

DECLARATION OF PROTECTIVE RESTRICTIONS

The undersigned, Declarant, hereby makes this Declaration of Protective Restrictions declaring that the real estate described on the Legal Description Rider, which Rider is attached to and made a part of this Declaration is and shall be subject to the following restrictions, the real estate described on such Legal Description Rider being sometimes hereinafter referred to as the "Subdivision".

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COOK COUNTY RECORDER

1. Land Use and Definitions - Lots 1 through 17, both inclusive, shall be used only for single family residential purposes. Lots 18 through 28, both inclusive, which lots are hereinafter sometimes referred to as the "Townhouse Lots", or a single lot as a "Townhouse Lot", shall be used only for residential purposes but may be used for townhouse type buildings each of which shall contain no more than three single family residential units. For the purpose of this declaration a "Residential Unit" shall be defined as a single family dwelling house located on lots other than the Townhouse Lots or as a single family dwelling unit located in a townhouse on one of the Townhouse Lots.

2. Architectural Control Committee - No dwelling, landscaping, storage shed or in ground swimming pool (as hereinafter defined) and fences, walls and decks related to such swimming pool, shall be commenced, erected or maintained in or upon the Subdivision, nor shall any exterior addition to or change or alteration therein or change in the exterior appearance thereof or change in landscaping be made until the plans and specifications showing the nature, kind, shape, height, materials, elevations and locations of the same shall have been submitted to and approved in writing by the Architectural Control Committee (hereinafter sometimes referred to as the "Architectural Committee") as to harmony of external design and location in relation to surrounding structures and topography. Such Architectural Control Committee shall be composed of PHILLIP WHITMAN and DAVID DETMAR and THOMAS MCSWIGGEN. Plans and specifications for final approval shall include the following:

(a) Complete plans and specifications sufficient to secure a building permit in the Village of Lansing, including a plot plan showing lot and block and the location of the dwelling, swimming pool and related swimming pool fences or walls required by ordinance of the Village of Lansing.

(b) Front elevations and both side elevations, or front elevation and one side elevation and rear elevation of the building, plus elevations of the swimming pool, swimming pool walls, decks and fences.

(c) A perspective drawing, if deemed necessary by the Committee to interpret adequately the exterior design.

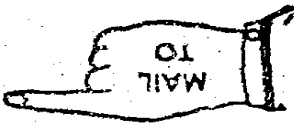
(d) Data as to materials, color and texture of all exteriors including roof coverings, swimming pool fences, decks and swimming pool walls.

(e) One set of blueprints shall be left with the Architectural Control Committee.

Should the Committee fail to approve or disapprove such plans, specifications or location within thirty (30) days after submission of all of the information required to be submitted to the Committee, then such approval will not be required, but all other conditions and restrictions herein contained shall remain in force.

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Mail To: Ronald Kiedel, Ltd.  
P.O. Box 246  
3330 - 181st F. Co  
Lansing, Illinois 60438



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The Committee's approval or disapproval as required in these covenants shall be in writing. In the event the Committee, or its designated representative, fails to approve or disapprove within thirty (30) days after all of the required information has been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with. In the event of the death of any of the aforementioned members of the Architectural Committee or if a member establishes his residence outside of Cook County, Illinois, the remaining members together with one other person that such remaining member or members may appoint and who is an owner of a Residential Unit in the subdivision shall then act as the Architectural Committee. At any time that none of the aforementioned original members of the Architectural Committee are acting then, in order to maintain three members of the Architectural Committee, any vacancy may be filled by the appointment of a person who is an owner of a Residential Unit in the Subdivision, such owner to be appointed by the owners of a majority of the Residential Units in the Subdivision.

3. Restrictions which may be waived by the Architectural Committee - Unless waived in writing by the Architectural Committee hereinbefore named.

(a) All two story dwellings must have face brick on the entire outer wall surfaces of the first floor elevation and all other dwellings must have face brick on the entire outer wall surfaces of the front and side elevations.

(b) No detached garages shall be constructed on any lot in the Subdivision.

(c) No fences, walls (except those required by ordinance of the Village of Lansing to be constructed in connection with in ground pools) or a continuous line of hedges or other plants which would be similar to a wall or fence shall be constructed, grown or maintained on any lot in the Subdivision, it being the intention of the Developer that the view across the Subdivision is to be as unobstructed as possible.

