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2011R-03342
GEORGIA VOLM
ADAMS COUNTY CLERK/RECORDER
ADAMS COUNTY, ILLINOIS
RECORDED ON
04/07/2011 2:22 PM
REC FEE: 18.00
GIS RECORDER FEE: 1.00
GIS COUNTY FEE: 19.00
RHSP HOUSING FEE: 10.00

P.I.N. #20-0-0745-006-00

AMENDMENT TO
PROTECTIVE COVENANTS AND HOMEOWNERS ASSOCIATION
FAWN HAVEN ESTATES

This Amendment is made as of this 31st day of March, 2011, by all of the owners of all of the lands contained in the area known as "Fawn Haven Estates Subdivision", hereinafter collectively referred to as the "Declarants".

WITNESSETH:

WHEREAS, on or about the 13th day of November, 2001, Tom E. Stupavsky and Lucinda M. Stupavsky, as Declarants, made a Declaration of various covenants, conditions, easements and restrictions relative to Fawn Haven Estates Subdivision; and

WHEREAS, said Protective Covenants and Homeowners Association Declaration, hereinafter referred to as "Declaration", is recorded in Book 600, Page 837 of Miscellaneous Records bearing document no. 200100837; and

WHEREAS, Fawn Haven Estates Subdivision consists of the real estate legally described on **Exhibit A** annexed hereto and incorporated herein by reference; and

WHEREAS, it has become necessary to amend the said Declaration of Fawn Haven Estates Subdivision; and

WHEREAS, the Declarants wish to make said amendments; and

WHEREAS, ¶24 of the original Declaration permits the amendment of said Declaration; and

WHEREAS, this Amendment is executed and approved by all of the owners of said lots.

NOW, THEREFORE, the Declarants hereby declare as follows:

I. AMENDMENTS

1. ¶3 of the Declaration is amended by adding the following provision (which is underlined hereinafter) to the existing ¶3, so that the entire ¶3 shall read as follows:

3. All lots shall be used for the purpose of constructing and maintaining a single family residence. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling not to exceed two stories in height excluding basement or foundation, and a garage, which shall be attached to the residence for not less than two cars. Also, one additional, detached garage or outbuilding may be erected that shall not be more than one story high nor more than 2,500 square feet and must comply with the provisions for construction set forth in the original Declaration. Specifically, it must be of the same or similar exterior materials as the residence, and matching the color scheme of the residence. Further, the structures currently located on Lots 2 and 5, which are an outbuilding and detached garage, respectively, shall be

permitted to remain on said lots, as long as these structures are maintained and kept in good repair. If any detached garage or outbuilding is not maintained according to the foregoing standard, it must be removed and the real estate put back in the same condition it was before the construction occurred of the detached garage and/or outbuilding.

2. ¶4 of the Declaration is amended by adding the following provision (which is underlined hereinafter) to the existing ¶4, so that the entire ¶4 shall read as follows:

4. Each lot shall have a 50 feet minimum building setback line from front property line and 15 feet from side lot line. Any detached garage or outbuilding (other than the two structures referred to in ¶3 hereinabove) shall be constructed behind the single family dwelling and within the 15 foot platted side lot lines.

3. ¶15 of the Declaration is amended by adding the following provision (which is underlined hereinafter) to the existing ¶15, so that the entire ¶15 shall read as follows:

15. None of said lots or the improvements thereon shall ever be used for rooming houses, club houses, road houses, the operation of a children's day care, or for any commercial purposes whatsoever. However, the Developer may store in the detached garage located on Lot 5 commercial equipment and materials associated with Tom Stupavsky Construction, Inc. construction business. This right shall not run with the land and only last as long as the Developer occupies said lot.

II. RATIFICATION

4. Except as hereby altered or changed, the Declaration dated November 13, 2001 regarding Fawn Haven Estates Subdivision, is ratified and shall remain in full force and effect.

