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ADAMS COUNTY  
STATE OF ILLINOIS  
1997 AUG 13 A 8:32

*[Signature]*  
COUNTY RECORDER

Mays & Walden & Anastas

AMENDED PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS that the undersigned, being all of the owners of that real estate known as:

Lots Ten (10) through Nineteen (19) of Merebank Thirteenth Addition, a Subdivision of part of the Southwest Quarter of Section Seven (7) in Township Two (2) South of the Base Line, in Range Eight (8) West of the Fourth Principal Meridian, Adams County, Illinois,

do hereby amend the Protective Covenants recorded August 1, 1996 in the Recorder's Office of Adams County, Illinois, in Book 92 of Miscellaneous Records at page 139 by substituting the following for the original paragraphs:

Original Paragraph: No dwelling shall be permitted on any lot at a cost of less than \$60,000.00, based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of this covenant to assure that all dwellings shall be of a quality, workmanship, and materials substantially the same or better than at the minimum cost stated herein. No dwelling shall contain less than 1,500 square feet of living space, exclusive of garages, porches and patios, and no multilevel dwelling shall contain less than 1,200 square feet of living space on the ground floor level. No imitation stone, asphalt or rolled siding shall be used on the exterior of any dwelling.

Which is hereby ~~deleted~~ and in its place is inserted the following:

Amended Paragraph: No dwelling shall be permitted on any lot at a cost of less than \$100,000.00, based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of this covenant to assure that all dwellings shall be of a quality, workmanship, and materials substantially the same or better than at the minimum cost stated herein. No dwelling shall contain less than 1,700 square feet of

living space, exclusive of garages, porches and patios, and no multilevel dwelling shall contain less than 1,200 square feet of living space on the ground floor level. No imitation stone, asphalt or rolled siding shall be used on the exterior of any dwelling.

In addition, there is hereby added to said covenants the following paragraph:

The retention pond or lake as shown on the recorded plat of subdivision shall be a private lake for the benefit of the lot owners adjoining it. "Adjoining lots" shall be defined as Lot 4 of Merebank 12th Addition and Lots 10 and 19 of Merebank 13th Addition. The owners of these lots shall be jointly responsible for the maintenance of the pond or lake, which shall include, but not be limited to, the dam, banks, drains and all aspects of the lake. They shall have the obligation to maintain the pond in its current condition, as of the time of the original recording of these covenants and may restrict the use of said pond or lake.

The lot owners responsible for the lake or pond, as defined above, may, at their discretion, form a not for profit corporation for the purpose of performing the function of fulfilling their obligations thereto. All Articles of Incorporation, bylaws, officers and general operation of the corporation shall be at the discretion and responsibility of the affected lot owners.

In Witness Whereof, Barry M. Drury and Victoria L. Drury, husband and wife, as individuals and as the owners of Lot Sixteen (16) in Merebank 13th Addition and Charles M. Eaton, Jr. and Harry C. Eaton, as successor trustees of the Charles M. Eaton Declaration of Trust, Dated August 21, 1990, not as individuals but as said trustees and as the owners of the balance of the lots of Merebank Thirteenth Addition, have caused their names to be signed, this 6<sup>th</sup> day of AUGUST, 1997.