(d) Walls, railings or other structures which might then be permitted in front of any set back line by the ordinances of the Village of Lansing shall not be permitted in front of any front set back line provided that if a location in front of such set back line is permitted by the Architectural Committee no such wall railing or other structures shall be placed closer than three (3) feet to the front property line.

4. Minimum Building Size - No Dwelling shall be erected on any lot in the subdivision other than a Townhouse Lot unless it contains a total living area of at least 2,200 square feet for a two story dwelling and at least 2,000 square feet of living area for all other dwellings, excluding from living area the areas of utility rooms, attics, open porches and garages. All Residential Units located on Townhouse Lots shall contain a living area (excluding the foregoing areas) of at least 1,750 square feet.

5. Parking - No semi truck, tractor, motor home, trailer, boat, utility vehicle, camper, truck (other than a personal pickup truck) and no vehicle with the exception of a personal automobile or personal pickup truck owned by a resident of the dwelling shall be permitted to be parked on any lot in the Subdivision for more than forty eight (48) hours out of any consecutive fifty four (54) hour period unless placed inside a garage, it being the intent that parking of the foregoing restricted objects be confined as much as possible to the interior of garages.

6. Maintenance of lot prior to construction - Prior to the construction of a residence on a lot in the subdivision the owner of such lot must maintain all grass and weeds on such lot at height

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of not more than four (4) inches and such owner must also maintain such lot free of all debris. In the event such owner should not comply with the provisions of this paragraph the Developer (being WHITMAN DEVELOPMENTS, LTD. an Illinois corporation) may, but shall not be required to, perform such owner's obligations under this paragraph and the owner of such lot shall pay the cost thereof upon demand by the Developer.

7. Dogs and cats - No more than a total of two (2) dogs or two (2) cats or one (1) dog and one (1) cat may be maintained, kept or housed in any Residential Unit whether or not such animal is the property of the owner of such Residential Unit. No such animal shall be allowed outside of a Residential Unit unless accompanied and attended at all times by an occupant of such Residential Unit and no dogs shall be allowed to bark to an extent whereby it becomes a nuisance to neighbors. No kennels or other type of housing for such pets shall be constructed on any lot unless in the interior of the residence and with no direct outside access to such kennel or housing. No dog run shall be allowed on any lot in the subdivision.

8. Construction housekeeping - During the construction of the residence the construction area must be kept neat and clean, all debris must be kept in sanitary containers and when the container is full it must be emptied within three (3) days of the time that it is filled. All mud and debris carried on to the street by any workmen during the course of construction of a residence on any lot in the subdivision shall be removed daily and the owner shall so inform his general contractor and any such workmen. At such time as the foundation is backfilled a stone driveway must be installed before the remaining portion of the residence is begun. Such driveway is required for the purpose of preventing mud and debris to be carried on to the street. If the provisions of this paragraph are not complied with the Developer shall have the right, but not the duty, to perform such acts and the owner of the lot shall, immediately upon demand by the Developer, reimburse the Developer for the cost of such performance.

9. Mail boxes and posts for mail boxes - One (1) initial mail box and post will be supplied by the Developer for each Residential Unit.

10. Trees - Two (2) Red Sunset Maples, two and one half inches to three inches in diameter, will be planted by the Developer in the parkway in front of each lot in the subdivision. The lot owner or lot owners fronting on such parkway shall maintain such trees and if any of such trees should die such lot owner or lot owners shall, at the lot owner's expense, replace the tree or trees with similar trees.

11. Posting of address - Each Residential Unit in the Subdivision must have it's address engraved in stone or concrete set in the wall of such Residential Unit at a place and of such a dimension that such address is visible and can be read from the street immediately adjoining such Residential Unit.

12. Sump pump discharge - If allowed by the ordinances of the Village of Lansing, all sump pump discharges must be tied into the storm sewer below grade.

13. Garages - Each Residential Unit shall have a garage for not less than two (2) automobiles.

14. Roof coverings - All roof coverings must be of a texture type shingle.

15. Roof pitch - No roof shall have a pitch of less than seven (7) inches in twelve (12) inches.

16. Completion of building improvement - Each residential building must be fully completed and finished within nine (9) months from the date of commencement of construction and for the

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purpose of this paragraph such completion shall include the construction of sidewalks, a driveway and landscaping.

