

27189996

FIRST AMENDMENT TO THE DECLARATION OF COVENANTS  
CONDITIONS AND RESTRICTIONS FOR  
WESTCHESTER PLACE

This First Amendment to Declaration made on the date  
hereinafter set forth by PULTE HOME CORPORATION ("Declarant").

W I T N E S S E T H:

WHEREAS, Declarant did on the 21st day of May, 1984,  
execute that certain "Declaration of Covenants, Conditions and  
Restrictions" (the "Declaration") and recorded the same on  
June 7, 1984 as Document No. 27119993 with the Recorder of  
Deeds of Cook County, Illinois for purposes of subjecting  
certain "Properties" described therein to the easements,  
restrictions, covenants and conditions set forth in the  
Declaration; and

WHEREAS, ARTICLE TWO, SECTION 1 of the Declaration  
authorizes the Declarant to annex additional land described on  
Exhibit B to the Declaration to the Properties within six (6)  
years after the date of the Declaration, provided that the FHA  
and VA approve such annexation; and

WHEREAS, the Declarant desires to annex certain land  
which is owned by Declarant and is contained within the land  
described as Exhibit B to the Declaration as a part of the  
Properties and Common Area and the FHA and VA have heretofore  
approved such annexation;

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NOW, THEREFORE, Declarant hereby declares as follows:

1. That certain real estate described on Exhibit A to this First Amendment attached hereto and made a part hereof is hereby annexed to the Declaration and the same shall be and become part of the Properties and shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions contained in the Declaration which shall run with the real property described on Exhibit A hereto 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.
2. The real estate described as "Common Area" on Exhibit A hereto shall be and become "Common Area" as defined in ARTICLE ONE, SECTION 8 of the Declaration and shall be owned by the Association for the common use and enjoyment of the Owners, as more fully provided in the Declaration.

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IN WITNESS WHEREOF, the undersigned being the  
Declarant herein has hereunto set its hand and seal this 26th  
day of June, 1984.

PULTE HOME CORPORATION

By:

*[Signature]*

*Edward W. Quinn*  
Its Attorneys-in-Fact

27189996

STATE OF ILLINOIS )  
                  DUPAGE ) SS.  
COUNTY OF ~~COOK~~ )

I, JANICE HOLLOWELL, a Notary Public in and  
for said County, in the State aforesaid, DO HEREBY CERTIFY that  
OREST CHRYNIWSKY and EDWARD W DWIER  
personally known to me to be the Attorneys-in-Fact of PULTE  
HOME CORPORATION, a Delaware corporation, and personally known  
to me to be the same persons whose names are subscribed to the  
foregoing instrument, appeared before me this day in person and  
severally acknowledged that they signed and delivered the said  
instrument as Attorneys-in-Fact of said Corporation, and caused  
the corporate seal of said corporation to be affixed thereto,  
pursuant to authority given by the Board of Directors of said  
corporation, as their free and voluntary act and as the free  
and voluntary act and deed of said corporation, for the uses  
and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 12th day of  
July, 1984.

Janice Hollowell  
Notary Public

My Commission Expires:

7-24-84

This instrument was prepared by:

Charles L. Byrum  
Defrees & Fiske  
72 W. Adams Street, Suite 1500  
Chicago, Illinois 60603

27189996



EXHIBIT A  
TO FIRST AMENDMENT  
TO DECLARATION OF COVENANTS  
CONDITIONS AND RESTRICTIONS

Lots

Lots 89 to 183, both inclusive in Westchester Place Phase Two, being a subdivision of part of the South 1/2 of Section 29, Township 39 North, Range 12, East of the Third Principal Meridian according to the plat thereof recorded June 14, 1984 as Document No. 27129609 in Cook County, Illinois.

Common Area

Lots 184 to 186, both inclusive in Westchester Place Phase Two, being a subdivision of part of the South 1/2 of Section 29, Township 39 North, Range 12, East of the Third Principal Meridian according to the Plat thereof recorded June 14, 1984 as Document No. 27129609 in Cook County, Illinois.

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*Please return to Recorder's Box 196*

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END OF RECORDED DOCUMENT

SECOND AMENDMENT TO THE DECLARATION OF COVENANTS  
CONDITIONS AND RESTRICTIONS FOR  
WESTCHESTER PLACE

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This Second Amendment to Declaration made on the date  
hereinafter set forth by PULTE HOME CORPORATION ("Declarant").

