

W H E R E A S :

WHEREAS, a General Declaration of Covenants and Restriction: dated July 23, 1973 and recorded with the County Recorder of Jo Daviess County on July 25, 1973 in Book 7 of Miscellaneous Records, pages 780-798, as amended by Amendment to said General Declaration dated September 10, 1973, recorded September 14, 1973 in Book 7 of Miscellaneous Records, Pages 864-866 and the second Amendment dated October 26, 1978, recorded October 26, 1978 in book 12 of Miscellaneous Records, Pages 145 and 146, and as amended and supplemented from time to time (the "General Declaration") affects certain properties in Jo Daviess County; and

WHEREAS, the "Developer" in the General Declaration was the Branigar Organization Inc.; and

WHEREAS, the Developer has acquired certain lands (including those described below) from the Branigar Organization Inc. and as to such lands only has succeeded to the interest of the Branigar Organization Inc. as Developer under the General Declaration; and

WHEREAS, the Developer desires to extend the provisions of said General Declaration to the real estate hereinafter described which is subject to this Supplemental Declaration and which is owned by the Developer, except to the extent that the provisions of the General Declaration, as amended, herein are modified.

NOW, THEREFORE, the Developer, for itself, its successors and assigns hereby declares that the provisions of the General Declaration, except as herein changed and modified and subject to the provisions regarding the delay effectiveness in the deed recorded in Jo Daviess County as document no. 216032, hereby are extended and shall apply to that additional real estate owned by the Developer in Jo Daviess County, Illinois, and described as follows:

Lots 1 through 21, both inclusive, in Eagle Ridge Inn and Resort Shenandoah, Unit 26 of the Galena Territory, according to the Plat thereof of record in Jo Daviess County, Illinois.

JO DAVIESS CTY. RECORDER  
STATE OF ILLINOIS

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232789

County, Illinois.

Lots 1 through 10, both inclusive, in Eagle Ridge Inn and Resort Shenandoah, Unit No. 28 of the Galena Territory, according to the Plat thereof of record in Jo Daviess County, Illinois.

Commonly known respectively as:

Shenandoah Unit 26, Galena Territory  
Shenandoah Unit 27, Galena Territory  
Shenandoah Unit 28, Galena Territory

PIN 43-08-000-307  
43-08-000-320

The provisions of the General Declaration hereby are changed or modified in the following respects:

- (a) PERMITTED USES - GENERAL: All lots which are subject to this Supplemental Declaration are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one dwelling designed for occupancy by a single family, and one dwelling accessory building designed for use as a private garage. No dwelling accessory structure shall be erected prior to construction of a dwelling.
- (b) ARCHITECTURAL CRITERIA: By reason of the unique character and golf course proximity of the above-described lots, the Architectural Review Committee will apply more stringent criteria, including aesthetic considerations, to proposed dwellings and all other proposed construction, including additions, garages, fencing, walls, patios, and landscaping. Garages and other proposed construction must be designed in architectural conformity with the dwelling. Recreational and maintenance equipment and utility areas must be well screened from visibility. The Architectural Review committee shall establish general guidelines regarding colors, materials, and architectural forms. The Committee may withhold approval for any reasons deemed by it to be

1,000 square feet.

- (d) DESIGN CRITERIA: To preserve the unique characteristics of the above-described subdivision, the following special provisions with respect to the residential units constructed thereon shall apply:
- (1) The minimum pitch of the dominant roof line of any dwelling shall be 6 inches in 12 inches.
  - (2) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
  - (3) Roofing material shall consist of wood shakes or shingles or, if asphalt or fiberglass roofing is utilized, roof material shall be a 280# grade as a minimum.
  - (4) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within each of the above-described subdivisions each as a separate subdivision. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
  - (5) A detailed site plan including proposed landscaping elements shall be required prior to approval.
  - (6) Satellite television dishes and free-standing antenna towers are prohibited on lots in the above-described subdivisions.
- (e) Each owner of an above-described lot from time to time by recording the initial conveyance of such lot acknowledges that Eagle Ridge Realty Inc. is as to such lot the Developer under the General Declaration.

By J. Duellman  
ITS PRESIDENT

me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President, he signed and delivered the said instrument as President of said corporation, pursuant to authority, given by the Board of Directors of said corporation, his free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 19<sup>th</sup> day of July, 1994.

Hollace Couch  
Notary Public

" OFFICIAL SEAL "  
HOLLACE COUCH  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES 8/13/95

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