

The real property which is, and shall be, held, transferred, sold, conveyed and occupied subject to the COVENANTS set forth herein is located in Lemont, Cook County, Illinois, and is more particularly described as follows, to wit:

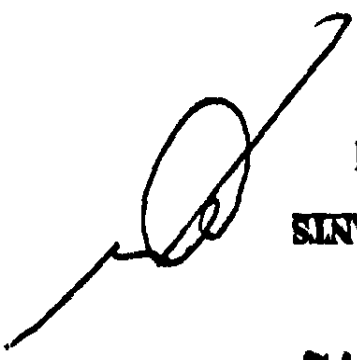
**PROPERTY SUBJECT TO THIS DECLARATION**

**ARTICLE I**

WHEREAS, DECLARANTS are the owners of the real property described in Article I of this DECLARATION; and  
WHEREAS, DECLARANTS are desirous of subjecting said real property to the conditions, covenants, restrictions, reservations and easements hereafter set forth, each and all of which is, and are, for the benefit of said property and each owner thereof and shall inure to the benefit of and pass with said property, and each and every parcel thereof  
NOW, THEREFORE, DECLARANTS hereby declare that the real property described in and referred to in Article I hereof is, and shall be, held, transferred, sold, conveyed and occupied subject to the conditions, covenants, restrictions, reservations and easements (sometimes hereinafter collectively referred to as "COVENANTS") hereafter set forth.

**WITNESSETH,**

THIS DECLARATION, made this 29th day of September, 1989 by THE FIRST NATIONAL BANK OF LOCKPORT under Trust # 72-21220 dated February 27, 1989 (hereinafter called "DECLARANTS")



**DECLARATION OF PROTECTIVE COVENANTS  
CACHE LAKE ESTATES SUBDIVISION  
LEMONT, COOK COUNTY, ILLINOIS**

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structure on the property.

conducted, operated, maintained or permitted upon any of the property or from any commercial or business practice or activity of any kind or nature whatever shall be a single-family dwelling exclusively for single-family, private residence purposes. No trade, lot within said subdivision and said residential building shall be used or occupied only as Only one (1) residential building shall be erected or allowed to exist upon any

1. SINGLE FAMILY OCCUPANCY-NO BUSINESS.

GENERAL RESTRICTIONS

ARTICLE III

The real property described in Article I hereof is subjected to the COVENANTS hereby declared to insure proper use and appropriate development and improvements of DECLARANTS subdivision and every part thereof to protect the owners of the property therein against such improper use of surrounding lots as may depreciate the value of their property to guard against the erection thereon of buildings built of improper or unsuitable materials to insure adequate and reasonable development of said property to encourage the erection of attractive improvements thereon, with appropriate locations thereof to prevent hazardous and inharmonious improvements to secure and maintain proper setbacks and streets, and adequate tree spaces between structures and, in general, to provide adequately for a residential area of the highest quality and character.

GENERAL PURPOSES OF THIS DECLARATION

ARTICLE II

Plots 1 through 27 in Cache Lake Subdivision, a Part of the Northeast 1/4 of the Southeast 1/4 of Section 31, Township 37 North, Range 4 East of the Third Principal Meridian, in Cook County, Illinois. P.M. 11 P.M. P.I.N. #s: 22-31-401-006, 22-31-401-008, 22-31-401-004, 22-31-401-003, 22-31-401-002, 22-31-401-001

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DECLARANTS, their successors or assigns.

connection with a deed or conveyance shall be deemed to be reserved to the  
Any easements that may hereinafter be reserved by the DECLARANTS in

**7. EASEMENTS.**

base of compacted gravel, crushed stone or other approved base material.  
Access driveways and other paved areas for vehicular use on a lot shall have a

**6. DRIVEWAYS.**

building line required under the applicable governmental regulations.  
No building shall be located on a lot nearer to the front lot line than the front

**5. LOCATION ON LOT.**

garage, breezeway, porch, and basement  
must contain at least three thousand (3,000) square feet of living area, exclusive of  
D. A multi-level, split-level, bi-level, tri-level, or staggered level residence  
basement;

(1,500) square feet on the second floor, exclusive of garage, breezeway, porch, and

