

V. M. Co., a Delaware Corporation duly authorized to transact business within the State of Illinois, by action of its officers, pursuant to a resolution of its Board of Directors adopted the following instrument.

BUILDING AND USE COVENANTS
AND RESTRICTIONS OF THE LAKE VICTORIA PLANNED UNIT DEVELOPMENT

As a part of the consideration for the purchase or transfer of any part of the land described in Exhibit A attached hereto and made a part hereof, V. M. Co. covenants and agrees with each purchaser or transferee or his, her or its legal representatives, assigns or successors in title of any part of said real estate as follows:

1. As used herein, the following definitions apply:
 - a) Development - Lake Victoria Planned Unit Development;
 - b) Site - the particular parcel of land within the Development transferred or sold;
 - c) Subdivision plan - the approved plans and such amendments duly made thereto filed with the Springfield Sangamon Regional Planning Commission;
 - d) Green Areas - those landscaped areas assigned to a particular building or group of buildings as shown on subdivision plans.

2. No lumber, brick, stone, cinder block, concrete or other building materials, scaffolding, mechanical devices or any other thing used for building purposes shall be stored on any residential site except for the purpose of construction on such site and shall not be stored on such site for longer than the length of time reasonably necessary for the construction to completion of the improvement in which same is to be used. Such materials may be stored on an appropriate commercial site if the materials are sold or used in the ordinary course of the business being conducted on said site; however, screening adequate to preserve the integrity of the development shall be installed to protect the materials from the view of persons on the public ways within the development.

3. No outside radio transmission tower or receiving antenna which exceeds 100 feet in length shall be erected within the Development, and no outdoor television antenna may be erected or installed if cable television reception to a site is available. If cable television service is not available to a site, then the customary outdoor television receiving antenna may be installed, provided such

outdoor antenna shall thereafter be taken down and removed when and if a cable television receiving service shall later be available.

4. Stationary outdoor clotheslines will not be permitted and clothes hanging devices such as lines, poles, frames, etc., shall be stored out of sight when not in use.

5. No house trailer, boat, boat trailer, camper, tent, shed, or any other such vehicle, trailer, vessel or temporary structure shall be permitted on any residential site nor on any green area, provided, however, temporary buildings and other structures shall be permitted during the construction of improvements to the site.

6. Construction of any structure shall be completed within twelve (12) months from the date of commencement of construction thereof.

7. Unless otherwise designated on a recorded plat, the areas with the prefix G as shown on said subdivision plan or plans subject to this Declaration shall be used only for residential purposes and not otherwise.

8. No noxious, offensive or illegal activity shall be carried on upon any site. The pursuit of hobbies or inherently dangerous activities, including specifically, without limiting the generality of the foregoing, the assembly and disassembly of motor vehicles and other mechanical devices which might tend to cause disorderly, unsightly or unkept conditions; the shooting of firearms, fireworks or pyrotechnic devices of any type or size; and other such activities shall not be pursued or undertaken on any part of any site or the green area.

9. Outdoor pet enclosures shall not be permitted on any site.

10. No animals, livestock or poultry of any kind shall be raised, bred, pastured or maintained except household pets which may be kept thereon in reasonable numbers as pets for the sole pleasure and purpose of the occupants, but not for any commercial use or purpose. This restriction, however, shall not apply to any appropriate commercial site used for the sale or treatment of animals, fish or birds, provided that outside pens, runs or kennels shall not be permitted on any site, except that site described in Exhibit B attached hereto and made a part hereof.

11. No area designated for residential use shall be used for commercial or business purposes. No use shall be permitted which could reasonably cause embarrassment, discomfort, annoyance or nuisance to the neighborhood. No site shall be used in whole or in part for storage of rubbish of any character whatsoever; nor shall any substance, thing or material be kept upon any site which will emit foul or noxious odors, or that will cause any noise that will or might disturb the peace and quiet of the occupants of surrounding property. No trash, rubbish, stored materials, wrecked or inoperable vehicles or similar unsightly items shall be allowed to remain on any site outside an enclosed structure. However, the foregoing shall not be construed to prohibit temporary deposits of trash, rubbish and other such debris for pickup by garbage and trash removal service units.

12. Incinerators for garbage, trash or other refuse shall not be used nor permitted to be erected or placed on any site. Any and all equipment, coolers, garbage containers placed on a lot (whether temporary or permanent) shall be screened to conceal same from the view of neighboring lots, roads, streets, or open areas.

13. This Development is subject to the provisions of the Zoning Ordinance of the City of Springfield, Illinois, and specifically the portions of said ordinance relating to a Planned Unit Development. Any site sold or transferred from the described premises (Exhibit A) shall be subject to such density, setback restrictions, building placement, use representations, as same are shown on documents, plans, plats and specifications filed with the Springfield Sangamon County Regional Planning Commission, and as approved through "Stage 3" of said Zoning Ordinance.

14. V. M. Co. reserves the right to alter or delete any of the above restrictions insofar as such alteration or deletion may be necessary to accommodate contemplated commercial uses harmonious with the Development.