The current owners of record are:

OWNERS

Tom E. Stupavsky and
Lucinda M. Stupavsky,
husband and wife

Thomas J. Wensing and
Linda R. Wensing,
husband and wife

Gregory K. Wiemelt and
Carol A. Wiemelt,
husband and wife


LOT OWNED

Lot Nos. 3, 4, 5
3635 Deer Ridge Road (Lot 5)

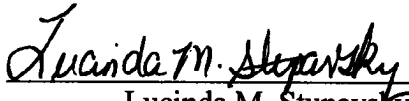
Lot No. 1
3227 South 36th Street

Lot No. 2
3305 South 36th Street


The undersigned have herein set their hands and seals the day and year first above written.



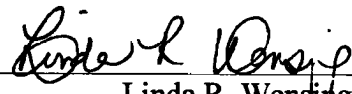
Tom E. Stupavsky



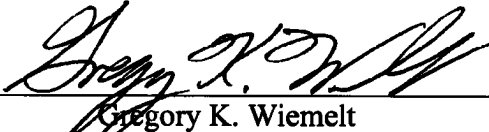
Lucinda M. Stupavsky



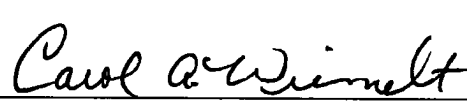
Thomas J. Wensing



Linda R. Wensing



Gregory K. Wiemelt



Carol A. Wiemelt

STATE OF ILLINOIS)
) ss.
COUNTY OF ADAMS)

I, Susan M. Mast, a Notary Public in, and for said County and State aforesaid, Do Hereby Certify that Tom E. Stupavsky and Lucinda M. Stupavsky, husband and wife, 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 6th day of April, 2011.





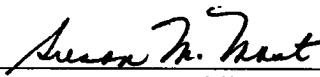
Notary Public

STATE OF ILLINOIS)
) ss.
COUNTY OF ADAMS)

I, Susan M. Mast, a Notary Public in, and for said County and State aforesaid, Do Hereby Certify that Thomas J. Wensing and Linda R. Wensing, husband and wife, 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 29th day of March, 2011.





Notary Public

STATE OF ILLINOIS)
) ss.
COUNTY OF ADAMS)

I, Susan M. Mast, a Notary Public in, and for said County and State aforesaid, Do Hereby Certify that Gregory K. Wiemelt and Carol A. Wiemelt, husband and wife, 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal this 28th day of March, 2011.



Susan M. Mast
Notary Public

Instrument Prepared By
and Return Document To:

Scholz, Loos, Palmer, Siebers & Duesterhaus LLP
Attorneys at Law
625 Vermont Street
Quincy, IL 62301
217/223-3444

EXHIBIT A

A tract of land lying in and being a part of the Southwest Quarter of the Southwest Quarter of Section Seventeen (17), Township Two (2) South, Range Eight (8) West of the Fourth Principal Meridian, Adams County, Illinois, and being more fully described as follows:

Beginning at a point marking the Southwest corner of the Southwest Quarter of the Southwest Quarter of the aforementioned Section Seventeen (17), thence North 00 degrees 00 minutes 42 seconds West along the West line of said Quarter-Quarter Section 561.03 feet; thence North 89 degrees 23 minutes 38 seconds East, leaving said West line, 661.40 feet to a point on the East line of the West forty (40) acres of the Southwest Quarter of said Section Seventeen (17); thence South 00 degrees 04 minutes 34 seconds East along said East line 274.88 feet to a point marking the Northeast corner of a certain tract of land as recorded in Book 493, at page 1804; thence South 89 degrees 47 minutes 26 seconds West along the North line of said tract 150.00 feet; thence South 00 degrees 05 minutes 35 seconds East along the West line of said tract 290.73 feet (South 00 degrees 04 minutes? 34 seconds East 290.40 feet record) to a point on the South line of the Southwest Quarter of the Southwest Quarter of said Section Seventeen (17); thence South 89 degrees 47 minutes 26 seconds West along said South line 513.01 feet (512.09 feet record) to the point of beginning, containing 7.56 acres, more or less, with the above described subject to that portion now being used for public road purposes (Deer Ridge Road and South 36th Street), all situated in the County of Adams, in the State of Illinois, and as shown by Plat of Survey prepared by Marvin J. Likes, Illinois Professional Land Surveyor #35-2150, in June of 1995, recorded in Book 15 of Plats, at page 479, to which reference is made for greater certainty.