(1,500) square feet of living area on the first floor and one thousand five hundred

C. A two-story residence shall contain at least one thousand five hundred

level.

include those buildings commonly described as multi-level, split-level, bi-level or tri-

floor, which second floor is smaller in living area than the first floor, but not to

story residence shall be defined as a residence with a second floor above the first

porch, and basement (for all purposes of this Declaration, a one and one-half

(3,000) square feet of living area on the first floor, exclusive of garage, breezeway,

B. A one and one-half story residence shall contain at least three thousand

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## **2. TWO CAR GARAGE REQUIRED.**

As appurtenant to the residential building permitted by paragraph (1) hereof and to be used exclusively in connection with such residential building, a private garage of not less than 22 feet by 22 feet shall be constructed or erected, which garage must be either attached to such residential building as an integral part thereof or attached thereto by an enclosed breezeway. Such garage shall not be used at any time as a residence. Such garage shall conform to the architectural design of the residence, shall be constructed of the same or similar building materials as the residence, and shall evidence the same quality of construction, appearance and relative proportions as the residence to which it is attached.

## **3. BUILDING HEIGHTS.**

No dwelling shall be erected, altered, or placed, which is more than two and one-half (2 1/2) stories or thirty feet (30') in height. No accessory building or structure shall exceed seventeen feet (17') in height.

## **4. DWELLING, QUALITY AND SIZE.**

It is the intention and purpose of these COVENANTS to assure that all dwellings shall be of quality design, workmanship and materials. All dwellings are to be built of brick and are to have an attached two car garage. All roofs shall be covered with Hall Mark shingles or cedar shakes. All dwellings shall be constructed in accordance with the applicable governmental building code. The finished floor area of the dwelling, exclusive of basements, attached garages, open terraces and breezeways, shall be as follows:

A. A one-story residence shall contain at least two thousand five hundred (2,500) square feet of living area, exclusive of garage, breezeway, porches, and basement.

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IN WITNESS WHEREOF, I have hereunto set my hand and seal of office at Chicago, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Clerk of Cook County

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office at Chicago, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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Clerk of Cook County

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**8. NUISANCES AND LIVESTOCK.**

A. No noxious or offensive activity shall be carried on, in or upon any premises, or shall anything be done thereon which may be, or may become, an annoyance or nuisance to the neighborhood;

B. No livestock, bees or poultry shall be kept or maintained in connection with any residence;

C. No burning of refuse shall be permitted outside the dwelling, except that the burning of leaves is permitted if allowed by appropriate governmental regulations;

D. The use of any driveway or parking area which may be in front or adjacent to, or part of, any lot as a habitual parking place for camper, trailers, mobile homes, motor boats, houseboats, motor homes or commercial vehicles is prohibited.

E. Campers, commercial vehicles, trailers, motor homes, houseboats and motor homes may be maintained if housed completely within a structure. No roadway shall be used for the habitual parking of private or commercial vehicles or boats or trailers.

**9. PLANT DISEASES OR NOXIOUS INSECTS.**

No plants or seeds, or other things or conditions, harboring or breeding infectious plant diseases or noxious insects shall be introduced or maintained upon any part of a lot.

**10. TEMPORARY STRUCTURES.**

A. No trailer, basement or an uncompleted building, tent, shack, garage,

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DECLARANTS hereby reserved onto itself, its successors or assigns, the right to enter into agreements with the grantee of any parcel, lot or lots (with the consent of grantee of other lots or adjoining adjacent property) to deviate from any or all of the COVENANTS set forth herein, provided there are practical difficulties or particular

**14. DEVIATIONS BY AGREEMENT WITH DECLARANTS.**

shall be borne by the party depositing or causing the same to be deposited thereon, junk or other refuse on or in any area shall be prohibited and the cost of removing same The discharge or dumping of any harmful chemicals, paper, boxes, metal, wire,

**13. DUMPING AND/OR RELATED NUISANCES.**

which said lot falls. maintenance of parkways located between their lot lines and edges of street pavements on The owners of lots described in ARTICLE I shall be responsible for the

