



Adams County Clerk/Recorder  
Book: 708 Page: 11027

Receipt #: 200226608  
Pages Recorded: 54

Recording Fee: \$75.00  
Rental Housing Support Program  
State Surcharge Pd 10/16/2008  
\$10.00

Authorized By: *Margie Volkmann*

Date Recorded: 10/16/2008 1:43:38 PM



- 23-6-1129-267-00 (Lot 4, Block 8)
- 23-6-1129-268-00 (Lot 5, Block 8)
- 23-6-1129-283-00 (Lot 20, Block 8)
- 23-6-1129-284-00 (Lot 21, Block 8)
- 23-6-1129-168-00 (Lot 1, Block 9)
- 23-6-1129-169-00 (Lot 2, Block 9)
- 23-6-1129-170-00 (Lot 3, Block 9)

- 23-6-1129-134-00 (Lot 1, Block 4)
- 23-6-1129-135-00 (Lot 2, Block 4)
- 23-6-1129-136-00 (Lot 3, Block 4)
- 23-6-1129-137-00 (Lot 4, Block 4)
- 23-6-1129-138-00 (Lot 5, Block 4)
- 23-6-1129-139-00 (Lot 6, Block 4)
- 23-6-1129-140-00 (Lot 7, Block 4)
- 23-6-1129-141-00 (Lot 8, Block 4)
- 23-6-1129-142-00 (Lot 9, Block 4)
- 23-6-1129-143-00 (Lot 10, Block 4)
- 23-6-1129-171-00 (Lot 4, Block 9)
- 23-6-1129-164-00 (Lot 1, Block 3)

**GOEHL, SCHUERING & CASSENS**

**FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
EASEMENTS AND RESTRICTIONS  
OF  
STONE CREEK TOWNHOMES  
AND AGREEMENT**

This Declaration and Agreement is made and entered into this 18th day of March, 2008, by the Unit Owners of the Stone Creek Homeowners Association, a condominium association established pursuant to the Illinois Condominium Property Act (the "Unit Owners") and the Board of Managers of the Stone Creek Homeowners Association (the "Board of Managers") (the Unit Owners and Board of Managers collectively referred to as the "Association"), the mortgagees holding bone fide mortgage liens on the real estate interest of each Unit Owner and the owners and mortgagees of the real estate described in Exhibit 1 attached hereto and made a part hereof (collectively "Incoming Unit Owners and mortgagees").

**WITNESSETH:**

**WHEREAS**, by Declaration, Neal Development, Inc., an Illinois Corporation, recorded in the office of the Recorder of Deeds of Adams County, Illinois, on the 1<sup>st</sup> day of March, 1999, as

Document No. 085063, and recorded in Book 92 of Miscellaneous Records at Page 1187, the "Declaration" and submitted certain real estate to the provisions of the Community Interest Property Act or Acts of the State of Illinois which, most likely, refers to the Condominium Property Act of the State of Illinois (765 ILCS 605/1 et seq.) (the "Act"); and,

**WHEREAS**, Neal Cornwell Development, Inc. amended the Declaration and submitted additional real estate to the provisions of the Act through the following recordings in the office of the Recorder of Deeds of Adams County, Illinois:

Document No.103768 recorded on July 26, 2000 in Book 93 of Miscellaneous Records at Page 325, and known as the First Amendment to the Declaration, and

Document No. 113098 recorded on May 1, 2001 in Book 93 of Miscellaneous Records at Page 623, and known as the Second Amendment to the Declaration, and

Document No. 200201689 recorded on February 1, 2002 in Book 610 of Miscellaneous Records at Page 1689, and known as the Third Amendment to the Declaration; and

**WHEREAS**, all of the real estate submitted to the provisions of the Act which made up the Stone Creek Homeowners Association prior to the date of this Agreement is legally described as follows:

A part of the Northwest Quarter of Section Twenty-Five (25) in Township One (1) South of the Baseline, in Range Nine (9) West of the Fourth Principal Meridian, in Adams County, Illinois, which is particularly described as follows:

Lots One(1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9) and Ten (10) in Block Four (4) of the Stone Creek Subdivision Phase 1; all as shown by and described in the Stone Creek Final Plat Phase 1, dated October 23, 1998, and recorded on January 8, 1999, as Document No. 082993, in Book 15 of Plats, page 1133, in the office of the Recorder of Deeds of Adams County, Illinois; and

Lot One (1) in Block Three (3); all as shown and described in the Final Plat of Subdivision Stone Creek Phase 3, dated October 10, 2002, and recorded on October 23, 2002, as Document No. 200213776, in Book 610, page 13776, in the office of the Recorder of Deeds of Adams County, Illinois; and

Lot Four (4) in Block Nine (9); all as shown by and described in the Final Plat of Subdivision Stone Creek Phase IV, dated April 8, 2003, and recorded on April 11, 2003, as Document No. 200305372, in Book 620, page 5372, in the office of the Recorder of Deeds of Adams County, Illinois.

All of the above described real estate is hereinafter referred to as "real estate of the Unit Owners".

**WHEREAS**, Neal Cornwell Development, Inc., an Illinois Corporation, was the Declarant in the Declaration and no longer conducts any business in connection with the Stone Creek Homeowners Association, no longer subdivides any property in the Stone Creek Subdivision and the corporation has been dissolved and is no longer in business; and,

**WHEREAS**, The Board of Managers of the Stone Creek Homeowners Association desires to become the Declarant, as described and defined in the Declaration, in place of Neal Cornwell Development, Inc., and desires to amend the Declaration accordingly; and,

**WHEREAS**, all of the Unit Owners, the mortgagees of the Unit Owners, and the Board of Managers of the Association have consented to amend the Declaration to make the Board of Managers of the Association the Declarant and to add the real estate of the Incoming Unit Owners to the Association; and,

**WHEREAS**, the Incoming Unit Owners and mortgagees desire to submit the real estate described in Exhibit 1, attached hereto and made a part hereof, to the terms and conditions of the Declaration and to become a part of the Association; and,

**WHEREAS**, the Declaration reserved to the Declarant the right to amend the Declaration, Exhibit "B", by setting forth the amended percentages of the undivided interest in the common elements allocated to each Unit as additional Units are added to said Townhome development; and,

**WHEREAS**, Lots 1, 2 and 3 of Block 9, Phase 4; Lots 20 and 21 of Block 8, Phase 4; and Lots 4 and 5 of Block 8, Phase 4 are the Units of the Incoming Unit Owners which are delineated on the plats described in the Fourth Amended Exhibit "D", which are attached hereto and made a part hereof.

**NOW, THEREFORE**, the Stone Creek Homeowners Association, being the Association of all of the Unit Owners acting pursuant to the Declaration and the Bylaws attached thereto and acting pursuant to the Act as amended, through its duly elected Board of Managers, each member of the Board of Managers of the Association, all Unit Owners of the Association and their respective mortgagees, and the Incoming Owners and mortgagees do hereby amend the Declaration and agree as follows:

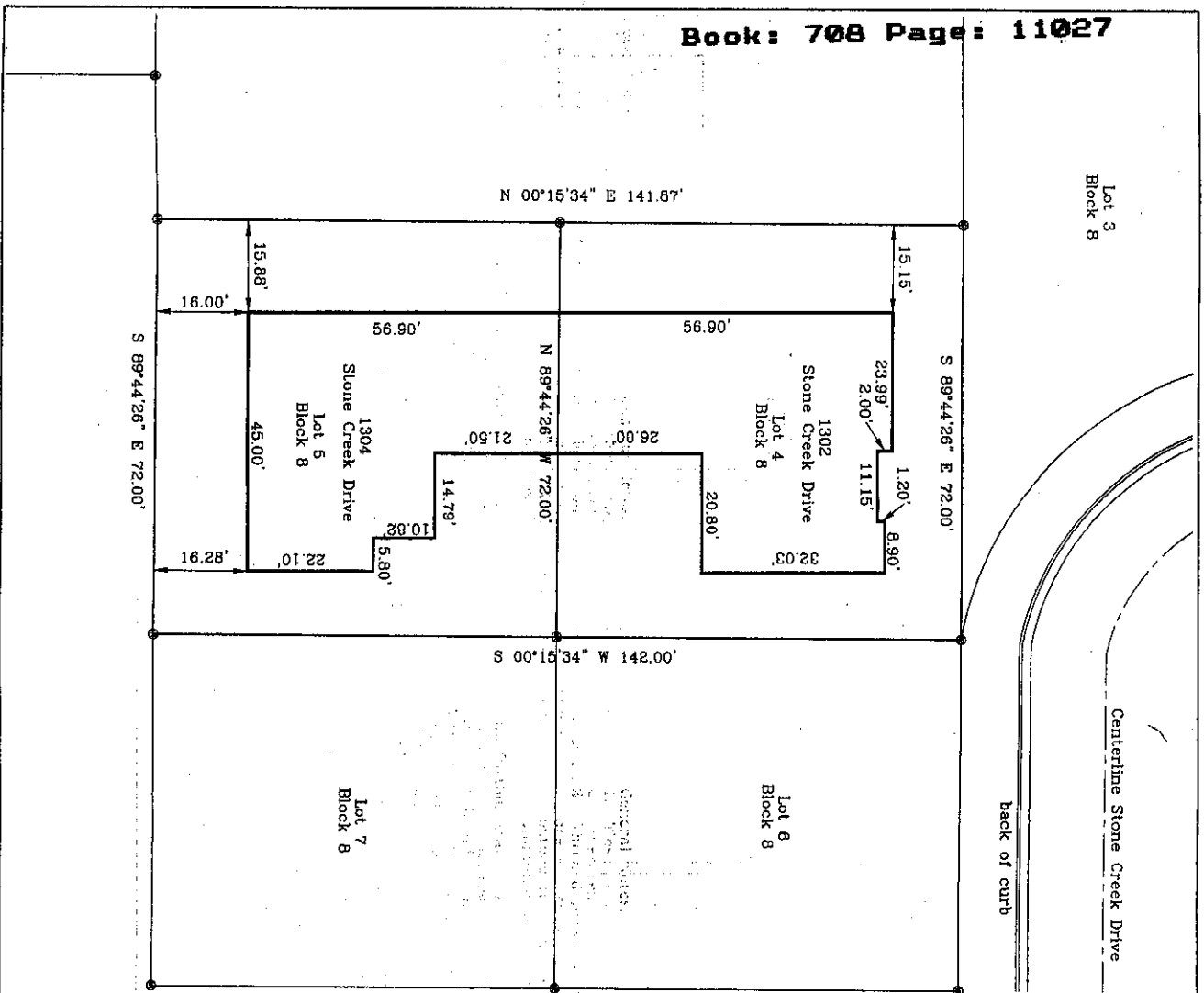
1. Paragraph 1, DEFINITIONS, subparagraph (a) is deleted and the following is substituted:

(a) ACT: The Condominium Property Act of the State of Illinois (765 ILCS 605/1 et seq.) as amended from time to time.

2. Neal Cornwell Development, Inc. is removed as "Declarant" and the Board of Managers of the Stone Creek Homeowners Association, being the Association of all of the Unit Owners acting pursuant to the Declaration and the Bylaws attached thereto through its duly elected Board, is substituted in place of Neal Cornwell Development, Inc. as "Declarant."

STONE CREEK  
FOURTH AMENDEDEXHIBIT "B"

<u>Unit</u>	<u>Percentage of Ownership Interest in the Common Elements</u>
<u>Block 4</u>	
1	5.263%
2	5.263%
3	5.263%
4	5.263%
5	5.263%
6	5.263%
7	5.263%
8	5.263%
9	5.263%
10	5.263%
<u>Block 3</u>	
1	5.263%
<u>Block 8</u>	
4	5.263%
5	5.263%
20	5.263%
21	5.263%
<u>Block 9</u>	
1	5.263%
2	5.263%
3	5.263%
4	5.263%



Lot 3  
Block 8

Centerline Stone Creek Drive

back of curb

N 00°15'34" E 141.87'

S 89°44'26" E 72.00'

S 00°15'34" W 142.00'

15.88'

18.00'

15.15'

45.00'

16.28'

10.82'

5.80'

22.10'

14.79'

21.50'

26.00'

20.80'

11.15'

8.90'

1.20'

23.99'

2.00'

56.90'

56.90'

15.15'

15.15'

15.15'

1304  
Stone Creek Drive  
Lot 5  
Block 8

1302  
Stone Creek Drive  
Lot 4  
Block 8

Lot 7  
Block 8

Lot 6  
Block 8

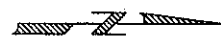
General Notes:

1. Ties are shown to exterior walls.  
2. Measurements are in feet.  
3. Three dimensional interior measurements are not shown as unit ownership is to extend to foundation exterior and be unlimited vertically.