W I T N E S S E T H:

WHEREAS, Declarant did on the 21st day of May, 1984,  
execute that certain "Declaration of Covenants, Conditions and  
Restrictions" (the "Declaration") and recorded the same on  
June 7, 1984 as Document No. 27119993 with the Recorder of  
Deeds of Cook County, Illinois for purposes of subjecting  
certain "Properties" described therein to the easements,  
restrictions, covenants and conditions set forth in the  
Declaration; and

WHEREAS, Declarant further executed First Amendment to  
Declaration dated June 26, 1984, and recorded the same on July  
27, 1984, with the Recorder of Deeds of Cook County, Illinois  
as Document No. 27189996; and

WHEREAS, ARTICLE TWO, SECTION 1 of the Declaration  
authorizes the Declarant to annex additional land described on  
Exhibit B to the Declaration to the Properties within six (6)  
years after the date of the Declaration, provided that the FHA  
and VA approve such annexation; and

WHEREAS, the Declarant desires to annex certain land  
which is owned by Declarant and is contained within the land

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described as Exhibit B to the Declaration as a part of the Properties and Common Area and the FHA and VA have heretofore approved such annexation;

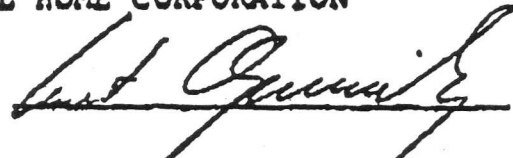
NOW, THEREFORE, Declarant hereby declares as follows:

1. That certain real estate described on Exhibit A to this Second Amendment attached hereto and made a part hereof is hereby annexed to the Declaration and the same shall be and become part of the Properties and shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions contained in the Declaration which shall run with the real property described on Exhibit A hereto 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.
2. The real estate described as "Common Area" on Exhibit A hereto shall be and become "Common Area" as defined in ARTICLE ONE, SECTION 8 of the Declaration and shall be owned by the Association for the common use and enjoyment of the Owners, as more fully provided in the Declaration.

IN WITNESS WHEREOF, the undersigned being the  
Declarant herein has hereunto set its hand and seal this 20th  
day of September, 1984.

PULTE HOME CORPORATION

By:

  
Its Attorneys-in-Fact

STATE OF ILLINOIS )  
 ) SS.  
COUNTY OF DuPage )

I, Anne DeFreece, a Notary Public in and  
for said County, in the State aforesaid, DO HEREBY CERTIFY that  
Orest Chryniwsky and Edward W. Dwier  
personally known to me to be the Attorneys-in-Fact of PULTE  
HOME CORPORATION, a Delaware corporation, and personally known  
to me to be the same persons whose names are subscribed to the  
foregoing instrument, appeared before me this day in person and  
severally acknowledged that they signed and delivered the said  
instrument as Attorneys-in-Fact of said Corporation, and caused  
the corporate seal of said corporation to be affixed thereto,  
pursuant to authority given by the Board of Directors of said  
corporation, as their free and voluntary act and as the free  
and voluntary act and deed of said corporation, for the uses  
and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 20th day of  
September, 1984.

Anne DeFreece  
Notary Public

My Commission Expires:

April 1, 1985

This instrument was prepared by:

Charles L. Byrum  
Defrees & Fiske  
72 W. Adams Street, Suite 1500  
Chicago, Illinois 60603

EXHIBIT A  
TO SECOND AMENDMENT  
TO DECLARATION OF COVENANTS  
CONDITIONS AND RESTRICTIONS

Lots

Lots 187 to 271, both inclusive in Westchester Place Phase Three, being a subdivision of part of the South 1/2 of Section 29, Township 39 North, Range 12, East of the Third Principal Meridian according to the Plat thereof recorded September 10, 1984 as Document No. 27247566 in Cook County, Illinois.

Common Area

Lots 272 to 277, both inclusive in Westchester Place Phase Three, being a subdivision of part of the South 1/2 of Section 29, Township 39 North, Range 12, East of the Third Principal Meridian according to the Plat thereof recorded September 10, 1984 as Document No. 27247566 in Cook County, Illinois.

