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Towne & Country Abstract

SECOND AMENDMENT TO PROTECTIVE COVENANTS

WHEREAS, Larry F. Lewis, as Successor Trustees under the Last Will and Testament of Frank W. Lewis, deceased, Terry Hollenberg, Joyce A. Hollenberg, Stanley W. Burke and Irene V. Burke, being all of the owners of lots numbered 1 thru 6 of Spirit Knob Subdivision, the Plat thereof being recorded in the Recorder's Office of Adams County, Illinois, in Book 13 of Plats at Page 1167 and lots numbered 4, 5 and 6 of Spirit Knob Resubdivision of Lots 4, 5 and 6, the Plat thereof being recorded in the Recorder's Office of Adams County, Illinois, in Book 706 at Page 5189, all known as Spirit Knob Subdivision; and

WHEREAS, Protective Covenants were entered into by the owners of said real estate and have been spread upon the public record in the Recorder's Office of Adams County, Illinois in Book 84 of Miscellaneous Records at page 1336 (hereinafter "Protective Covenants"); and

WHEREAS, an Amendment to Protective Covenants was entered into by the owners of said real estate, and filed for record in the Recorder's Office of Adams County, Illinois, in Book 86 of Miscellaneous Records at page 146 (hereinafter "Amendment"); and

WHEREAS, the undersigned are desirous of amending said Protective Covenants and Amendment, and

WHEREAS, no other person, firm or corporation has any interest in said real estate or any rights under said Protective Covenants or Amendment other than the undersigned,

NOW, THEREFORE, know all men by these presents that Larry F. Lewis, as Successor Trustees under the Last Will and Testament of Frank W. Lewis, deceased, Terry Hollenberg, Joyce A. Hollenberg, Stanley W. Burke and Irene V. Burke, being all of the owners of the lots of the Spirit Knob Subdivision described above, do further hereby amend said Protective Covenants and Amendment, as follows:

1. All of the covenants contained in the Amendment and the Protective Covenants, except those contained in Section II. COVENANTS WITH RESPECT TO ADJOINING REAL ESTATE, are hereby removed from the real estate located in the area vacated from the Spirit Knob Subdivision as set forth on the Plat of the Resubdivision of Lots 4, 5, & 6 of the Spirit Knob Subdivision, as recorded in the Office of the Adams County Clerk and Recorder in Book 706 at Page 5189, said real estate being more particularly described as follows:

Part of Spirit Knob Subdivision as per Plat recorded in Book 13, Page 1167.

Part of the Southwest Quarter of Section 13, Township 1 North, Range 9 West of the Fourth Principal Meridian, Adams County, Illinois. Being more particularly described as follows:

Beginning at the Northwest Corner of said Spirit Knob Subdivision; thence S 88° 17' 46" E, along the South Right-of-Way Line of County Highway #6, a distance of 102.46 feet; thence S 27° 42' 29" E, 296.12 feet; thence S 53° 43' 21" E, 58.06 feet; thence S 39° 13' 10" E, 92.04 feet; thence S 85° 12' 34" E, 122.33 feet; thence S 79° 23' 01" E, 54.93 feet; thence S 55° 22' 55" W, 95.02 feet; thence S 81° 44' 55" W, 166.00 feet; thence N 34° 31' 55" W, 509.42 feet; thence N 11° 44' 14" E, 50.40 feet to the point of beginning. Containing 1.480 acres.

2. That paragraph numbered 4. RESIDENTIAL LOTS. of the Protective Covenants is hereby amended to read as follows:

4. RESIDENTIAL LOTS. All platted lots shall be known as residential lots and all buildings constructed thereon are to be used for single-family residential purposes only. No building shall be erected, altered, placed, or permitted to remain on any lot other than one single-family dwelling not to exceed two and one-half stories in height plus basement and attached garage, and not more than two detached buildings, constructed on a foundation, which combined shall not exceed Six Hundred (600) square feet in size. All residential structures constructed on said lots shall be of conventional frame, stone, brick or brick veneer construction, and shall contain on the interior of such structure a minimum of One Thousand, Six Hundred (1,600) square feet, excluding porches, breeze ways, patios, garages and basement area. No trailer, mobile home, pre-fabricated home, modular home or any other structure containing pre-assembled structural components shall be placed, erected or constructed upon any lot.

