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ADAMS COUNTY  
STATE OF ILLINOIS

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*[Signature]*  
COUNTY RECORDER

20-0-0119-000  
P.I.N. 20-0-0120-000 (all parts of)  
20-0-0141-000

HUTMACHER, RAPP & ORTBAL, P.C.

### DECLARATION OF PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS, that State Street Bank and Trust Company, of Quincy, Illinois, as Trustee under the provisions of a Land Trust Agreement dated September 30, 1974, known as Land Trust No. 540, does hereby declare and establish the following Protective Covenants for the following described real estate:

Part of the Northwest Quarter (1/4), Section Three (3) and part of the Northeast Quarter (1/4), Section Four (4), Township Two (2) South, Range Eight (8) West of the 4th P.M., Adams County, Illinois, described as follows:

Commencing at a stone marking the West quarter (1/4) corner of said Section Three (3), thence North 01° 15' 32" East along the West line of said Section Three (3) a distance of 1,623.79 feet to a 5/8" pin, being the point of beginning, thence North 88° 34' 11" West 807.05 feet to the East Right-of-way line of F.A. P. Rte. 407 (Rt. 172), thence North 08° 22' 05" West along said East line 64.10 feet, thence North 13° 46' 51" East along said East line 571.70 feet, thence North 27° 05' 38" East along said East line 680.12 feet to the South Right-of-way line of F.A. Rte 745 (IL 104), thence North 66° 04' 34" East along said South line 165.53 feet, thence North 89° 22' 29" East along said South line 247.77 feet to the East line of Section Four (4), thence North 89° 22' 29" East along the South Right-of-way line of F.A. Rte 745 (IL 104), a distance of 252.46 feet, thence South 83° 54' 23" East along said South line 401.53 feet, thence North 82° 09' 32" East along said South line 576.00 feet, thence South 88° 50' 24" East along said South line 93.25 feet to the West Right-of-way line of TR-134 (60th Street), thence South 88° 50' 24" East, 33.00 feet to a R.R.

spike on the East line of the West 1/2 of the Northwest Quarter (1/4) of Section Three (3), thence South 01° 49' 00" West along said East line 1,384.28 feet to a R. R. spike, thence North 88° 34' 11" West 1,333.95 feet, to the point of beginning, containing 60.000 acres.

Said Protective Covenants were approved in writing by a majority in interest of all beneficiaries of said Trust, who may thereby exercise the power of direction. State Street Bank and Trust Company, as Trustee of said Trust, was thereby authorized and directed to execute and record this Declaration of Protective Covenants in the Recorder's Office of Adams County, Illinois.

#### **I. LANDSCAPING**

A. A protective buffer zone shall be established, constructed and maintained by Owner along the South fifty (50) feet of the real estate heretofore described. The buffer zone shall be shown on any recorded survey or plat and so delineated as the buffer zone established under these protective covenants. No improvements of any sort may be located within the buffer zone (including, but not limited to, buildings, parking lots, lighting, or signs), but the placement of underground utilities or the location of a detention pond may be permitted. A berm of approximately six (6) feet in height as compared to the real estate south of the property line shall be located along the south property line from approximately 600 feet east of the East line to the boundary of Interstate 172. In addition, a row (whether straight or staggered) of live spruce, white pines, or other similar evergreen trees shall be planted and maintained within the buffer zone with a distance of not more than twenty (20) feet between trees. Such trees, when initially planted or replaced shall be not less than six (6) feet in height and with a diameter of at least two (2) inches at a point measured six (6)

inches above ground level.

B. A woven wire division fence shall be constructed by Prairie Crossings, Inc., at its expense along the entire south line of the above described real estate prior to the removal of the existing fence or construction south of the existing fence. Declarant reserves the right to abandon or remove the fence at its discretion. The maintenance for the fence shall be paid by the declarant herein so long as the fence remains.

## II. MISCELLANEOUS

A. These covenants shall become effective upon the recording of this instrument with the Recorder of Deeds of Adams County, Illinois.

B. Except as set forth herein, these covenants shall run with the land and shall bind the present owner, its successors and assigns; and all parties claiming by, through, or under them.

C. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.



Dated: August 10, 1999

State Street Bank and Trust Company, of Quincy, Illinois, as Trustee under the provisions of a Land Trust Agreement dated September 30, 1974, known as Land Trust No. 540



By: *H. L. Smith*  
Assistant Trust Officer

Attest: *J. H. Dunn*  
Cashier

STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF ADAMS    )

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Laurie L. Brinkman, personally known to me to be the Trust Officer of State Street Bank and Trust Company, a banking corporation created and existing under and by virtue of the laws of the State of Illinois, and Judy H. Dunn <sup>CASHIER</sup>, Assistant Trust Officer of said Bank, personally known to me to be the Assistant Trust Officer, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trust Officer and Assistant Trust Officer, respectively, appeared before me this day in person and as such Trust Officer and Assistant Trust Officer, acknowledged that they signed, sealed and delivered the said instrument as Trust Officer of said corporation as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth, and the said Assistant Trust Officer, as custodian of the corporate seal of said Bank, did affix the said corporate seal of said Bank to said instrument as said Assistant Trust Officer's own free and voluntary act, and as the free and voluntary act of said Bank, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal 10<sup>th</sup> day of August, 1999.

*Ruth Ann Weisenberger*  
Notary Public

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