

**DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS FOR  
BOGEY HILLS ESTATES SUBDIVISION,  
Fourth ADDITION**

WHEREAS, Dual Development Company II, a joint venture, is the owner of Lots 73 through 94, P-2 and P-3 inclusive in Bogey Hills Estates Subdivision, Fourth Addition, a subdivision of the following described property:

(See attached Exhibit "A" for legal description)

as set forth in the plat recorded in the office of the Recorder of Deeds, Sangamon County, Illinois on the 27<sup>th</sup> day of DECEMBER, 2005, as Document No. 2005R52734;

AND WHEREAS Dual Development Company II wishes to submit the property described in Exhibit "A" comprising Bogey Hills Estates Subdivision, Fourth Addition, to the provisions of the Declaration of Easements, Covenants and Restrictions for Bogey Hills Estates Subdivision, First Addition, which declaration was recorded December 28, 2004 as Document No. 2004R61269 in the office of the Recorder of Deeds, Sangamon County, Illinois;

NOW, THEREFORE, Dual Development Company II, a joint venture, does hereby declare as follows:

1. That the property described in Exhibit "A" comprising Bogey Hills Estates Subdivision, Fourth Addition, Lots 73 through 94, P-2 and P-3, is hereby declared to be subject to the terms, covenants, conditions and restrictions of the Declaration of Easements, Covenants and Restrictions for Bogey Hills Estates Subdivision, First Addition recorded December 28, 2004 as Document No. 2004R61269.

2. Except where specifically amended by this document, the remainder of the Declaration of Easements, Covenants and Restrictions for Bogey Hills Estates Subdivision, First Addition referred to above shall apply in full to Bogey Hills Estates Subdivision, Fourth Addition as described herein. The Developer, at any time, retains the right to amend these covenants and restrictions to resolve any ambiguity, conflict, scrivener's error or

12-27-05  
2005R52734

similar reformation of this instrument without the consent of any owner of property within Bogey Hills Estates Subdivision, all plats. Such amendment shall be effective upon recording said corrective document with the office of the Recorder of Deeds, Sangamon County, Illinois and shall be binding on the owners of lots or parcels in Bogey Hills Estates Subdivision, all plats.

3. Lots P-2 and P-3 inclusive designated on the plat of Bogey Hills Estates, Fourth Addition is hereby designated as a common area/detention area. Said Lots P-2 and P-3 inclusive and any other common areas or common elements shall not be transferred until the Springfield City Engineer has inspected and verified that the detention area and any other required improvements upon Lot P-2 and P-3 inclusive or any common area have been properly constructed.

4. The undersigned certify and covenant that they hold title to all of said land and are authorized to execute this instrument.

IN WITNESS WHEREOF, Dual Development Company II has caused this instrument to be executed by Maurice B. Dullenty, Janice E. Dullenty, Joseph G. Albers and Sandra K. Albers this 28<sup>th</sup> day of NOVEMBER, 2005.

DUAL DEVELOPMENT COMPANY II

By: Maurice B. Dullenty  
Maurice B. Dullenty

Janice E. Dullenty  
Janice E. Dullenty

Joseph G. Albers  
Joseph G. Albers

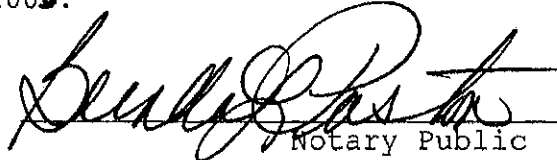
Sandra K. Albers  
Sandra K. Albers

000589

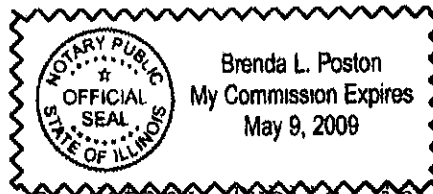
STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF SANGAMON )

I, Brenda Poston, a Notary Public in and said County and State aforesaid, DO HEREBY CERTIFY that Joseph G. Albers, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 28<sup>th</sup> day of November, 2005.

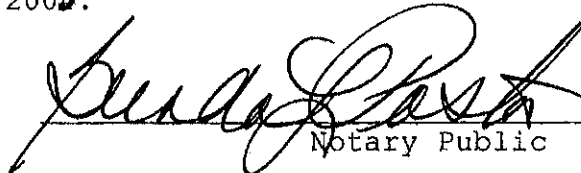
  
Notary Public

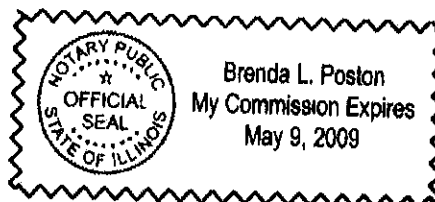
STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF SANGAMON )



I, Brenda Poston, a Notary Public in and said County and State aforesaid, DO HEREBY CERTIFY that Sandra K. Albers, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 28<sup>th</sup> day of November, 2005.