I do further state that the parcels included in this subdivision are located in a flood hazard area identified for Adams County, Illinois, by the Federal Emergency Management Agency on the Flood Insurance Rate Map, Panel No. 170003-0005B, effective date October 15, 1981. A Conditional Letter of Map Revision (CLOMR) has been issued on this parcel by the Federal Emergency Management Agency.

I do hereby state that the above plat of Unit Details of Stone Creek Phase 4 was drawn from existing records and field measurements made under my direct supervision and that the same is true and correct to the best of my knowledge and belief.

1" = 20'



Randall A. Rees  
Professional Land Surveyor  
Illinois #0035-003217

<p>Stone Creek Phase 4 Unit Details Fourth Amended Exhibit "D"</p>		<p>Berglund, Rees &amp; Associates Engineers &amp; Surveyors 920 State Street Quincy, IL. 62301 Voice: (217) 223-5992 Fax: (217) 223-0014</p>	
<p>Field Survey Date: 12 May 2004 Survey Crew: R. Rees</p>	<p>Office Date: 01 July 2004 Job No.: 04-be-123 C.A.D.: R. Rees</p>	<p>Revisions: Date: By:</p>	<p>Survey for Neal Cortwell</p>
<p>C:/be/2004/04-be-123</p>			

Berglund, Rees & Associates, Inc.  
 Engineers & Surveyors  
 920 State Street  
 Quincy, IL 62301  
 Voice: (217) 223-5992 Fax: (217) 223-0014

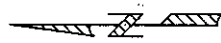
Stone Creek Phase 4  
 Unit Details  
 Fourth Amended Exhibit "D"

Revisions	Date:	By:

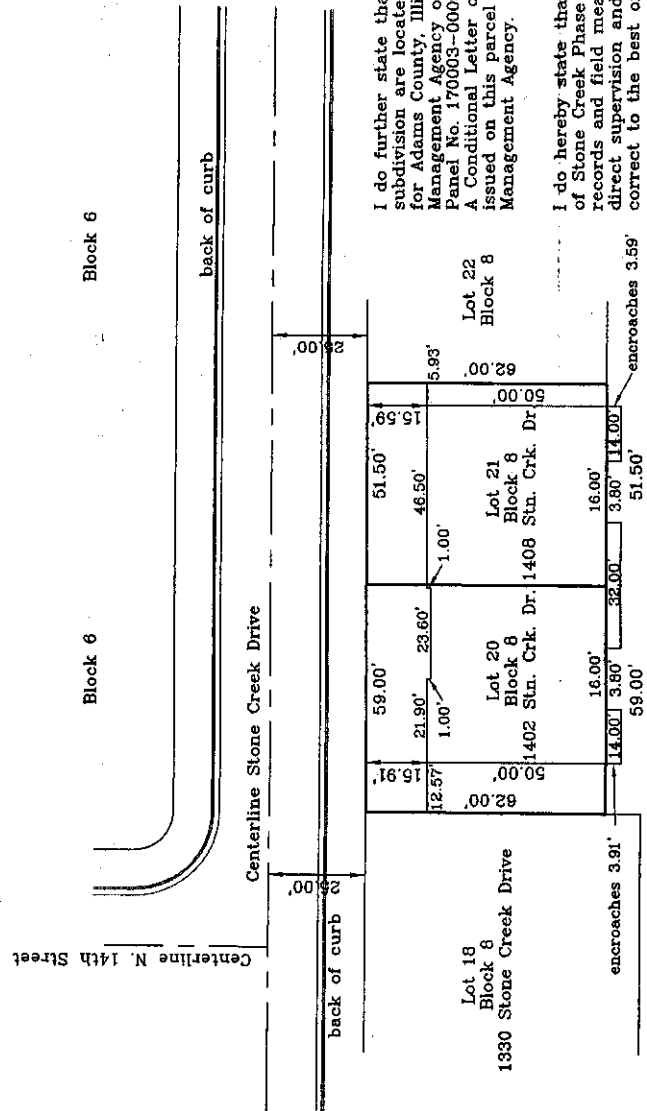
Field  
 Survey Date:  
 02 Dec 2007  
 Survey Crew:  
 R. Rees

