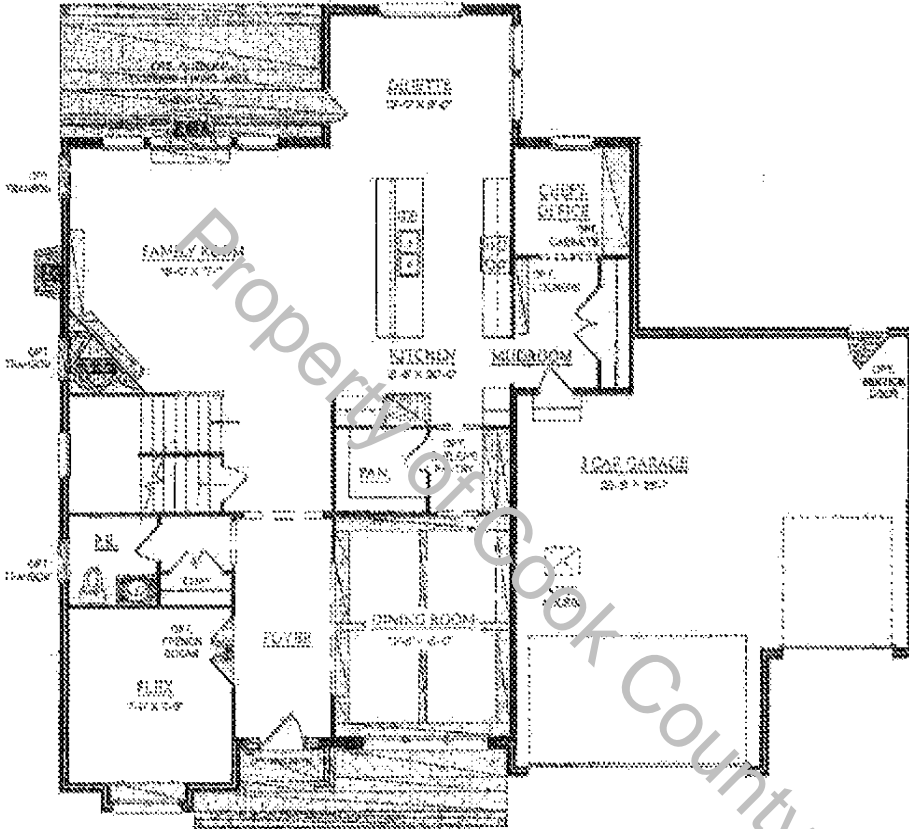


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SILVERTON

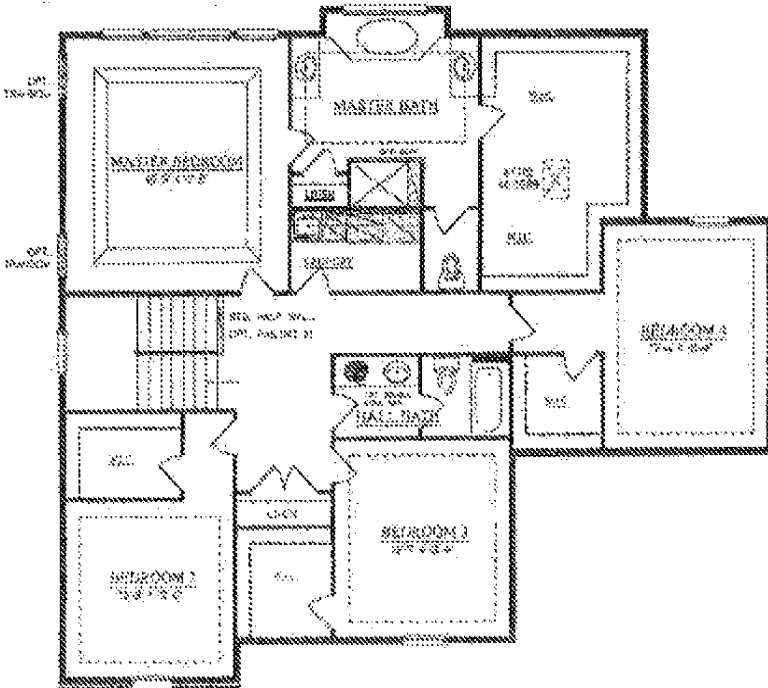
3,600 SQ FT 4 BEDROOMS & 2.5 BATHS



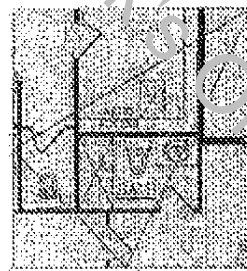
FIRST FLOOR PLAN

Silverton Features

- 9' First Floor Ceilings
- Raised Panel, 8' Insulated Entry Door
- Flex Room and Formal Dining Room
- Open Kitchen with Island & Breakfast Nook
- Large Mudroom
- 2nd Floor Laundry Room
- 3 Car Garage Standard
- Master Bedroom with Large Walk-in Closet
- Grand Master Bathroom Featuring Split Vanities
- Private Water Closet, Separate Shower & Soaker Tub
- Innovative Chef's Office/Command Center
- Optional Butler's Pantry
- Optional Outdoor Living Area



SECOND FLOOR PLAN



OPTIONAL BATH
(AT BEDROOM 4)



Equal Housing Opportunity logo. This is a general overview of the design and construction. Equipment, materials, dimensions and prices are subject to change without notice. Plans and elevations are artist's conceptions. Features and options available vary by elevation. Square footage is approximate and based off finished conditions.