17. 17. Pools - No swimming pools of any kind shall be allowed on any of the Townhouse Lots. No swimming pools other than "in ground pools" shall be allowed on any of the other lots in the subdivision and such in ground pools must be approved by the Architectural Committee in accordance with the previous terms hereof. For the purpose of this declaration an "in ground pool" shall be considered to be a pool which has no pool wall extending more than two (2) feet above the average grade of that portion of the lot lying to the rear of the residence. Plans and specifications for any fences or walls required around such pool by the ordinances of the Village of Lansing and any decks in conjunction with such pool shall be submitted to the Architectural Committee for approval in the manner hereinbefore set forth.

18. 18. Other types of building - No playhouse, shelter, lean-to or any other building shall be constructed on any of the lots in the subdivision except as otherwise permitted under this declaration. The plans for any patio must be submitted to the Architectural Committee for its approval prior to the construction thereof.

19. 19. Fence on Townhouse Lots - If the Architectural Committee shall allow construction of a fence on the Townhouse Lots, no fence shall be constructed on any Townhouse Lot unless it is constructed in a north and south direction across the rear of all of the Townhouse Lots. Such fence shall be of uniform construction and color for its entire length and such similar construction and color shall be maintained at all times.

20. 20. Information in connection with lot sales - At such time as a Residential Unit is sold, the name, address and telephone number of the buyer is to be given to the Architectural Control Committee. At the time of such sale the Seller shall furnish to the buyer a copy of this declaration.

21. 21. Responsibility of the Architectural Control Committee and the Developer - Neither the Developer or any member of the Architectural Control Committee, their employees, agents and representatives shall be liable for any damage, loss or prejudice suffered or claimed by any owner or contractor who submits plans to the Architectural Committee on account of (a) any defects in any plans or specifications submitted, revised, or approved in accordance with the provisions of this declaration; (b) any structural or other defects in any work done according to such plans and specifications; (c) the approval or disapproval of any plans, drawings and specifications, whether or not defective; (d) the construction or performance of any work, whether or not pursuant to approved plans, drawings and specifications. Any person submitting plans to the Architectural Control Committee shall hold such committee and the Developer harmless from all damage, loss or prejudice suffered or claimed by any third party, as a result of such submittal, including attorney's fees incurred.

22. 22. Term - The restrictions are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date that these restrictions are recorded with the Recorder of Deeds of Cook County, Illinois, after which time said restrictions shall be automatically extended for successive periods of ten (10) years unless an instrument signed by the owners of a majority of the Residential Units in the Subdivision agreeing to change said restrictions in whole or in part shall have been recorded with the Recorder of Deeds of Cook County, Illinois in the name of said owners of a majority of the Residential Units, agreeing to change said restrictions in whole or in part.

23. 23. Limitations - Any action brought to enforce any restrictions in this instrument relating to construction of improvements on any lots must be brought within twenty four (24) months after the

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violation of restrictions first occurred.

24. **Enforcement** - Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages. The Declarant or the Developer may, but shall not be required to enforce the provisions of this Declaration. Any owner of a Residential Unit in the Subdivision may enforce the provisions hereof except those relating to the approval of the Architectural Committee.

IN WITNESS WHEREOF, the Declarant has signed this instrument on the 14th day of October, 1991.

DECLARANT

FIRST NATIONAL BANK OF ILLINOIS  
NOT PERSONALLY BUT AS TRUSTEE  
UNDER A TRUST AGREEMENT DATED  
SEPTEMBER 20, 1990 AND KNOWN AS  
TRUST #3987

BY: SEE SIGNATURE SHEET ATTACHED HERETO  
AND INCORPORATED BY REFERENCE HEREIN

ATTEST: \_\_\_\_\_

-5-

THIS INSTRUMENT PREPARED BY  
RONALD A. KIEDAISCH  
ATTORNEY AT LAW  
3390 - 181ST PLACE  
LANSING, ILLINOIS 60438

Clerk's Office

93511005

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## LEGAL DESCRIPTION RIDER

Lots 1 through 28, both inclusive, in Whitman's Forest Estates Subdivision being a Subdivision of part of the Northeast 1/4 of the Northeast 1/4 of Section 2, Township 35 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

P.I. #32-02-201-001

The above real estate is located on Forest View Lane, Lansing, Illinois and is vacant.

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