Office  
 Date: 10 Dec 2007  
 Project No.: 07rb0126  
 C.A.D.: R. Rees  
 Review:

Survey for  
 Annette Mickamp  
 Gloria Spratt  
 E/rse/2007/07rb0126

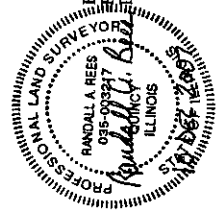


Not To Scale

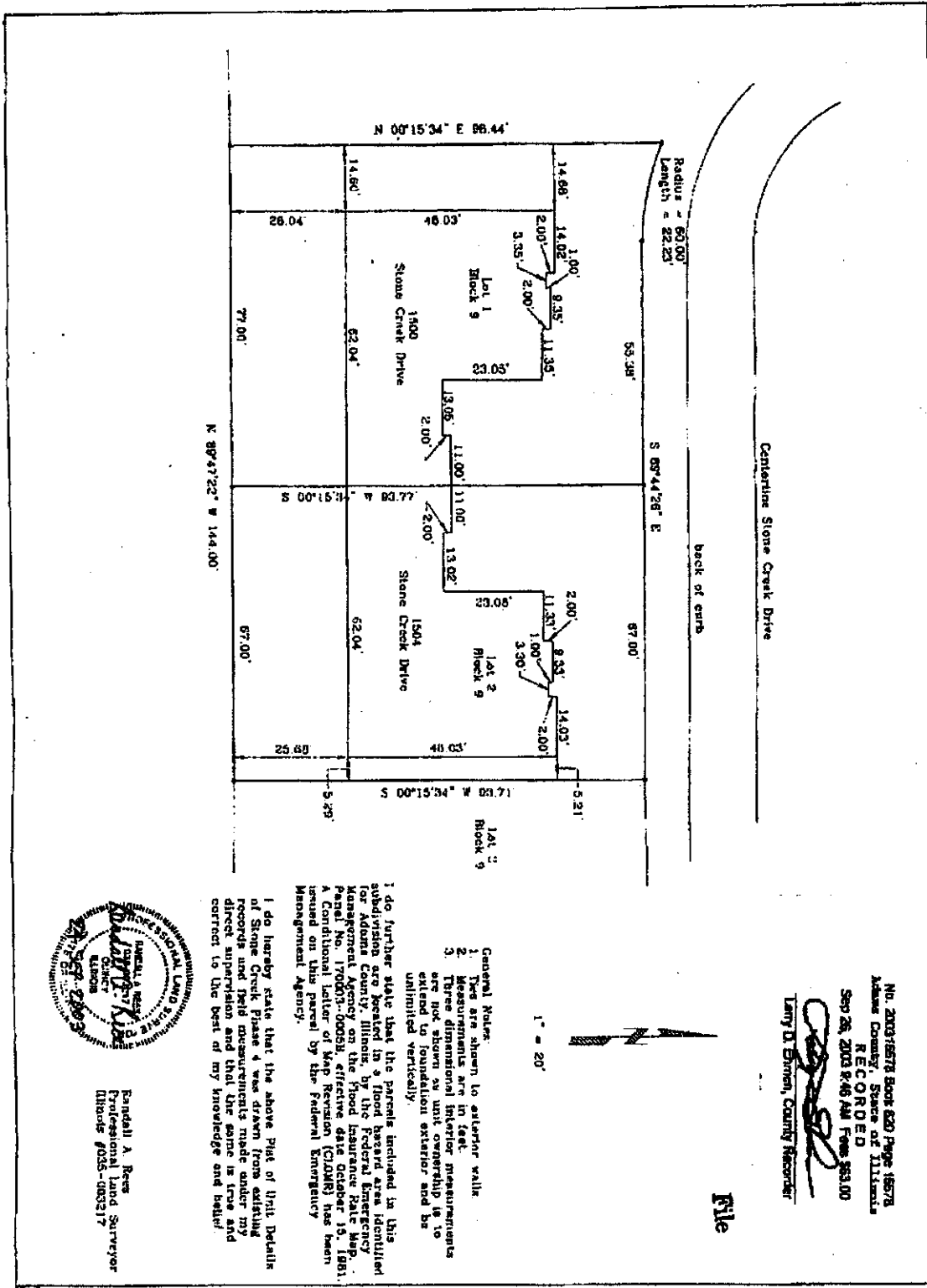


I do further state that the parcels included in this subdivision are located in a flood hazard area identified for Adams County, Illinois, by the Federal Emergency Management Agency on the Flood Insurance Rate Map, Panel No. 170003-0005B, effective date October 15, 1981. A Conditional Letter of Map Revision (CLOMR) has been issued on this parcel by the Federal Emergency Management Agency.

I do hereby state that the above Plat of Unit Details of Stone Creek Phase 4 was drawn from existing records and field measurements made under my direct supervision and that the same is true and correct to the best of my knowledge and belief.



- General Notes:
1. Ties are shown to exterior foundation.
  2. Measurements are in feet.
  3. Three dimensional interior measurements are not shown as unit ownership is to extend to foundation exterior and be unlimited vertically.



No. 200316578 Book 620 Page 16578  
 Adams County, State of Illinois  
 RECORDED  
 Sep 26, 2003 8:46 AM Fees \$63.00  
 Larry D. Drinen, County Recorder

**General Notes:**

1. Dies are shown to exterior walls.
2. Measurements are in feet.
3. Three dimensional interior measurements are not shown as unit ownership is to extend to foundation exterior and be unlimited vertically.

I do further state that the parcels included in this subdivision are located in a flood hazard area identified for Adams County, Illinois, by the Federal Emergency Management Agency on the Flood Insurance Rate Map, Panel No. 170003-0005B, effective date October 15, 1981. A Conditional Letter of Map Revision (CLMR) has been issued on this parcel by the Federal Emergency Management Agency.

I do hereby state that the above Plat of Unit Details of Slane Creek Phase 4 was drawn from existing records and field measurements made under my direct supervision and that the same is true and correct to the best of my knowledge and belief.