**12. MAINTENANCE OF ROAD PARKWAYS.**

maintained underground. same shall be contained in conduits or approved cables constructed, placed and Subdivision other than within buildings or structures or attached to their walls, unless the power shall be constructed, placed or permitted to be placed anywhere in DECLARANTS lines or wires for communication or the transmission of electric current or

**11. UNDERGROUND WIRING.**

shall be removed upon the completion of construction. dwelling shall be on the same lot as the dwelling, and such buildings or structures B. Temporary buildings or structures used during the construction of a used at any time for a residence either temporary or permanent.

barn, motorized home, and no temporary building or structure of any kind shall be

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or his agents, may erect identifying or advertising the subdivision or any model homes his successor or assigns. This provision shall not apply to any sign which the developer, advertisement shall be permitted without the express written consent of the developer, or larger than 3 feet by 2 feet in size. No other signs, banners or other manner of residence thereon is for sale or for rent by posting a sign at the front property line not 17. PERMITTED SIGNS. Any owner of a lot may indicate that the lot and

to the commencement of any construction in such subdivision. structures, and as to location with respect to topography and final grade elevation prior quality of workmanship and materials, harmony of external design, size, and existing or their duly authorized agent, or to its successors or assigns, for written approval as to be submitted to Norman Roy or John P. Antonopoulos, the developers of the subdivision, licensed architect for all structures to be constructed on any lot in the subdivision, must the subdivision, approval of detailed plans and specifications (blueprints) prepared by a Before anyone shall commence construction or alteration of any residence in

16. BUILDING PLANS.

having jurisdiction of such matters. regulations and ordinances of the appropriate department or agency of the County of Cook with the requirements of the system's manufacturer and installer and of the rules," sewage treatment system which shall be constructed and maintained in strict compliance Each residence in the subdivision is to be served by an individual mechanical

15. INDIVIDUAL MECHANICAL SEWAGE TREATMENT SYSTEMS.

remaining real property of DECLARANTS. an agreement in writing) shall not constitute a waiver of any such COVENANT as to the hardships evidenced by the grantee, and any such deviation (which shall be manifested by

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1. ALL COVENANTS and other provisions herein set forth shall be subject to, and subordinate to, all mortgages or deeds of trust in the nature of a mortgage now or hereafter executed, encumbering any of the real property in DECLARANTS Subdivision, and none of said COVENANTS or other provisions shall supersede or in any way reduce the security or affect the validity of any such mortgage or deed of trust in the nature of

**GENERAL PROVISIONS**

**ARTICLE IV**

Every lot shall at all times be kept in a clean and slightly condition. No trash, litter, junk, boxes, containers, bottles or cans shall be permitted to collect or remain exposed on any lot, except during the period of construction. The owner of each lot shall be responsible for cutting and removal of weeds each year so as to conform with the requirements, ordinances and regulations of the County of Cook.

**20. WEED CUTTING AND CLEAN-UP.**

months after the date of issuance of the building permit. Unless otherwise authorized in writing by the developer, every residence being any building on any lot shall be prosecuted diligently from commencement to completion thereof. The construction or alteration of constructed, altered or expanded in the subdivision shall be completed within eight (8)

**19. TIME TO COMPLETE CONSTRUCTION.**

the approved architectural renderings or drawings previously submitted. occupied, or such additional time as the developer may allow, the owner shall complete the landscaping plan, including the planting of a lawn, shrubs or other greenery as shown on the approved architectural renderings or drawings previously submitted. Within ninety (90) days after a residence is

**18. LAWN AND LANDSCAPING.**

sale of the property in the subdivision. which may be deemed necessary by the developer by the developer for the operation and

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4. The record title holder and/or the beneficiaries of any land trust shall be bound by and shall comply with the terms of this DECLARATION OF PROTECTIVE COVENANTS. A failure by an owner and/or beneficiary to comply with the terms of this Declaration shall constitute a default. If a default occurs, the DECLARANTS and/or any lot owner of record shall have the right to recover damages at law, to procure injunctive relief, or to avail themselves of any other rights or remedies permitted by law or equity. In any proceedings commenced by the DECLARANTS or lot owner arising out of an alleged default by an Owner or their agent, the prevailing party, shall be entitled to recover all expenses of the proceedings, including reasonable attorney's fees; it being intended that the operation of this provision will result in a comprehensive recovery of all costs and expenses to the prevailing party including all appeals beyond the Circuit Court level.

