

Developer :

W I T N E S S E T H :

WHEREAS, Developer is the owner of certain real estate located in Jo Daviess County, Illinois, with respect to which it has recorded under date of July 25, 1973, a General Declaration of Covenants and Restrictions (General Declaration) dated July 23, 1973 in Book 7 of Miscellaneous Records, Page 780-798, and has recorded under date of September 14, 1973 Amendment to said General Declaration dated September 10, 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

WHEREAS, the Developer desires to extend the provisions of said General Declaration, as amended, 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 of Covenants and Restrictions, as amended, except as herein changed and modified, hereby are extended and shall apply to that additional real estate owned by the Developer in Jo Daviess County, Illinois, and described as follows:

Lot 1, Thunder Bay Unit 10 of Branigar's The Galena Territory, a Subdivision of Jo Daviess County, Illinois, according to the plat thereof recorded with the Recorder of Deeds of Jo Daviess County, Illinois, in Plan Hold C of Plats, No. 128 as Instrument Number 211075 on the 22nd day of August, 1991.

1. The provisions of the General Declaration hereby are changed and 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, except as otherwise permitted herein. No dwelling accessory structure shall be erected prior to construction of a dwelling.
- (b) PERMITTED USES - SPECIAL: Developer reserves the right to designate any of the lots subject to this Supplemental Declaration as lots which may be improved, in addition to the General Permitted Uses, with an additional dwelling accessory structure to be used as a stable, together with an appropriate corral in connection therewith as approved by the Committee. The exercise of such right by the Developer shall be by appropriate instrument recorded with the Recorder of Deeds designating the lots with respect to which such Special Uses are permitted. The owner of any lot so designated may maintain such a permitted facility on his lot for the use of the members of his family and guests. Such permitted facility shall not be used for the stabling of more than two horses unless the instrument recorded designating these lots for such Special Uses provides therein that certain lots may have facilities constructed thereon for the stabling of a greater number of horses.

reasons, except that approval will not be unreasonably withheld.

- (d) LIVING AREA: The living area in any dwelling constructed on any lot subject to this Supplemental Declaration shall not be less than 1,000 square feet.

AND WHEREAS, pursuant to the right reserved in Paragraph 1(b) of this Supplemental Declaration, the Developer desires to designate certain lots for "Permitted Uses - Special," as provided in said Paragraph 1(b).

NOW, THEREFORE, Developer, for itself, its successors and assigns hereby declares that certain lots which are subject to the provisions of this Supplemental Declaration are hereby designated as lots which may be improved, in addition to the General Permitted Uses as set forth in said General Declaration, as amended, with an additional dwelling accessory structure to be used for stabling, together with an appropriate corral in connection therewith as approved by the Committee, and to maintain on said lots such facilities, for the use by the owner and members of his family and guests, with the limitations as to the number of horses as provided hereinafter.

The lot designated for such special permitted uses is described as follows:

Lot 1, Thunder Bay Unit 10, of Branigar's Galena Territory, according to the plat thereof recorded in Jo Daviess County, Illinois, not to exceed four horses.

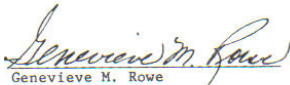
IN WITNESS WHEREOF, the Developer has caused these presents to be executed in the day and year first above written.

THE BRANIGAR ORGANIZATION, INC.

By: 

A.J. Cechvala,  
Vice President



  
Genevieve M. Rowe  
Assistant Secretary

STATE OF ILLINOIS, COUNTY OF Jo Daviess SS. I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that A.J. Cechvala personally known to me to be the Vice President of The Branigar Organization, Inc. and Genevieve M. Rowe personally known to me to be the Assistant Secretary of said 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 as such Vice President and Assistant Secretary, they signed and delivered the said instrument as Vice President and Assistant Secretary 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 official seal, this 26th day of August, 1991.

  
Betty Fillds