Randall A. Rees  
 Professional Land Surveyor  
 Illinois #035-003217

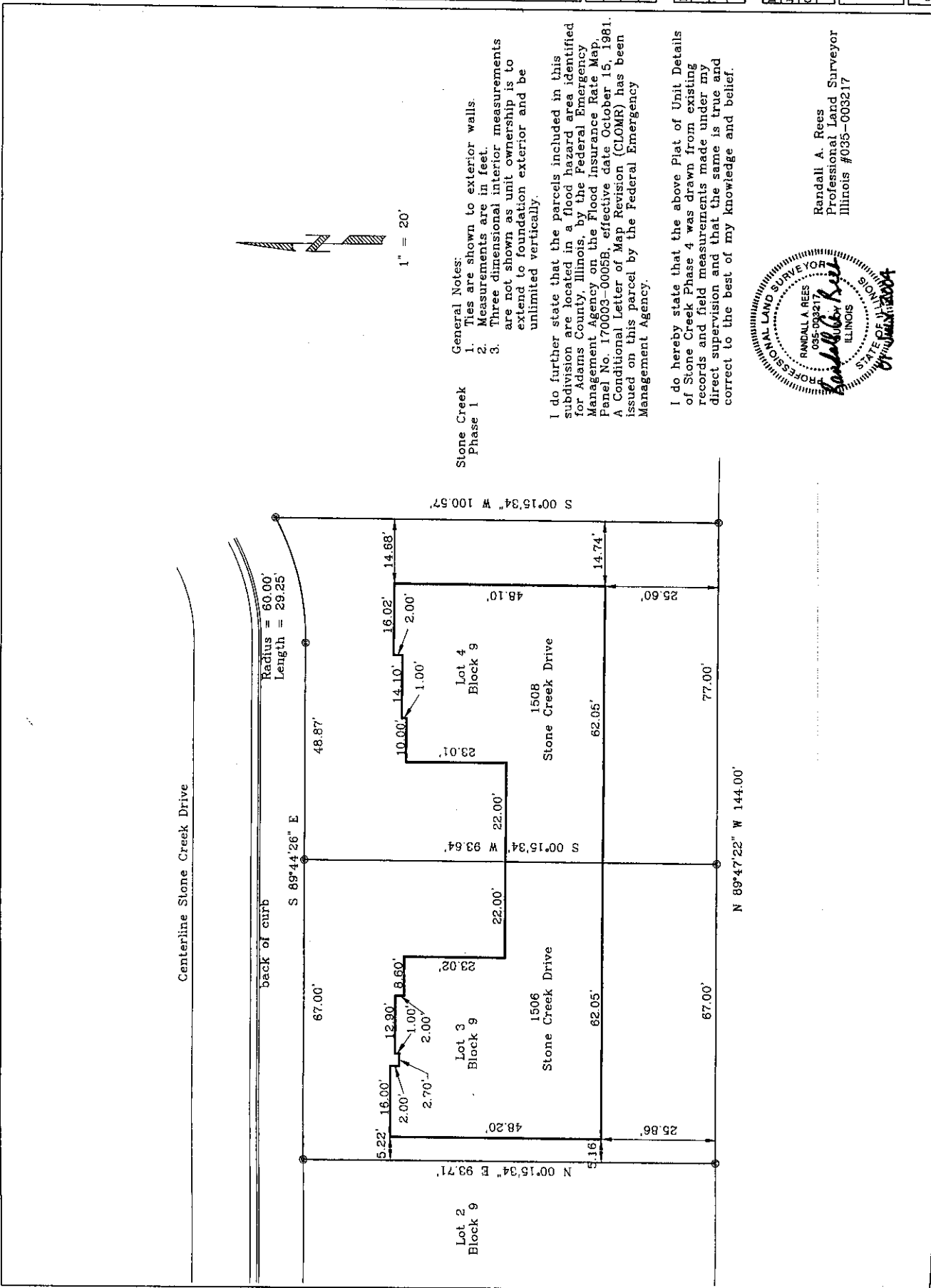
Berglund, Rees & Associates Engineers & Surveyors 920 State Street Quincy, IL 62301 Voice: (217) 223-5802 Fax: (217) 223-0014	
Slane Creek Phase 4 Unit Details Fourth Amended Exhibit "D"	
Field Survey Date: 25 Sep 2003 Surveyor: E. Rees	Office Date: 25 Sep 2003 Job No.: 0309134 C.A.B.: E. Rees
Survey for Seal Returned C:\work\2003\0309134	

Berglund, Rees & Associates  
 Engineers & Surveyors  
 920 State Street  
 Quincy, IL 62301  
 Voice: (217) 223-5992 Fax: (217) 223-0014

Stone Creek Phase 4  
 Unit Details  
 Fourth Amended Exhibit "D"

Revisions:	Date:	By:

Field Survey  
 Date: 12 May 2004  
 Survey Crew:  
 R. Rees  
 Office  
 Date: 28 May 2004  
 Job No.: 04rbel16  
 C.A.D.: R. Rees  
 Survey for  
 Neal Cornwell  
 C:/fbc/2004/04rbel16



Stone Creek Phase 1  
 General Notes:  
 1. Ties are shown to exterior walls.  
 2. Measurements are in feet.  
 3. Three dimensional interior measurements are not shown as unit ownership is to extend to foundation exterior and be unlimited vertically.

I do further state that the parcels included in this subdivision are located in a flood hazard area identified for Adams County, Illinois, by the Federal Emergency Management Agency on the Flood Insurance Rate Map, Panel No. 170003-0005B, effective date October 15, 1981. A Conditional Letter of Map Revision (CLOMR) has been issued on this parcel by the Federal Emergency Management Agency.

I do hereby state that the above Plat of Unit Details of Stone Creek Phase 4 was drawn from existing records and field measurements made under my direct supervision and that the same is true and correct to the best of my knowledge and belief.

Randall A. Rees  
 Professional Land Surveyor  
 Illinois #035-003217