After recording, please return to Recorder's Box 196

9734370<sup>3</sup>

AFTER RECORDATION  
THIS DOCUMENT  
SHOULD BE RETURNED TO:

Arnstein & Lehr  
120 South Riverside Plaza  
Suite 1200  
Chicago, Illinois 60606  
Att: Michael C. Kim

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DEPT-01 RECORDING  
112222 TRAN 1997 05/15/97  
12780 KB # 97-134  
100% COUNTY RECORDS

RECORDING FEE \$ 291.<sup>00</sup>  
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**SECOND AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTION FOR  
WESTCHESTER PLACE HOMEOWNERS ASSOCIATION**

We, the undersigned, being Lot Owners comprising not less than 67% of the total votes collectively held by all classes of Members and mortgagees holding at least 51% of the outstanding mortgages on the properties and any phases annexed thereto, agree to the following amendment to the Westchester Place Homeowners Association Declaration of Covenants, Conditions and Restrictions. This instrument may be executed in counterparts.

Now therefore, Article Twelve, Section 9 of the Declaration of Covenants, Conditions and Restrictions for the Westchester Place Homeowners Association is hereby amended in accordance with the text which follows.

**Section 9: Lease of Owner Lot**

After the effective date of this Amendment, rental or leasing of lot is prohibited, except as hereinafter provided.

(a) Subsequent to the effective date of the Amendment, no Lot Owner shall be permitted to lease or rent out said Owner's Lot, unless as of the effective date of this Amendment: (1) title to the Lot was being held in the name of the Lot Owner, the Lot Owner's spouse or children or a trustee of the Lot Owner pursuant to a trust agreement, or (2) the Lot Owner had previously entered into a written contract for purchase of the Owner's Lot prior to the effective date of this

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Amendment. Any Lot which can be leased or rented out as set forth under the provisions of this Article Twelve, Section 9, can no longer be leased or rented out once the ownership of the Lot is transferred to a subsequent Lot Owner, except as is specifically provided for hereto.

(b) The provisions of this Section prohibiting the renting or leasing of a Lot shall not apply to (1) any mortgagee that becomes a Lot Owner by purchasing a Lot at sale pursuant to proceedings to foreclose its mortgage, by obtaining a judgment by common law strict foreclosure, by taking a deed to the Lot in lieu of foreclosure, or otherwise by taking possession of a Lot pursuant to a court order under the Illinois Mortgage Foreclosure Law, and (2) the Westchester Place Homeowners Association where the Association has obtained possession of a Lot pursuant to an action brought by the Association to foreclose a lien against the Lot for the Owner's failure to pay common expenses, or when the Association has obtained possession of a Lot pursuant to a Forcible Entry and Detainer action brought by the Association in the manner prescribed by the provisions of Article IX of the Illinois Code of Civil Procedures.

(c) In order to prevent transiency and to preserve the residential character of the Association, any Lot Owner who is permitted to lease a Lot under the provisions of this Article Twelve, Section 9, shall not: (1) lease less than the entire Lot; (2) lease a Lot for other than housing or residential purposes or (3) lease a Lot for a period of time which is less than (12) consecutive months unless the Owner is given permission to do so in writing by the Board of Directors.



## EXHIBIT A

### LEGAL DESCRIPTION

#### LOTS

LOTS 1 TO 88, BOTH INCLUSIVE, IN WESTCHESTER PLACE PHASE 1, BEING A SUBDIVISION IN THE SOUTH  $\frac{3}{4}$  OF THE SOUTH  $\frac{1}{2}$  OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO PLAT THEREOF REGISTERED WITH THE REGISTRAR OF TITLES IN COOK COUNTY, ILLINOIS ON DECEMBER 14, 1983 AS DOCUMENT NO. 3346140.

LOTS 89 TO 183, BOTH INCLUSIVE IN WESTCHESTER PLACE PHASE TWO, BEING A SUBDIVISION OF PART OF THE SOUTH  $\frac{1}{2}$  OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1984 AS DOCUMENT NO. 27129609 IN COOK COUNTY, ILLINOIS.

LOTS 187 TO 271, BOTH INCLUSIVE IN WESTCHESTER PLACE PHASE THREE, BEING A SUBDIVISION OF PART OF THE SOUTH  $\frac{1}{2}$  OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 10, 1984 AS DOCUMENT NO. 27247566 IN COOK COUNTY, ILLINOIS.