15. The foregoing covenants shall run with the land and be binding on all persons now owning or hereafter acquiring any title or interest in any lot for a period of Twenty (20) years from the date these covenants are recorded, after which, they shall be

automatically extended for successive periods of Ten (10) years unless an instrument signed by the majority of the then owners of lots has been recorded agreeing to any change of such covenants.

V. M. Co., a Delaware Corporation

BY:

Michael J. Fisher
Its President

ATTEST:

Nancy Stalker
Its Assistant Secretary

Part of the Southwest Quarter of the Northwest Quarter, part of the Southeast Quarter of the Northwest Quarter, part of the Southwest Quarter of the Northeast Quarter, part of the West one-half of the Southeast Quarter, and part of the Southwest Quarter of Section 11, all in Township 15 North, Range 5 West of the Third Principal Meridian; and described more particularly as follows: Beginning at a stone marking the Northwest Corner of the Southwest Quarter of the Northeast Quarter of the aforementioned Section 11, thence North 88° 55' 55" East along the Quarter, Quarter Section Line a distance of 942.39 feet to an iron pipe on the Southwesterly Right-of-Way Line of County Highway 42 (Taylor Avenue), thence Southeasterly, along said Right-of-Way line with a 1205.92 foot non-tangent curve to the Left whose center bears North 69° 14' 17" East and through a central angle of 7° 58' 58.2" a distance of 168.02 feet to an iron pipe, thence South 28° 44' 41" East along the aforementioned Right-of-Way Line a distance of 188.62 feet to an iron pin marking the point of beginning of a 1085.77 foot radius tangent curve to the right, thence Southeasterly along the aforementioned Right-of-Way Line with said curve through a central angle of 28° 59' 39" a distance of 594.45 feet to an iron pin, thence South 00° 14' 58" West along the West Right-of-Way Line of County Highway 42 (Taylor Avenue), a distance of 288.02 feet to an iron pipe, thence South 89° 02' 50" West a distance of 670.92 feet, thence South 00° 14' 58" West a distance of 150.00 feet, thence North 89° 02' 50" East a distance of 670.92 feet to an iron pipe on the West Right-of-Way Line of County Highway 42 (Taylor Avenue), thence South 00° 14' 58" West along said Right-of-Way Line a distance of 37.46 feet to an axle, thence South 00° 36' 09" West along the West Right-of-Way Line a distance of 1501.54 feet to an iron pipe, thence South 88° 51' 28" West a distance of 467.32 feet to an iron pipe, thence South 00° 36' 09" West a distance of 230.00 feet to an iron pin, thence South 00° 35' 04" West a distance of 812.70 feet to the North Right-of-Way Line of FA-169 (Stevenson Drive), thence South 88° 51' 31" West along said Right-of-Way Line a distance of 782.94 feet, thence South 00° 18' 33" West a distance of 80.00 feet, thence South 88° 54' 41" West along the North Right-of-Way Line of Stevenson Drive a distance of 365.51 feet, thence North 00° 17' 17" East a distance of 200.15 feet, thence South 88° 56' 03" West a distance of 207.05 feet to an iron pin, thence South 00° 17' 32" West a distance of 87.25 feet, thence South 88° 55' 13" West a distance of 191.01 feet, thence South 00° 17' 32" West a distance of 113.00 feet to the North Right-of-Way Line of Stevenson Drive, thence South 88° 54' 41" West along said Right-of-Way Line a distance of 180.01 feet, thence North 01° 45' 28" West a distance of 149.61 feet to an iron pin, thence South 88° 43' 02" West a distance of 99.84 feet to an iron pin, thence South 01° 42' 16" East a distance of 69.27 feet to the North Line of Stevenson Drive, thence South 88° 54' 41" West along the North Right-of-Way Line of Stevenson Drive a distance of 1105.56 feet, thence North 37° 45' 25" West a distance of 16.20 feet to the East Right-of-Way Line of Fox Bridge Road, thence North 00° 20' 24" East along said Right-of-Way Line a distance of 1149.62 feet to the East Right-of-Way Line of the Illinois Central Railroad, thence North 10° 17' 23" East along the East Right-of-Way Line of the Illinois Central Railroad a distance of 1996.00 feet to the Southeasterly Right-of-Way Line of the Illinois Traction System Railroad, thence North 74° 18' 43" East along said Right-of-Way Line a distance of 278.97 feet to the point of beginning of a 1960.08 foot radius tangent curve to the left, thence Northeasterly along said Right-of-Way curve through a central angle of 37° 06' 21.9" a distance of 1269.39 feet to a point on the Quarter, Quarter Section Line, thence North 89° 03' 07" East along the Quarter, Quarter Section Line a distance of 540.06 feet to the point of beginning. Said tract contains 260.182 acres, more or less, all in the County of Sangamon, State of Illinois. Basis of bearing is North 88° 55' 55" East along the Quarter, Quarter Section Line.

EXCEPT:

That parcel containing 0.316 acres previously deeded to Friendly Chevrolet, Inc.

That parcel containing 1.000 acres previously deeded to The Board of Trustees of Knox Presbyterian Church.

That parcel containing 10.00 acres previously deeded to Board of Education-Springfield School District #186.