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CASCADE

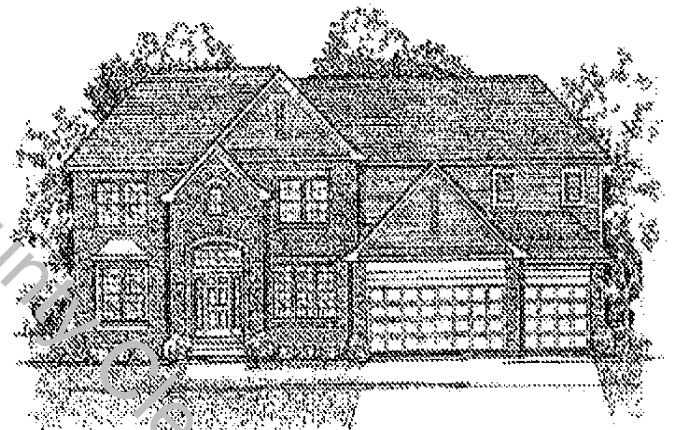
3,600-4,200 SQ. FT. 4 BEDROOMS & 2.5 BATHS



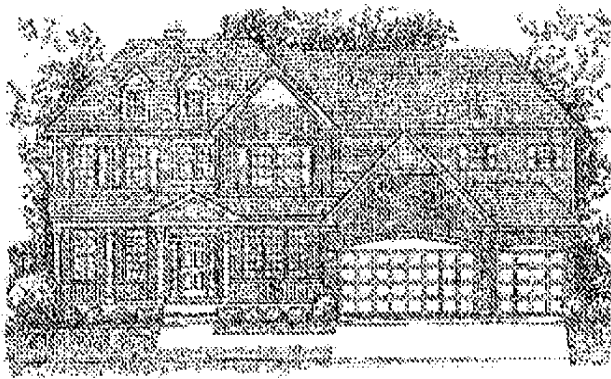
Elevation B



Elevation A



Elevation C



Elevation D



Elevation E

Beechen & Dill Homes Inc.
 Phone: 630.920.9430 | Email: info@beechendill.com
www.beechendill.com

B&D's Living Home is the highest standard of design and construction quality features that include: alarm, equipment. If alterations, changes are and must be made. If you change plans, please note. Plans and elevations are subject to change. For the best options available, call 630.920.9430. Square Footage is approximate and based on architectural elevations.