  
Notary Public



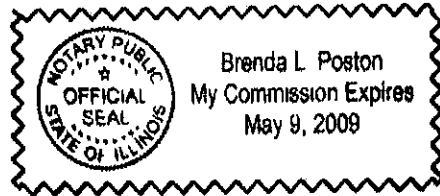
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STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF SANGAMON )

I, Brenda Poston, a Notary Public in and said County and State aforesaid, DO HEREBY CERTIFY that Maurice B. Dullenty, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 28<sup>th</sup> day of November, 2005.

Brenda Poston  
Notary Public

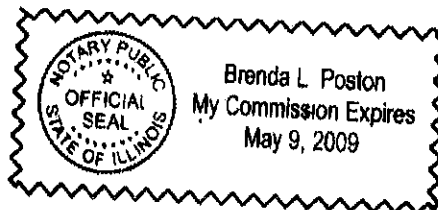


STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF SANGAMON )

I, Brenda Poston, a Notary Public in and said County and State aforesaid, DO HEREBY CERTIFY that Janice E. Dullenty, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 28<sup>th</sup> day of November, 2005.

Brenda Poston  
Notary Public



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12/27/2005 02:16PM

SANGAMON COUNTY  
ILLINOIS

REC FEE:	32.00
REC REST FEE:	4.00
GIS FEE:	9.00
GIS REST FEE:	1.00
RHSP FEE:	10.00
ST STAMP FEE:	
CD STAMP FEE:	
UCC FEE:	
TOTAL:	\$56.00
PAGES:	5
	DIANA

Prepared by and Return to:

Dual Development Company II  
P.O. box 7376  
Springfield, IL. 62791  
(217)793-2244

MARY ANN LAMM  
SANGAMON COUNTY RECORDER

**Exhibit A**

Part of the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 23, Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois described as follows: From the Northwest corner of the Southeast Quarter of the Northeast Quarter of said Section 23; thence S.00°01'47"W., on said Quarter - Quarter Section Line 1,235.39 feet to the Point of Beginning; thence S.89°58'13"E., 260.00 feet; thence S.00°01'47"W., 0.52 feet; thence S.89°58'13"E., 131.00 feet; thence S.00°01'47"W., 882.93 feet to a point on a curve concave to the North having a radius of 2,970.00 feet; thence Northeasterly on said curve a chord bearing of N.87°59'48"E., a chord distance of 19.01 feet; thence S.00°01'47"W., 190.13 feet to a point on a curve concave to the North having a radius of 3,160.00 feet; thence Southwesterly on said curve a chord bearing of S.88°59'18"W., a chord distance of 114.88 feet to the end of said curve; thence N.89°58'13"W., 295.14 feet to a point on the said Quarter - Quarter Section Line; thence N.00°01'47"E., on said Quarter - Quarter Section Line 978.62 feet to the Northwest corner of the Northeast Quarter of the Southeast Quarter of said Section 23; thence continuing on said Quarter - Quarter Section Line 96.38 feet to the Point of Beginning, containing 9.73 acres, more or less. And also,

Part of the Northeast Quarter of The Southeast Quarter of Section 23, Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois described as follows: From the Southeast corner of said Quarter - Quarter Section; thence S.89°51'24"W., on the South line of said Quarter - Quarter Section, 640.80 feet to the Point of Beginning; thence continuing West on said South Line, S.89°51'24"W., 699.36 feet to a point on the West line of said Quarter - Quarter Section; thence N.00°01'47"E., on said West line 350.21 feet; thence S.89°58'13"E., 295.14 feet to the beginning of a curve concave to the North having a radius of 3,160.00 feet; thence Northeasterly on said curve a chord bearing of N.86°54'15"E., a chord distance of 344.59 feet to the end of said curve; thence N.00°00'32"E., 130.38 feet; thence N.84°28'08"E., 60.28 feet; thence S.00°00'32"W., 310.13 feet; thence S.89°59'28"E., 130.00 feet; thence S.00°00'32"W., 20.00 feet; thence N.89°59'28"W., 130.00 feet; thence S.00°00'32"W., 172.98 feet to the Point of Beginning, containing 5.92 acres, more or less.

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