

PROTECTIVE COVENANTS - WILLER SUBDIVISION

58-354

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KNOW ALL MEN BY THESE PRESENTS that we, John H. Willer and Antoinette Willer, husband and wife, and Walter H. Zehnle and Esther W. Zehnle, husband and wife, the owners of the following described real estate, situated in the County of Adams, in the State of Illinois:

Part of the Southeast Quarter of the Southwest Quarter of Section Twenty-eight (28) Township One (1) South, Range Eight (8) West of the Fourth Principal Meridian in Adams County, Illinois, more particularly bounded and described as follows, to-wit: Commencing at the Northeast corner of the Southeast Quarter of the Southwest Quarter of said Section Twenty-eight (28) thence South along the East line of the Southeast Quarter of the Southwest Quarter of said Section Twenty-eight (28), nine hundred fifty-four and sixteen hundredths (954.16) feet, thence North 69°47' West four hundred ninety-eight and sixty hundredths (498.60) feet, thence North 01°12' West eighty-three and thirty-one hundredths (83.31) feet, thence South 88°48' West three hundred seventy-one and ninety-one hundredths (371.91) feet to a point in the centerline of a public road, thence North 20°43' East along the centerline of said Public Road three hundred twenty-eight and twenty-three hundredths (328.23) feet thence North 15°19' East along the centerline of said public road one hundred forty-one and nine tenths (141.9) feet, thence North 89°00' East two hundred ten and eighty-one hundredths (210.81) feet, thence North 01°00' West two hundred fifty (250) feet to a point on the North line of the Southeast Quarter of the Southwest Quarter of said Section Twenty-eight (28), thence North 89°00' East along the North line of the Southeast Quarter of the Southwest Quarter of said Section Twenty-eight (28) four hundred forty-eight and seventy-four hundredths (448.74) feet to the point of beginning, said tract containing eleven and ninety-four hundredths (11.94) acres more or less including road right of way, all situated in the County of Adams and State of Illinois;

said real estate having been subdivided into Willer Subdivision as shown in a Plat recorded in the Recorder's Office of Adams County, Illinois in Book 6 of Plats on Page 32, containing sixteen (16) lots, numbered One (1) to Sixteen (16), both inclusive, do make and establish the following Protective Covenants which shall cover and apply to the said above described real estate and which shall be effective immediately.

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All lots shall be used as residential lots and any buildings erected upon the said lots shall not be used for any purpose other than for that of a private dwelling house with the following exceptions;

- (a) Lots One (1), Two (2) and Three (3) may be used for school

or church purposes as well as for residential purposes and any buildings constructed thereon may be used in the operation of a school or church or for a residence, but for no other purpose.

(b) Lots Fifteen (15) and Sixteen (16) may be used in the operation of television and radio stations or transmitters and for purposes incident thereto and buildings constructed on the said lots Fifteen (15) and Sixteen (16) may be used for the operation of television and radio stations or for residential purposes, but for no other purpose.

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All buildings constructed on said lots shall be single family dwellings which do not exceed one and one-half stories in height and shall contain on the ground or first floor of the interior of such dwellings a minimum of seven hundred fifty (750) square feet.

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All lots shall remain as shown on the plat recorded in the office of the Recorder of Deeds of Adams County, Illinois in Book 6 of Plats at Page 32 and none of said lots shall be divided or reduced in size.

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All garages or other outbuildings constructed on the said lots shall conform in construction and appearance to the dwelling house constructed on such lot and shall be finished on the outside in material similar in appearance and construction to that of the main dwelling house.

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No animals may be kept or raised on any lot with the exceptions of horses, ponies and household pets. Household pets shall be confined to dogs, cats and birds. No animals of any type whatsoever may be kept for commercial purposes on any of the lots.

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All buildings constructed or to be erected on said lots shall conform to the building lines and easement lines as shown on the plat of the said subdivision recorded in the Recorder's Office of Adams County, Illinois in Book 6 of Plats at Page 32 and no dwelling house or other building shall be placed or constructed closer than five (5)

feet to any side lot line.

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No temporary structure erected on the said lots may be used for residential purposes excepting a garage or basement which has been adequately constructed and which conforms with the rules, ordinances and regulations of Adams County, Illinois, the City of Quincy and the Statutes of the State of Illinois. Said garage or basement may be used for residential purposes by the owner of said lots for a period not to exceed two (2) years from the date construction of the said garage or basement is commenced.

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Any dwelling house which may be built on any of the said lots shall be under permanent roof and shall be completely painted within two (2) years from the date construction of the said dwelling house is commenced. Construction of any garages or outbuildings must be completed within a reasonable time after said construction is commenced and no garage or outbuilding may be allowed to remain in an unfinished or neglected state of repair.

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No noxious or offensive trade or activity shall be maintained or pursued on or upon any lot nor shall anything be done thereon which may become a nuisance in the said neighborhood.

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Easements as shown on the said plat recorded in the Recorder's Office of Adams County, Illinois for utilities and building lines and other restrictions as shown on said plat shall remain for the permanent benefit of all parties owning lots in said above described subdivision and no permanent building and structure shall be erected on said easements or within said building lines.

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Said covenants shall run with the land and shall be binding upon all parties hereto and on all parties claiming by, through or under them until January 1, 1970. Said covenants as herein contained shall be automatically extended for successive periods of five years thereafter unless said covenants are changed by agreement of the majority

of the then owners of the above described real estate. One vote shall be allotted to each of the lots in the said Willer Subdivision.

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Invalidation of any of the covenants herein contained by order of any Court of record shall not invalidate the other provisions of these protective covenants and the provisions not so invalidated shall remain in full force and effect.

In Witness Whereof we have hereunto set our hands and affixed our seals this 23rd day of October, A.D. 1957.

John H. Willer (SEAL)

Antoinette Willer (SEAL)

Walter H. Zehnle (SEAL)

Esther W. Zehnle (SEAL)

State of Illinois,)
County of Adams,) ss.

I, Richard F. Scholz, Jr., a Notary Public in and for said County in the State aforesaid, do hereby certify that John H. Willer and Antoinette Willer, husband and wife, and Walter H. Zehnle and Esther W. Zehnle, husband and wife, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as having executed the same, 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.

GIVEN under my Hand and Notarial Seal, this 23rd day of October, A.D. 1957.

Richard F. Scholz, Jr.
Notary Public.

