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THE GALENA TERRITORY ASSOCIATION, INC.

Bylaws

Established July 23, 1973
Revised February 22, 2020

This instrument prepared by:

KEAY & COSTELLO, P.C.

128 S. County Farm Road

Wheaton, IL 60187

Upon Recording, return to:

The Galena Territory Association, Inc.

2000 Territory Drive

Galena, IL 61036

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This instrument, known as the Amended and Restated By-Laws of the Galena Territory Association, Inc., is recorded for the purpose of amending, restating and replacing in its entirety the Amended and Restated By-Laws of the Galena Territory Association, Inc. ("Prior By-Laws") which was recorded on March 30, 2017, with the Office of the Recorder of Deeds of Jo Daviess County, Illinois as Document number 393670.

This Amended and Restated By-Laws of the Galena Territory Association, Inc. is adopted pursuant to the provisions of Article XVI of the Prior By-Laws, which provides that this Amended and Restated By-Laws of the Galena Territory Association, Inc. may be approved by a two-thirds (2/3) vote of the then constituted Board and ratified by the affirmative vote of two-thirds (2/3) of the Members voting, either in person or by mail, at the next ensuing regular or special meeting of the Members. This Amended and Restated By-Laws of the Galena Territory Association, Inc. shall take effect upon recordation in the Office of the Recorder of Deeds of Jo Daviess County, Illinois.

PREAMBLE

WHEREAS, the Galena Territory Association, Inc. (hereinafter the "Association") through its Board of Directors administers the property legally described in Exhibit "A", which is attached hereto and made a part hereof;

WHEREAS, the Prior By-Laws were recorded on March 30, 2017, with the Office of the Recorder of Deeds of Jo Daviess County, Illinois as Document number 393670;

WHEREAS, the Board and the Owners of the Association desire to amend and restate the Prior By-Laws replacing it, in its entirety, with this Amended and Restated By-Laws of the Galena Territory Association, Inc.;

WHEREAS, certain changes to the Prior By-Laws were approved in 2017 by a two-thirds (2/3) vote of the then constituted Board and ratified by the affirmative vote of two-thirds (2/3) of the Members voting, either in person or by mail, at the next ensuing regular or special meeting of the Members;

WHEREAS, specifically, changes to Article XI, Section 1(b) were approved in 2017;

WHEREAS, certain changes to the Prior By-Laws were approved in 2019 by a two-thirds (2/3) vote of the then constituted Board and ratified by the affirmative vote of two-thirds (2/3) of the Members voting, either in person or by mail, at the next ensuing regular or special meeting of the Members;

WHEREAS, specifically, changes to Article VII, Section 5 were approved in 2019;

WHEREAS, the Board and the Owners of the Association desire to amend and restate the Prior By-Laws replacing it, in its entirety, with this Amended and Restated By-Laws of the Galena Territory Association, Inc.;

WHEREAS, therefore this Amended and Restated By-Laws of the Galena Territory Association, Inc. has been approved by a two-thirds (2/3) vote of the then constituted Board and ratified by the affirmative vote of two-thirds (2/3) of the Members voting, either in person or by mail, at the next ensuing regular or special meeting of the Members;

WHEREAS, this Amended and Restated By-Laws of the Galena Territory Association, Inc. shall become effective upon recordation in the Office of the Recorder of Deeds of Jo Daviess County, Illinois.

NOW THEREFORE, the Amended and Restated By-Laws of the Galena Territory Association, Inc. which were recorded on March 30, 2017, with the Office of the Recorder of Deeds of Jo Daviess County, Illinois as Document number 393670 are hereby restated and amended as follows:

**AMENDED AND RESTATED BY-LAWS OF THE
GALENA TERRITORY ASSOCIATION, INC.**

**ARTICLE I
DEFINITIONS**

Section 1. "Association" shall mean The Galena Territory Association, Inc., an Illinois not-for-profit corporation.