#### COMMON AREA

LOTS 184 TO 186, BOTH INCLUSIVE, IN WESTCHESTER PLACE PHASE TWO, BEING A SUBDIVISION OF PART OF THE SOUTH  $\frac{1}{2}$  OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JUNE 14, 1984 AS DOCUMENT NO. 27129609 IN COOK COUNTY, ILLINOIS.

LOTS 272 TO 277, BOTH INCLUSIVE IN WESTCHESTER PLACE PHASE THREE, BEING A SUBDIVISION OF PART OF THE SOUTH  $\frac{1}{2}$  OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 10, 1984 AS DOCUMENT NO. 27247566 IN COOK COUNTY, ILLINOIS.

P.I.N. NUMBERS: 15-29-311-001-0000 through and including  
15-29-311-023-0000  
15-29-312-001-0000 through and including  
15-29-312-006-0000  
15-29-313-001-0000 through and including

15-29-313-018-0000  
15-26-314-001-0000 through and including  
15-29-314-016-0000  
15-29-315-001-0000 through and including  
15-29-315-025-0000  
15-29-317-001-0000 through and including  
15-29-317-029-0000  
15-29-318-001-0000 through and including  
15-29-318-013-0000  
15-29-319-001-0000 through and including  
15-29-319-014-0000  
15-29-320-001-0000 through and including  
15-29-320-018-0000  
15-29-321-001-0000 through and including  
15-29-321-021-0000  
15-29-322-001-0000 through and including  
15-29-322-052-0000  
15-29-323-001-0000 through and including  
15-29-323-017-0000  
15-29-324-001-0000 through and including  
15-29-324-020-0000  
15-29-325-001-0000 through and including  
15-29-325-005-0000

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QUITCLAIM DEED

(Common Area Westchester Place Phase 2)

The Grantor, PULTE HOME CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, does hereby CONVEY AND QUITCLAIM unto Grantee, WESTCHESTER PLACE HOMEOWNER'S ASSOCIATION, a Not-for-Profit corporation created and existing under and by virtue of the laws of the State of Illinois, having its principal office at 2360 Hassell Road, Hoffman Estates, Illinois, the following described real estate situated in Cook County, Illinois, to wit:

Lots 184, 185 and 186 in Westchester Place Phase Two (2), being a subdivision of part of the South 1/2 of Section 29, Township 39 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois, according to the Plat thereof recorded with the Recorder of Deeds of Cook County, Illinois on June 14, 1984 as Document No. 27129609.

TO HAVE AND TO HOLD unto said Grantee forever, subject to:

- (a) General taxes not yet due and payable;
- (b) Covenants, conditions and restrictions of record, including the conditions, restrictions, easements and covenants as contained in Westchester Place Declaration of Covenants, Conditions and Restrictions recorded on June 7, 1984, as Document No. 27119993 in Cook County, Illinois and all amendments thereto;
- (c) Reservation of an easement over the subject property for ingress and egress in favor of Grantor, its successors and assigns, as set forth in the Declaration aforesaid.

IN WITNESS WHEREOF, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents the 26th day of June, 1984, by its Attorneys-in-Fact pursuant to authority granted on May 27, 1983, pursuant to resolutions regularly adopted in accordance with the Certificate of Incorporation and By-Laws of PULTE HOME CORPORATION by its Board of Directors at meetings duly called and held on July 25, 1974 and December 9, 1974, respectively, a quorum being present and acting throughout, which said resolutions are now in full force and effect and do not in any manner whatsoever violate or conflict with any provisions of

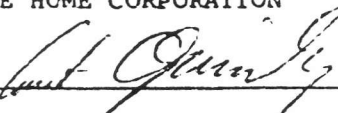
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By \_\_\_\_\_  
Pw. \_\_\_\_\_  
Date 7/27/84 \_\_\_\_\_

the Certificate of Incorporation or By-Laws of said corporation, a certified copy of said resolutions having been filed in the Office of the Recorder of Deeds of Cook County, in the State of Illinois, on the 15th day of June, 1983, as Document No. 26643772, said document being incorporated herein by reference as part hereof.