3. That paragraph numbered 6. EASEMENT FOR ROADWAY. of the Protective Covenants be and is hereby deleted.

4. That paragraph numbered 8. DIVISION OF LOTS. of the Protective Covenants is amended to read as follows:

8. DIVISION OF LOTS. All lots shall remain as shown on the Plat recorded in the Office of the Recorder of Deeds of Adams County, Illinois, in Book 13 of Plats at Page 1167, and none of said Lots shall be divided or reduced in size, except Lots 4, 5 and 6, as shown on the Plat of Spirit Knob Resubdivision of Lots 4, 5 and 6, recorded in Book 706 at Page 5189.
5. That paragraph numbered 14. ANIMALS. of the Protective Covenants is amended to read as follows:
 14. ANIMALS. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that cats, dogs, or other household pets not to exceed two (2) in number for each single family residential lot may be kept, provided they are not kept, bred or maintained for any commercial purpose.
6. That a new paragraph numbered 18. COMBINED LOTS shall be added to the Protective Covenants and shall read as follows:
 18. COMBINED LOTS. That notwithstanding any provision hereof to the contrary, if any lot owner or owners shall own two (2) adjacent lots, and a single family residence shall first have been constructed on one (1) such lot, one (1) detached building may be constructed on the adjacent lot without the construction of a single family residence thereon, provided, that not more than a total of two (2) detached buildings may be constructed, which when combined shall not exceed Two Thousand, Four Hundred (2,400) square feet in size, on the total area of both said adjacent lots. Any building so constructed shall be in accordance with the provisions of Paragraph 9 of the Protective Covenants recorded in Book 84 of Miscellaneous Records at Page 1336, herein, and conform to the construction and appearance of the single family residence of the lot owner or owners.
7. For the purpose of measurement, the measuring points to determine the scope of coverage of Paragraph 3. SCOPE OF COVERAGE in Section II. Covenants with Respect to Adjoining Land shall be amended to be from the West and South lines of the boundary of the subdivision set forth on the Plat of the Resubdivision of lots 4, 5 & 6 of Spirit Knob Subdivision as recorded in the Office of the Adams County Clerk and Recorder in Book 706 at Page 5189.

8. That paragraph numbered 2 of the Amendment be and is hereby deleted.
9. That paragraph numbered 3 of the Amendment be and is hereby deleted.
10. That except to the extent of the amendments contained herein, the Protective Covenants and the Amendment shall remain in full force and effect.
11. That this Second Amendment to Protective Covenants shall be indexed and placed of record in the Office of the Adams County Clerk and Recorder on lots numbered 1 thru 6 of the original Spirit Knob Subdivision, the Plat thereof being recorded in the Recorder's Office of Adams County, Illinois, in Book 13 of Plats at Page 1167, on lots numbered 4 thru 6 of the Resubdivision of Lots 4, 5 & 6 of the Spirit Knob Subdivision, the Plat thereof being recorded in the Office of the Adams County Clerk and Recorder in Book 706 at Page 5189, and on the real estate legally described as follows:

The Southwest Quarter of Section Thirteen (13) in Township One (1) North of the Base Line in Range Nine (9) West of the Fourth Principal Meridian, Adams County, Illinois, except: Commencing at the Northeast Corner of the Southwest Quarter of Section Thirteen (13), thence South 0° 0' West along the East line of said Southwest Quarter, Fifty-six and Nine Tenths (56.9) feet to the true point of beginning; thence continuing South 0° 0' West, along the East line of said Southwest Quarter, Three Hundred Sixty-nine and one-tenth (369.1) feet, thence North 93° 59' West, Four Hundred Fifty-two and one tenth (452.1) feet, thence North 88° 21' West, One Hundred Ninety-seven and Three Tenths (197.3) feet, thence South 54° 56' West, One Hundred Seventy-one and Seven Tenths (171.7) feet, thence South 81° 18' West, One Hundred Sixty-six (166) feet, thence North 35° 14' West, Five Hundred Eight and Two Tenths (508.2) feet, thence North 110° 11' East Fifty-four and Four Tenths (54.4) feet to the South Right-of-Way Line of County Highway #6, thence South 88° 51' East, One

Thousand Two Hundred Thirty-five and Two Tenths (1235.2) feet to the point of beginning, containing Nine and Seventy Hundredths acres, more or less, all situated in Adams County, Illinois.