Section 2. "The Properties" shall mean and refer to the existing properties, and all additions to the existing properties subjected to the Declaration.

Section 3. "Common Properties" shall mean any real property and improvements thereon and any personal property or equipment with respect to which the Developer grants, assigns or conveys to the Association, title, interest in or rights of use, or with respect to which the Developer permits use by the Association and its Members, and any replacement of or for any of the foregoing.

Section 4. "Lot" shall mean any plot of land described by a number upon any recorded subdivision map of The Properties, but shall not include any plot designated therein as a "tract".

Section 5. "Owner" shall mean (i) the record owner, equitable owner, beneficiary if the property is held in a trust or contract purchaser, whether one or more persons or entities, of the fee simple title to any Lot or Living Unit situated upon The Properties; but, notwithstanding any applicable theory of the Deed to Secure Debt, shall not mean or refer to any holder thereof unless and until such holder has acquired title pursuant to foreclosure or any proceeding in lieu of foreclosure.

Section 6. "Living Unit" shall mean and refer to any portion of a Multi-Family Structure situated upon The Properties designed for occupancy by a single family.

Section 7. "Board" means Board of Directors of the Association.

Section 8. "Declaration" means the Declaration of Covenants and Restrictions by Developer dated July 26, 1973, and any Supplemental Declaration as referred to therein, recorded with the Recorder of Deeds of Jo Daviess County, Illinois with respect to which the Lots and Living Units of Owners are or will be made subject.

**ARTICLE II
MEMBERSHIP**

Section 1. Membership. Every person or entity, except the Developer, who becomes an Owner of any Lot or Living Unit subject to the provisions of the Declaration and which is subject to assessment by the Association automatically shall be a Member of the Association by acceptance of a Deed or Conveyance or by entering into a contract for purchase of such Lot or Living Unit, provided that any such person or entity who holds such interest merely as security for the performance of an obligation shall not be a Member.

Section 2. Voting Rights. The Association shall have one class of Members who shall be the persons or entities as provided in Article VII Section 1 of the Declarations. Each Member shall be entitled to one vote for each Lot or Living Unit in which he holds the interest required for membership. When more than one person holds such interest, all such persons shall be Members and the vote for such Lot or Living Unit shall be exercised as they among themselves shall determine, but in no event shall more than one vote be cast with respect to any such Lot or Living Unit. However, if only one of the multiple owners is present at a meeting of the membership, he or she shall be entitled to cast the member vote associated with that unit, regardless of any decision the multiple owners as a group may have made.

Section 3. The membership rights of any person whose interest in The Properties is subject to assessments, whether or not he be personally obligated to pay such assessments, may be suspended by action of the Board during the period when the assessments remain unpaid. Upon payment of such assessments, his/her rights and privileges shall be automatically restored. If the Board has adopted and published rules and regulations governing the use of the Common Properties and facilities, and the personal conduct of any person thereon, it may, in its discretion, suspend the membership rights of any such person for violation of such rules and regulations for a period not to exceed thirty (30) days.

Section 4. The rights of membership are subject to the payment of annual assessments levied by the Association in the amount and manner as provided in these Bylaws, the obligation of which assessments is imposed against each Owner of and becomes a lien upon the property against which such assessments are made as provided in the Declaration.

ARTICLE III PROPERTY RIGHTS AND RIGHTS OF ENJOYMENT OF COMMON PROPERTIES

Section 1. Each Member shall be entitled to the use and enjoyment of the Common Properties and facilities as provided by Article VI of the Declaration, subject to reserved rights as stated therein.

ARTICLE IV EVIDENCE OF MEMBERSHIP

Section 1. A certificate of membership in the Association may be issued to Members in such form as the Board may determine. Failure to issue such a certificate shall not affect the rights of a Member.

ARTICLE V ASSOCIATION PURPOSES AND POWERS

Section 1. The Association has been organized to accept and hold title to the Common Properties which will be conveyed and transferred to it from time to time by Developer in accordance with the Declaration; to maintain and administer the Common Properties as provided by the Declaration; to administer and enforce the covenants and restrictions as set forth in the Declaration; and to collect and disburse the assessments and charges as provided in the Declaration.

