

**SUPPLEMENTAL DECLARATION OF EASEMENTS,
CONDITIONS AND RESTRICTIONS RELATING TO
DEERFIELD COMMON AREAS AND DECLARATION
OF PROTECTIVE COVENANTS IN RESPECT TO
DEERFIELD ELEVENTH ADDITION**

**AND IMPOSITION OF EASEMENTS, COVENANTS,
CONDITIONS AND RESTRICTIONS FOR COMMON
DRAINAGE OR RETENTION AREAS AND OTHER
COMMON AREAS ON DEERFIELD FIRST THROUGH
ELEVENTH ADDITIONS, INCLUSIVE, AND ALL
FUTURE ADDITIONS**

This Supplemental Declaration of Easements, Conditions and Restrictions Relating to Deerfield Common Areas made on the date hereinafter set forth by Oak Park Subdivision Corp., an Illinois corporation, of Springfield, Illinois, hereinafter referred to as "Oak Park."

WITNESSETH:

WHEREAS, the Declaration of Easements, Conditions and Restrictions relating to Deerfield Common Areas and Declaration of Protective Covenants was executed on October 17, 1995, and recorded with the Office of the Sangamon County Recorder of Deeds on October 23, 1995, as Document No. 9536660, such Declaration is hereinafter referred to as "Master Declaration;" and

WHEREAS, Oak Park has acquired ownership of a part of the property set forth in Exhibit "A" attached to the Master Declaration; and

WHEREAS, the property acquired by Oak Park is known as "Deerfield Eleventh Addition;" and

WHEREAS, the property described in Exhibit "A" attached hereto constitutes, comprises and is known as "Deerfield Eleventh Addition;" and

WHEREAS, Deerfield Eleventh Addition contains common drainage or retention areas and other common areas, legally described as: "Lot 401 of Deerfield Eleventh Addition to the City of Springfield, Sangamon County, Illinois," and such Master Declaration provides that the easements, covenants, conditions and restrictions relating to Deerfield common drainage or retention areas and other common areas contained therein shall not apply to the property described in Exhibit "A" attached to such Master Declaration until and unless Oak Park acquires ownership of a part or all of such property and records a Supplemental Declaration with the Office of the Sangamon County Recorder of Deeds identifying, by legal description, the common drainage or retention areas and other common areas and the additions to Deerfield Subdivision containing such common areas; and

WHEREAS, said Lot 401 is a common drainage or retention area that will serve both the Deerfield Subdivision and the adjacent Oak Park Estates Subdivision, more particularly described herein; and

WHEREAS, such Master Declaration recorded provides that the protective covenants set forth therein shall not apply to the property described in Exhibit "A" attached to such Master Declaration until and unless Oak Park acquires ownership of a part or all of such property and records a Supplemental Declaration with the Office of the Sangamon County Recorder of Deeds

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SANGAMON COUNTY RECORDER

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Office identifying, by legal description, the property acquired to which such protective covenants shall apply; and

WHEREAS, such Master Declaration provides that the provisions in respect to Deerfield Homes Association shall not apply to the property described in Exhibit "A" attached to such Declaration until and unless Oak Park acquires ownership of a part or all of said property and records a supplemental Declaration with the Office of the Sangamon County Recorder of Deeds identifying, by legal description, the property acquired to which such Deerfield Homes Association provision shall apply; and

WHEREAS, this Supplemental Declaration of Easements, Conditions and Restrictions relating to Deerfield Common Areas and Declaration of Protective Covenants is executed and recorded pursuant to the terms of the Master Declaration and the purposes set forth herein; and

WHEREAS, the purpose of this Supplemental Declaration is to adopt and apply the Easements, Conditions and Restrictions set forth in the Master Declaration, as modified herein, to Deerfield Eleventh Addition; and

WHEREAS, the purpose of this Supplemental Declaration is to adopt and apply the protective covenants set forth in the Master Declaration, as modified herein, to Deerfield Eleventh Addition; and

WHEREAS, the purpose of this Supplemental Declaration is to adopt and apply the provisions of the Master Declaration relating to Deerfield Homes Association, as modified herein, to Deerfield Eleventh Addition.

NOW THEREFORE, Oak Park declares as follows:

1. The property known as Deerfield Eleventh Addition has been acquired by Oak Park.
2. Except as otherwise provided herein and pursuant to the Master Declaration and the provisions and agreements contained herein, the protective covenants set forth in such Master Declaration shall apply to the property known as Deerfield Eleventh Addition, such property being described as set forth in Exhibit "A" attached hereto and incorporated herein.
3. The aforesaid protective covenants shall apply to Deerfield Eleventh Addition as of the date hereof.
4. Except as otherwise provided herein, the provisions contained in the Master Declaration in respect to Deerfield Homes Association shall apply, as of the date hereof, to Deerfield Eleventh Addition.
5. The provisions contained in the Master Declaration, as modified herein, in respect to common drainage or retention areas and other common areas shall apply to all property described in Exhibits "A" and "B" attached to the Master Declaration, inasmuch as Deerfield Eleventh Addition contains common drainage or retention areas and other common areas legally described as: "Lot 401 of Deerfield Eleventh Addition to the City of Springfield, Sangamon County, Illinois."
6. The property described in Exhibit "A" attached hereto and known as Deerfield Eleventh Addition is, and shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, charges, assessments and liens set forth in the Master Declaration, as modified and restated herein, which shall run with the properties and be binding on all parties having any right, title or interest therein or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each owner thereof.

