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FIRST AMENDMENT TO AMBER GROVE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS FIRST AMENDMENT TO AMBER GROVE 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").

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COOK COUNTY CLERK'S OFFICE
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COUNTY RECORDER

W I T N E S S E I H:

WHEREAS, Declarant did on the twenty-fifth day of June, 1992, execute that certain "Amber Grove Declaration of Covenants, Conditions, and Restrictions" and recorded the same on July 20, 1992 as Document No. 92529352 with the office of the Recorder of Deeds of Cook County, Illinois (hereinafter referred to as "Declaration") for purposes of subjecting certain real estate described on Exhibit "A" to the Declaration and on Exhibit "A" attached hereto (the "Properties") to the easements, restrictions, covenants, conditions, reservations, liens and charges set forth therein; and for purposes of providing for a means of later subjecting certain other real estate described on Exhibit "B" to the Declaration and on Exhibit "B" attached hereto to such easements, restrictions, covenants, conditions, reservations, liens and charges; and

WHEREAS, ARTICLE NINETEEN, Section 3 of the Declaration provides that the Declaration may be amended by an instrument signed by Lot Owners comprising not less than sixty-seven percent (67%) of the total votes collectively held by all classes of Members of the Association described in the Declaration with the written consent of mortgagees holding at least fifty-one percent (51%) of the outstanding mortgages on Lots within the Properties, and ARTICLE NINETEEN, Section 5 further provides that prior

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approval to any amendment to the Declaration must be obtained by the Federal Housing Administration ("FHA") and the Veteran's Administration ("VA") so long as there is a Class B Member; and

WHEREAS, Declarant owns all 49 of the Lots comprising the Properties, and therefore, presently holds all votes of Members in the Association, and further, there are no outstanding mortgages on the Lots; and

WHEREAS, the FHA and the VA have approved this First Amendment; and

WHEREAS, Declarant wishes to amend the Declaration in the manner hereinafter set forth in this First Amendment;

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

1. ARTICLE ONE, SECTION 4 is hereby amended to read as follows:

"SECTION 4. "STREET ISLAND LANDSCAPING" shall mean the landscaping initially installed by Declarant within the cul-de-sac islands or eyebrows on the streets located within the Properties or within the median islands located within any portions of relocated Spaulding Road as may now or hereinafter be platted (whether or not a part of the Properties) within 200 feet from its intersection with Naperville Road. Such cul-de-sac islands, eyebrows or median islands, like the streets, shall be dedicated to the Village of Bartlett.

2. ARTICLE ONE, SECTION 6 is hereby amended by adding the following after the last sentence thereof:

... "ENTRYWAYS" shall also mean any portion of any real estate abutting the intersection of relocated Spaulding Road, as may now or hereinafter be platted (whether or not a part of the Properties), with Naperville Road, on which Declarant may construct a sign or monument identifying the Amber Grove Development or any portion thereof, and for which Declarant provides a recorded easement giving the Association the right to maintain, repair and replace such sign or monument and any landscaping related thereto and a right of ingress and egress over the real estate for such purposes."

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3. Wherever the term "Cul-de-Sac Landscaping" appears in the Declaration, the term "Street Island Landscaping" is hereby substituted in lieu thereof.

4. ARTICLE FOUR of the Declaration is amended by amending lines 16 and 17 of page 8 of the Declaration to read as follows:

"(a) Five (5) years from the date of this Declaration of Covenants, Conditions and Restrictions."

5. The following is added after the last line of ARTICLE FOUR:

"The directors elected by the Members at the first annual meeting of Members shall include not less than two (2) directors who are Class A Members residing on Lots within the Properties. At all times thereafter, the Board of Directors of the Association shall include not less than two (2) such Class A Members."

6. The periods at the end of each ARTICLE ELEVEN, SECTIONS 5 and 6 are hereby deleted and replaced with semicolons, and the followings is hereby added to the end of each Section: "...provided however that the same shall be kept in a good condition at all time."

7. The following language is deleted from the 12th and 13th line of ARTICLE NINETEEN, SECTION 3 of the Declaration, on page 48:

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

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

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

IN WITNESS WHEREOF, the undersigned being the Declarant herein is hereunto set its hand and seal on the 23 day of December, 1992.

PULTE HOME CORPORATION

By: 


Its: Attorneys-in-Fact

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EXHIBIT "A"

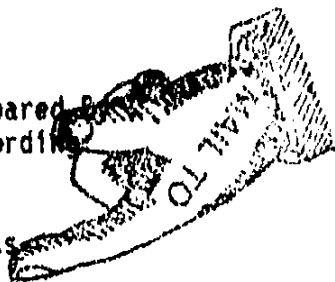
Legal Description of Properties to be Bound by the Declaration

Lots 201 through 249, both inclusive, and Parcel A in Amber Grove Unit 2, being a Subdivision of part of the Southwest Quarter of Section 28 and part of the Northwest Quarter of Section 33, Township 41 North, Range 9 East of the Third Principal Meridian, according to the Plat thereof recorded in Cook County, Illinois.

PIN: 06-28-300-001; 06-33-100-001
06-32-201-003

This Instrument was Prepared By
and Return to After Recording

Charles L. Byrum
Gardner, Carton & Douglas
321 North Clark Street
Chicago, IL 60610-4795



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EXHIBIT "B"

Legal Description of Additional Land which may be added to the Declaration

The South 1463.88 feet of the East half of the southwest quarter of Section 28, Township 41 North, Range 9 East of the Third Principal Meridian, except that part lying North of the center line of Spaulding Road in Cook County, Illinois.

ALSO

All that part of the West half of the northwest quarter of Section 33, Township 41 North, Range 9 East of the Third Principal Meridian, lying northerly of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad excepting therefrom the easterly 400 feet.

Together with

all that part of the northeast quarter of the northeast quarter of Section 32, Township 41 North, Range 9 East of the Third Principal Meridian, lying northerly of the right of way of the Chicago, Milwaukee, St. Paul and Pacific Railroad, all lying in Cook County, Illinois.

ALSO

All that part of the West half of the southwest quarter of Section 28, Township 41 North, Range 9 East of the Third Principal Meridian, lying southerly of Spaulding Road excepting therefrom the south 235.23 feet of the East 400.00 feet thereof all lying in Cook County, Illinois.

ALSO

the Southerly 10' of the Spaulding Road right-of-way.

EXCEPTING FROM THE ABOVE that part taken for Amber Grove Unit 1 and Amber Grove Unit 2, being subdivisions of parts of the Southwest Quarter of Section 28, and parts of the Northwest Quarter of Section 33, Township 41 North, Range 9 of the Third Principal Meridian in Cook County, Illinois.

The Additional Land shall also include any parcels of real estate which may be contiguous to any portion of the real estate legally described on this Exhibit "B".

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