Section 2. Subject to the provisions of the Declaration, and to the extent provided by law, the Association may participate in mergers and consolidations with other nonprofit corporations organized for the same or similar purposes.

Section 3. The Association may exercise any powers conferred upon it by law subject to any limitation or restriction imposed in its Articles of Incorporation.

ARTICLE VI BOARD OF DIRECTORS

Section 1. The affairs of the Association shall be managed by a Board of Directors who shall be Members of the Association. The Board shall consist of nine (9) members to serve for a term of three (3) years each, one-third of the Board, or three (3) members, plus any vacancies which may occur, shall be elected each year. Only one of multiple owners of a lot or living unit shall be eligible to serve as a director at any one time.

Section 2. Vacancies in the Board shall be filled by a two-thirds vote of the remaining Directors. Any such appointed Director shall hold office until his successor is elected by the Members at the next annual meeting or until Members holding twenty percent (20%) of the votes in the Association request a

meeting of the Members to fill the vacancy for the balance of the term. A meeting of the Members shall be called for purposes of filling a vacancy on the Board no later than thirty (30) days following the filing of a petition signed by Members holding twenty percent (20%) of the votes in the Association requesting such a meeting. The above provision shall not preclude an appointed Director from seeking election as a Director. Such Director appointed or elected to fill a vacancy shall serve only during the unexpired term created by the vacancy.

Section 3. Two-thirds of the membership may remove a board member as a director at a duly called special meeting.

ARTICLE VII ELECTION OF DIRECTORS

Section 1. Election to the Board shall be by written or electronic ballot as hereinafter provided. At such election, the Members may cast, in respect to each vacancy, as many votes as they are entitled to exercise under the provisions of the Declaration.

Section 2. The three candidates receiving the greatest number of votes shall be elected to fill the vacancies caused by the expiration of the full three (3) year terms. The candidate receiving the next highest number of votes shall be elected to fill the vacancy or vacancies caused by an unexpired term or terms. Of those candidates, the candidate with the largest number of votes shall be elected to fill the longest term and so on. If there occurs a tie in the vote for two or more candidates among those candidates receiving the highest number of votes to fill the expired terms and vacancies such that it cannot be determined which candidate(s) should fill an expired term or a particular vacancy, such determination shall be made by lot. The Election Advisory Group shall determine the procedure for drawing lots.

Section 3. No Director shall serve more than two (2) consecutive three-year terms. Partial terms filled by appointment shall not be considered part of said three-year term. A former Board member shall be eligible for re-election to the Board on the expiration of one year from the last six-year term served.

Section 4. Nominations for election to the Board shall be made by a Nominating Committee which shall be one of the standing committees of the Association.

Section 5. The Nominating Committee shall make as many nominations for election to the Board as it shall in its discretion determine, but not less than the number of vacancies that are to be filled and no more than three (3) nominations for each vacancy. Such nominations may be made from among Members current in all their assessments. Nominations shall be placed on a written ballot as provided in Article VII Section 6, and shall be made in advance of the time fixed in Article VII Section 6 for the mailing of such ballots to Members.

Section 6. All elections to the Board shall be made by written or electronic ballot which shall:

- (a) Describe the vacancies to be filled;
- (b) Set forth the names of those nominated by the Nominating Committee for such vacancies and;
- (c) Contain a space for a write-in vote by the Members for each vacancy. Such ballots shall be prepared and mailed by the secretary to the Members at least ten (10) and not more than thirty (30) days in advance of the date set forth therein for return of ballots;
- (d) If there is no more than one candidate for each vacancy on the board, the names of the candidates shall be positioned on the ballot according to lot. The procedures for drawing the names shall be determined by the Nominating Committee. If there are more candidates than vacancies, the ballots shall be printed so that the names of the

candidates are listed in each position on the ballot approximately the same number of times.