3. No recorded lot or lots can be divided, changed or resubdivided unless approved, in writing, by the Subdivisor, Architect, upon review of practical difficulties or particular hardships evidences by the lot owner, which shall remain in full force and effect.

2. If a court of competent jurisdiction shall hold invalid or unenforceable any part of any COVENANT or provision contained in this DECLARATION, such holding shall not impair, invalidate or otherwise affect the remainder of this DECLARATION of this DECLARATION.

However, if any such property is acquired in lieu of foreclosure, or is sold under foreclosure of any mortgage or under the provisions of any deed of trust in the nature of a mortgage, or under judicial sale, any purchaser at such sale, his or its grantees, heirs, personal representatives, successors or assigns shall hold any and all such property so purchased or acquired subject to all the COVENANTS and other provisions

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THIS INSTRUMENT PREPARED BY:  
Antonopoulos, Vitel & Groselak, P.C.  
221 East 127th Street  
Lemont, Illinois 60439  
(312) 257-5816

RETURN RECORDED DOCUMENTS TO:  
Antonopoulos, Vitel & Groselak, P.C.  
221 East 127th Street  
Lemont, Illinois 60439

THIS INSTRUMENT IS EXECUTED BY THE  
FIRST NATIONAL BANK OF LOCKPORT  
NOT PERSONALLY BUT AS TRUSTEE AS AFORESAID.  
OF THE OFFICES AND  
CORPORATE SEAL PLACED HEREUNDER  
BY THE FIRST NATIONAL BANK OF LOCKPORT  
AND EXECUTED BY THE FIRST NATIONAL BANK OF LOCKPORT  
AS A TRUSTEE PERSONALLY  
AND AS A TRUSTEE PERSONALLY  
SHALL BE ASSIGNED OR ASSIGNABLE  
AGAINST THE FIRST NATIONAL BANK OF LOCKPORT  
BY REASON OF ANY OF THE COVENANTS  
STATEMENTS, AGREEMENTS OR  
WARRANTIES CONTAINED IN THE INSTRUMENT.

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Attest: Theresa Pearson  
Vice - President

By: Thomas J. Stachlewski  
Trust Officer

First National Bank of Lockport  
under Trust # 72-21220 dated  
February 27, 1989 and not personally

IN WITNESS WHEREOF, DECLARANTS have caused this instrument to be  
executed by its owner the day and year first above written.

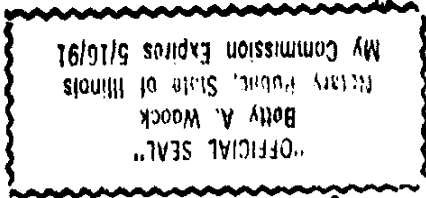
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Notary Public

Betty A. Wood

September 19 89

Given under my hand and Notarial Seal this 29th day of

\_\_\_\_\_  
\_\_\_\_\_

voluntary act, for the uses and purposes therein set forth.

\_\_\_\_\_  
Vice President, did sign the said corporation seal as their own free and

\_\_\_\_\_  
Vice President did also then and there acknowledge that

uses and purposes therein set forth; and that said \_\_\_\_\_  
Trust Officer and

instrument as their own free and voluntary act, and as the free and voluntary act for the

before me this day in person and acknowledged that they signed and delivered the said

whose names are subscribed to the foregoing instruments as they respectively appeared

and \_\_\_\_\_  
Tina Beavers, personally known to me to be the same persons

LOCKPORT under Trust No. 72-21220 by their Trustees \_\_\_\_\_  
Donna J. Woblaszki

State aforesaid, DO HEREBY CERTIFY that THE FIRST NATIONAL BANK OF

\_\_\_\_\_, the undersigned, a Notary Public in and for said County, in the

STATE OF ILLINOIS )  
) SS: )  
) COUNTY OF COOK )

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CAROL ANN EY BRAUN  
CAROL ANN EY BRAUN  
I.T.L.

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INTERCOUNTY TITLE CO. OF ILLINOIS  
120 WEST MADISON  
CHICAGO, ILLINOIS 60608

BOX 97

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