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## FIRST AMENDMENT TO CHARTER HALL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS FIRST AMENDMENT to Charter Hall Declaration of Covenants, Conditions and Restrictions is made on the date hereinafter set forth, by PULTE HOME CORPORATION, a Michigan corporation, (hereinafter referred to as "Declarant").

W I T N E S S E T H:

: DEPT-01 RECORDING 033.50  
: T05555 TRAM 0735 01/19/93 13:10:00  
: 02121 0 \*-93-044817  
: COOK COUNTY RECORDER

WHEREAS, Declarant did execute that certain "Charter Hall Declaration of Covenants, Conditions and Restrictions" and recorded the same on August 24, 1992 as Document No. 92-62656 with the office of the Recorder of Deeds of Cook County, Illinois, (hereinafter referred to as the "Declaration") for purposes of subjecting certain real estate described on Exhibit "A" attached hereto, also being described on Exhibit "A" to the Declaration, to the easements, restrictions, covenants, conditions, reservations, liens and charges set forth therein; and

WHEREAS, ARTICLE NINETEEN, Section 3 of the Declaration provides that Declarant may amend the Declaration for the sole purpose of causing the Declaration to comply with form and substance as may be required by the Veterans' Administration ("VA") to enable the sales of lots from the Properties to qualify for the insurance by the VA of end mortgage loans made to the owners of such lots, and the Veterans' Administration has requested that Declarant make the amendments set forth in this First Amendment.

NOW, THEREFORE, Declarant hereby declares that the Declaration is amended as follows:

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1. ARTICLE FOUR of the Declaration is amended by amending the last three (3) lines of page 6 of the Declaration to read as follows:

"(a) Three (3) years from the date of the recording of this Declaration of Covenants, Conditions and Restrictions with the Recorder of Deeds of Cook County, Illinois."

2. The following language is deleted from the 12th through 14th line of ARTICLE NINETEEN, Section 3 of the Declaration, on page 47:

". . . provided; however, that so long as Declarant is a Lot Owner, Declarant must join into such instrument."

A period is added after the word "Village" in the 12th line.

3. The Association shall not participate in the cost of repair and maintenance of the Deer Run Bike Path (defined in the Declaration) or make any payments to the Deer Run Homeowner's Association in connection therewith as provided in the Declaration. Therefore, the following are deleted from the Declaration:

- ARTICLE ONE, Section 5;
- the words ". . . for the payment of the Association's proportionate share of the maintenance and repair of the Deer Run Bike Path, as fixed by the Village pursuant to ARTICLE ELEVEN, Section 4 hereof . . ." appearing in lines 11, 12, 13 and 14 of ARTICLE SIX, Section 2;
- the words ". . . and for the payment of the Association's share of the maintenance and repair of the Deer Run Bike Path, as fixed by the Village . . ." appearing in lines 6, 7 and 8 of ARTICLE SIX, Section 4;
- ARTICLE ELEVEN, Section 4;
- Any other references to the "Deer Run Bike Path."

4. Other than as amended hereby the Declaration is hereby ratified and confirmed in all respects.

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IN WITNESS WHEREOF, the undersigned being the Declarant has hereunto set  
its hand and seal on this 12<sup>th</sup> day of ~~November~~ <sup>DECEMBER</sup>, 1992.

PULTE HOME CORPORATION

CORPORATE SEAL

By: David Blane

Samuel W. Parker  
Its: Attorneys-in-Fact

2361b

PIN: 02-15-102-055

ADDRESS: 501 W. Northwest Highway, Palatine, IL

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STATE OF ILLINOIS )  
                          ) SS.  
COUNTY OF DuPage )

I, a Notary Public in and for said County, in the State aforesaid, DO  
HEREBY CERTIFY that David Branch and Edward W. Dwyer  
\_\_\_\_\_ personally known to me to be the Attorneys-in-Fact of PULTE  
HOME CORPORATION, a Michigan corporation, and 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 severally acknowledged that they  
signed and delivered the said instrument as Attorneys-in-Fact of said  
Corporation, and caused the corporate seal of said corporation to be  
affixed thereto, 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 18<sup>th</sup> day of December,  
1992.



Anne DeFreece  
Notary Public

My Commission Expires:  
April 1, 1993

**"Official Seal"**  
**Anne DeFreece**  
**Notary Public, State of Illinois**  
**DuPage County**  
**My Commission Expires 4/1/93**

This instrument was prepared by  
and upon recording mail to:

Charles L. Byrum  
Gardner, Carton & Douglas  
321 North Clark Street  
Suite 3100  
Chicago, Illinois 60610  
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COOK COUNTY CLERK'S OFFICE  
200 N. LAUREL ST. CHICAGO, IL 60601  
TEL: (773) 399-3000 FAX: (773) 399-3001  
WWW.COOKCOUNTYCLERK.COM

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## EXHIBIT "A"

### Legal Description of Properties to be bound by the Declaration

Lots 1 through 49 and Outlots 50 through 60 in Charter Hall, being a Subdivision of part of the East Half of the Northwest Quarter of Section 15, Township 42 North, Range 10 East of the Third Principal Meridian, according to the Plat thereof recorded August 17, 1992 as Document No. 92609606, in Cook County, Illinois.

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## CONSENT TO FIRST AMENDMENT TO CHARTER HALL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

The Village of Palatine, a municipal corporation, hereby consents to the execution and recording of the First Amendment to Charter Hall Declaration of Covenants, Conditions and Restrictions to which this Consent is attached.

VILLAGE OF PALATINE:

By: *Rita J. Pappalardo*  
Village President

ATTEST:

*Margaret R. De...*  
Village Clerk

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STATE OF ILLINOIS )  
                          ) SS  
COUNTY OF COOK )

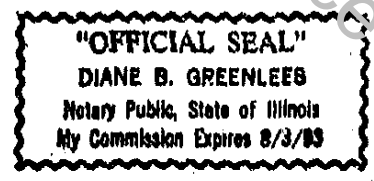
I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that RITA L. MULLINS and MARGARET R. DUBEL personally known to me to be the Village President and Village Clerk, respectively, of the Village of Palatine, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Clerk of said Village, they signed and delivered said instrument as such president and Clerk of said village, and caused the Corporate Seal of said Village to be affixed thereto, pursuant to authority, given by the Board of Trustees of said Village as their free and voluntary act, and as the free and voluntary act and deed of said Village, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 28 day of DECEMBER, 1992.

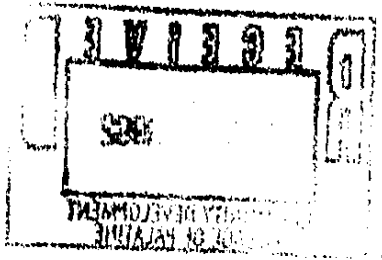
Diane B. Greenlees  
Notary Public

My Commission Expires:  
8/3/93

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