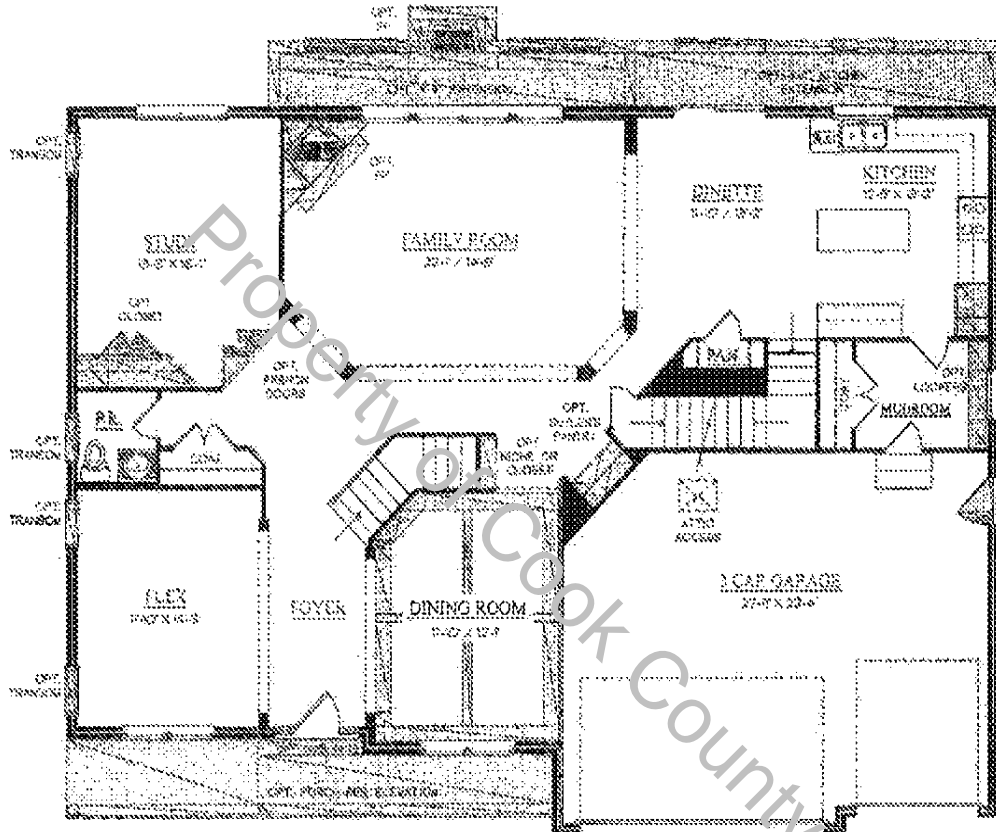


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CASCADE

3,600-4,200 SQ FT 4 BEDROOMS & 2.5 BATHS



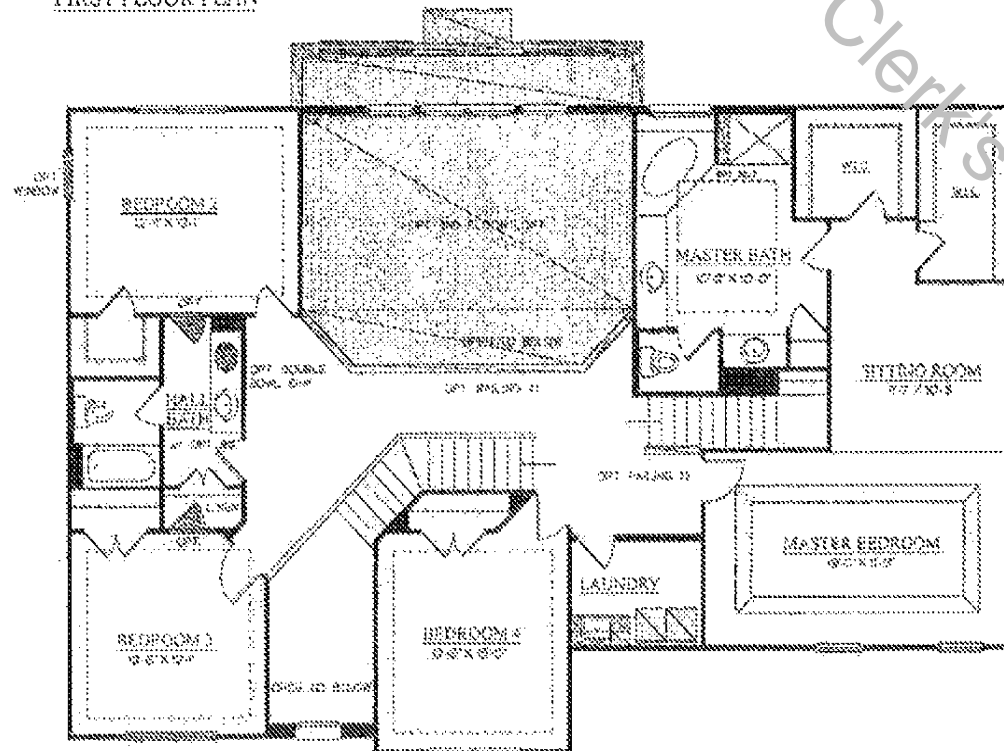
FIRST FLOOR PLAN

First Floor Features

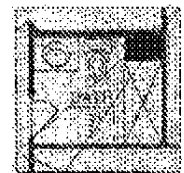
- 9' First Floor Ceilings
- 2 Story Foyer with Split Staircase
- Raised panel, 8' Insulated Entry Door
- 2 Story Family Room
- Flex Room with Optional French Doors
- Island Kitchen with Pantry and Breakfast Nook
- Sliding Glass Patio Door
- Powder Room and Hall Closet
- 2nd Floor Laundry Room
- 3 Car Garage

Second Floor Features

- Master Bedroom with Sitting Area, Volume Ceiling and Dual Walk-In Closets
- Master Bath Suite features Split Vanities, Private Water Closet, Linen Closet and Soaker Tub
- 2 of 3 Bedrooms with Walk-In Closets
- Optional Jack and Jill Bath with Separate Water Closet, Shower Area & Linen Closet



SECOND FLOOR PLAN



OPTIONAL BATH 3 PLAN

AT LAUNDRY
LAUNDRY MOVES TO BEDROOM
DELETES COM CLOSET



B&D's commitment to the highest standards of design and construction quality requires that specifications, equipment, illustrations, dimensions and prices be subject to change without notice. Plans and elevations are artist's presentations. Features and options available vary per elevation. Square Footage is approximate and based off of 9-1/2 inch walls.