PULTE HOME CORPORATION

By:



  
its Attorneys-in-Fact

27189998

STATE OF ILLINOIS     )  
                              ) SS  
COUNTY OF DUPAGE    )

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that DREST CHRYNISKY and EDWARD W. DWIER, as Attorneys-in-Fact for Pulte Home Corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Attorneys-in-Fact, respectively, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority granted by the aforesaid resolutions of the Board of Directors of said corporation, as their free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 26th day of June 1984.

Jarvis Halliwell  
Notary Public

This instrument was completed  
on a form prepared by:

Charles L. Byrum  
Defrees & Fiske  
72 W. Adams Street  
Chicago, Illinois 60603

After recording, please return to:

Recorder's Box 196

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END OF RECORDED DOCUMENT



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(JAH)

COOK COUNTY, ILLINOIS  
1984 SEP 25 PM 2:58

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QUITCLAIM DEED

(Common Area Westchester Place Phase 3)

The Grantor, PULTE HOME CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, does hereby CONVEY AND QUITCLAIM unto Grantee, WESTCHESTER PLACE HOMEOWNER'S ASSOCIATION, a Not-for-Profit corporation created and existing under and by virtue of the laws of the State of Illinois, having its principal office at 2360 Cassell Road, Hoffman Estates, Illinois, the following described real estate situated in Cook County, Illinois, to wit:

Lots 272, 273, 274, 275, 276 and 277 in Westchester Place Phase Three (3), being a subdivision of part of the South 1/2 of Section 29, Township 39 North, Range 12, East of the Third Principal Meridian, in Cook County, Illinois, according to the Plat thereof recorded with the Recorder of Deeds of Cook County, Illinois on September 10, 1984 as Document No. 27247566.

TO HAVE AND TO HOLD unto said Grantee forever, subject to:

- (a) General taxes not yet due and payable;
- (b) Covenants, conditions and restrictions of record, including the conditions, restrictions, easements and covenants as contained in Westchester Place Declaration of Covenants, Conditions and Restrictions recorded on June 7, 1984, as Document No. 27119993 in Cook County, Illinois and all amendments thereto;
- (c) Reservation of an easement over the subject property for ingress and egress in favor of Grantor, its successors and assigns, as set forth in the Declaration aforesaid.

IN WITNESS WHEREOF, said Grantor has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents the 20th day of September, 1984, by its Attorneys-in-Fact pursuant to authority granted on May 27, 1983, pursuant to resolutions regularly adopted in accordance with the Certificate of Incorporation and By-Laws of PULTE HOME CORPORATION by its Board of Directors at meetings duly called and held on July 25, 1974 and December 9, 1974, respectively, a quorum being present and acting throughout, which said resolutions are now in full force and effect and do not in any manner whatsoever violate or conflict with any

I hereby declare that the attached deed represents a transaction exempt under provisions of Paragraph C, Section 4, of the Real Estate Transfer Tax Act.  
Dated this 20th day of Sept 1984

*Paul C. Frank*  
SIGNATURE OF BUYER, SELLER OR OTHER INTERESTED PARTY

27 271 159

provisions of the Certificate of Incorporation or By-Laws of said corporation, a certified copy of said resolutions having been filed in the Office of the Recorder of Deeds of Cook County, in the State of Illinois, on the 15th day of June, 1983, as Document No. 26643772, said document being incorporated herein by reference as part hereof.

PULTE HOME CORPORATION

By:

*Edmund W. Quinn*

*Edmund W. Quinn*

Its Attorneys-In-Fact

27 271 169



STATE OF ILLINOIS )  
COUNTY OF DuPage ) SS

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Edward W. Dwyer and Orast Chryniak, as Attorneys-in-Fact for Puile Home Corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Attorneys-in-Fact, respectively, appeared before me this day in person and severally acknowledged that they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority granted by the aforesaid resolutions of the Board of Directors of said corporation, as their free and voluntary act and deed of said corporation, for the use and purposes therein set forth.

Given under my hand and official seal, this 20th day of September, 1984.

*James M. Luce*  
Notary Public

This instrument was completed on a form prepared by:

Charles L. Byrum  
DeFrees & Fiske  
72 W. Adams Street  
Chicago, Illinois 60603

After recording, please return to:  
Recorder's Box 196

27 271 159

END OF RECORDED DOCUMENT