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A part of the Southwest Quarter of Section 11, Township 15 North, Range 5 West of the Third Principal Meridian, described more particularly, as follows: Commencing at an iron pin marking the Northeast corner of the West Half of the Southeast Quarter of the aforementioned Section 11; thence South 89° 02' 50" West along the Quarter Section Line a distance of 2809.16 feet; thence South 00° 00' 00" East a distance of 149.56 feet to an iron pipe marking the true point of beginning; thence South 54° 42' 18" East a distance of 548.93 feet to an iron pipe; thence South 35° 34' 59" West a distance of 898.60 feet to an iron pipe; thence South 54° 25' 01" East a distance of 260.00 feet to an iron pipe; thence South 35° 34' 59" West a distance of 326.00 feet to an iron pipe; thence North 54° 25' 01" West a distance of 10.00 feet to an iron pipe marking the beginning of a 650.00 foot radius non-tangent curve to the left whose center bears South 54° 25' 01" East; thence Southwesterly along said curve through a central angle of 07° 29' 33.1" a distance of 85.00 feet to an iron pipe; thence North 61° 54' 34" West a distance of 410.00 feet to an iron pipe; thence North 89° 22' 45" West a distance of 124.90 feet to an iron pipe marking the beginning of a 3704.72 foot radius non-tangent curve to the right whose center bears South 77° 27' 45" East; thence Northeasterly along said curve through a central angle of 22° 45' 27" a distance of 1471.49 feet to the true point of beginning. Said tract contains 17.000 acres, more or less, all in the County of Sangamon, State of Illinois.

Basis of bearing is South 89° 02' 50" West along the Quarter Section Line.

Said tract carries a 20-foot easement as shown on the plat. Said tract is subject to easements as shown on the plat.

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Prepared By
Mail To: Chas Gramlich, ATTY
915 E. Capitol
Spd. Ill.

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EXHIBIT B

VACATION OF BUILDING AND USE COVENANTS AND RESTRICTIONS
OF THE LAKE VICTORIA PLANNED UNIT DEVELOPMENT
AS THE SAME RELATE TO THE PROPERTY
DESCRIBED ON EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

Pursuant to Paragraph 14 of the Building and Use Covenants and Restrictions of the Lake Victoria Planned Unit Development heretofore recorded as Document No. 796934 in the Sangamon County Recorder's Office on July 6, 1978, V. M. Co. chooses to exercise the right to delete the Restrictions contained in said document insofar as such restrictions apply to the land described in Exhibit A attached hereto and made a part hereof; the appropriate officers of V. M. Co. having determined that the deletion of said Covenants and Restrictions would not be deleterious to the harmonious development of the Lake Victoria Planned Unit Development. In addition thereto, a certain lease which was executed between V. M. Co. and Lucky Stores, Inc., a California corporation, predated the recording of the said Covenants. Therefore, V. M. Co. forever releases the real property described in Exhibit A from the terms and conditions of the Building and Use Covenants.

Signed and sealed this 21st day of July, 1978, at Springfield, Illinois.

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V. M. CO., a Corporation

BY: Michael J. Keenan
Its President

Walter L. Lamm

Nancy Walker
Its Assistant Secretary



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Prepared by: Charles J. Gramlich, 918 E. Capitol, Springfield, IL 62701

Return to: Charles J. Gramlich, 918 E. Capitol, Springfield, IL 62701

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EXHIBIT "A"



Part of the South one-half of the Southwest Quarter of Section 11, Township 15 North, Range 5 West of the Third Principal Meridian; described more particularly as follows: Commencing at a P.K. Nail marking the Southeast Corner of the Southwest Quarter of the Southwest Quarter of the aforementioned Section 11, thence South $88^{\circ} 54' 41''$ West along the Section Line a distance of 241.85 feet to the intersection of the East Right-of-Way Line of Stanton Avenue projected South to the Section Line, thence North $01^{\circ} 04' 37''$ West along the aforementioned Right-of-Way Line a distance of 104.98 feet to an iron pipe on the North Right-of-Way Line of Stevenson Drive, said pipe marking the true point of beginning, thence continuing North $01^{\circ} 04' 37''$ West along the East Right-of-Way Line of Stanton Avenue a distance of 410.00 feet to an iron pipe, thence North $88^{\circ} 54' 41''$ East a distance of 281.50 feet to an iron pipe, thence South $01^{\circ} 04' 37''$ East a distance of 25.00 feet to an iron pipe, thence North $88^{\circ} 54' 41''$ East a distance of 241.00 feet to an iron pipe, thence South $01^{\circ} 04' 37''$ East a distance of 315.60 feet to an iron pipe, thence South $88^{\circ} 43' 02''$ West a distance of 15.05 feet to an iron pin, thence South $01^{\circ} 42' 16''$ East a distance of 69.27 feet to an iron pipe on the North Right-of-Way Line of Stevenson Drive, thence South $83^{\circ} 54' 41''$ West along said Right-of-Way Line a distance of 508.20 feet to the true point of beginning. Said tract contains 4.756 acres, more or less, all in the County of Sangamon, State of Illinois.

Basis of bearing is South $88^{\circ} 54' 41''$ West along the Section Line.