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7. Notwithstanding any provisions of the Master Declaration to the contrary, all residential lots in and upon Deerfield Eleventh Addition shall be utilized for duplex use only. Any provisions of the Master Declaration which are contrary to the limited use set forth in this paragraph shall not apply to or be a part of this Supplemental Declaration.
8. Article III, Section B(8) of the Master Declaration is amended with respect to the property described in Exhibit "A" attached hereto and known as Deerfield Eleventh Addition, to provide as follows: Within six (6) months after a dwelling on any building site has been occupied for the first time, any area within each building site which lies between the rear of the curb and a dwelling shall be sodded, except where displaced by other landscaping, sidewalks and permitted driveways, and shall be further landscaped with no less than two trees and shrubbery, decorative stone, gravel or the like, which landscaping, exclusive of the cost of the sod and labor, shall have an aggregate cost of not less than Two Hundred Fifty Dollars (\$250).
9. Article III, Section B(9) of the Master Declaration is amended with respect to the property described in Exhibit "A" attached hereto and known as Deerfield Eleventh Addition, to provide as follows: No building shall be located on any building site nearer to the front lot line or nearer to the side street line than the minimum setback lines shown on the recorded plat. There shall be established and maintained on each building site, side yards aggregating fifteen(15) feet, neither of which side yard shall be less than seven (7) feet. For the purpose of this paragraph (9), eaves, steps and open porches shall not be considered as part of a building, provided, however, that this shall not be construed to permit any such improvement on a building site to encroach upon another building site.
10. Article III, Section B(10) of the Master Declaration is deleted with respect to the property described in Exhibit "A" attached hereto and known as Deerfield Eleventh Addition.
11. The following modifications are made to the provisions of the Master Declaration with respect to the common drainage or retention areas and other common areas legally described as: "Lot 401 of Deerfield Eleventh Addition to the City of Springfield, Sangamon County, Illinois":

Article I, Section 5 "Common Area" shall mean an undivided one-half interest in the said Lot 401, which is to be owned by the Association, with the other undivided one-half interest to be owned by the Home Association created for the Oak Park Estates Subdivision on the adjacent property to the north of Deerfield Subdivision, which adjacent property is legally described as The South Half of the Northwest Quarter of Section 3, and all that part of the South Half of the Northwest Quarter of Section 2 lying North and West of the Chicago and Northwestern Railway Company, all in Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois. Each of said Associations shall have an equal undivided interest in said Lot 401 upon conveyance by Oak Park, which conveyance shall be at Oak Park's discretion.

The rights of the Association under Article II(A) Section 1 shall be co-extensive with the same rights of the Home Association created for the Oak Park Estates Subdivision, as tenants in common.

The powers and duties of the Association under Article II(C) Sections 1 and 2 shall be co-extensive with the same powers and duties of the Home Association created for the Oak Park Estates Subdivision, as tenants in common. All costs, expenses and liabilities associated with said lot 401 shall be borne equally by the two Associations.

Assessments under Article II(D) shall, in connection with said lot 401, represent one-half of the expenses for taxes, insurance, maintenance and other items, the other half

of which shall be assessed to the owners of the units of the Oak Park Estates Subdivision.

The Association shall be obligated to pay for one-half the cost of insurance obtained under Article II(E) in connection with said lot 401.

IN WITNESS WHEREOF, Oak Park Subdivision Corp. has executed this instrument for the uses and purposes set forth herein on this 27 day of July, 2003.

Oak Park Subdivision Corp.

By Robert J. [Signature]
Its
VP

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EXHIBIT A

DEERFIELD ELEVENTH ADDITION

Part of the Southeast Quarter of Section 3 and part of the Southwest Quarter of Section 2, all in Township 15 North, Range 6 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as follows:

Beginning at the Northwest corner of the Southwest Quarter of said Section 2; thence North 89 degrees 29 minutes 22 seconds East along the north line of said Southwest Quarter, a distance of 1161.90 feet to a point on the west right of way line of the Chicago and Northwestern Railroad; thence South 39 degrees 18 minutes 22 seconds West along said west right of way line, a distance of 1129.01 feet; thence (along the east line of Deerfield 10th Addition the following courses) North 00 degrees 00 minutes 00 seconds East, a distance of 78.86 feet; thence North 10 degrees 28 minutes 21 seconds West, a distance of 59.82 feet; thence North 08 degrees 00 minutes 49 seconds East, a distance of 77.99 feet; thence North 00 degrees 00 minutes 00 seconds East, a distance of 71.61 feet; thence (along the north line of Deerfield 10th Addition the following courses) North 90 degrees 00 minutes 00 seconds West, a distance of 517.00 feet; thence South 00 degrees 00 minutes 00 seconds West, a distance of 10.00 feet; thence North 90 degrees 00 minutes 00 seconds West, a distance of 290.00 feet to the Northwest corner of Deerfield 10th Addition; thence North 00 degrees 00 minutes 00 seconds East, a distance of 592.33 feet to a point on the north line of said Southeast Quarter; thence South 89 degrees 06 minutes 40 seconds East along said north line, a distance of 360.38 feet to the point of beginning, containing 17.931 acres more or less.

RETURN TO:

OAK PARK SUBCORP
205 SOUTH 5TH SUITE 1000
SPRINGFIELD IL 62701

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