Section 7. Each Member shall receive as many ballots as he has votes. Notwithstanding that a Member may be entitled to several votes, he shall exercise on any one ballot only one vote for each vacancy shown thereon. The completed ballots shall be returned as follows: Each ballot shall be placed in a sealed envelope marked "Ballot" but not marked in any other way. Each such "Ballot" envelope shall contain only one ballot, and the Member shall be advised that, because of the verification procedures of Article VII Section 8, the inclusion of more than one Ballot in any one "Ballot" envelope shall disqualify the return. Such "Ballot" envelope, or envelopes (if the member is exercising more than one vote), shall be placed in another sealed envelope which shall bear such information as the Board may determine will serve to establish his right to cast the vote or votes presented in the ballot or ballots contained therein. The ballots shall be returned to the secretary at the address stated in ballot transmittal.

Section 8. Upon receipt of each return, the secretary shall immediately place it in a safe or other locked place until the days set for the annual or other special meeting at which the elections are to be held. No earlier than the day before, the external envelopes containing the "Ballot" envelopes shall be turned over, unopened, to an Election Advisory Group which shall consist of at least three (3) Members appointed by the Board. The Election Advisory Group shall then adopt a procedure which shall:

- (a) Establish that the number of envelopes marked "Ballot" corresponds to the number of votes allowed to the Member, be identified on the outside envelope containing them; and
- (b) That the Member is not delinquent in the payment of any of the assessment against the Lot or Living Unit for which the vote is being cast. If the assessments are not fully paid, the vote shall be invalidated.

Such procedure shall be taken in such manner that the vote of any Member shall not be disclosed to anyone, even the Election Advisory Group.

The outside envelopes shall thereupon be placed in a safe or other locked place and the Election Advisory Group shall proceed to the opening of the "Ballot" envelopes and the counting of the votes. If any "Ballot" envelope is found to contain more than one ballot, all such ballots shall be disqualified and shall not be counted. The Election Advisory Group shall announce at the Annual Meeting the names of the candidates elected and the total votes all candidates received. The Election Advisory Group shall also announce the total votes (Yes/No) received for each Bylaw and Covenant and Restriction revision (if applicable). Immediately after the announcement of the results, management shall secure and retain all ballots and outside envelopes for at least one year. Unless a review of the procedure or results is demanded in writing by any candidate within the ballot retention period, the ballots and the outside envelopes shall be destroyed.

Section 9. The procedures for electronic ballots shall be determined by the Board of Directors.

Section 10. Votes cast under this Article VII are valid for the purpose of establishing quorum.

ARTICLE VIII POWERS AND DUTIES OF THE BOARD

Section 1. The Board shall have power:

- (a) To call special meetings of the Members.
- (b) To appoint and remove at pleasure all officers, agents or the General Manager/Chief Executive Officer of the Association, prescribe their duties, fix their compensation, and require of them such security or fidelity bond as it may deem expedient. Nothing contained in these Bylaws shall be construed to prohibit the employment of any Member, officer or Director of the Association in any capacity whatsoever. Provided, that a

member of the Board may not enter into a contract with a current Board member, or with a corporation or partnership in which a Board member or a member of his or her immediate family has twenty-five percent (25%) or more interest, unless notice of intent to enter into the contract is given to the Members within twenty (20) days after a decision is made to enter into the contract and the Members are afforded an opportunity by filing a petition, signed by twenty percent (20%) of the Membership, for an election to approve or disapprove the contract; such petition shall be filed within twenty (20) days after such notice and such election shall be held within thirty (30) days after filing the petition. For purposes of this paragraph, a Board member's immediate family means the Board member's spouse, parents, and children.

- (c) To establish, levy, assess and collect the assessments or charges referred to in Article VIII of the Declaration.
- (d) To adopt and publish rules and regulations governing the use of the Common Properties and facilities and the personal conduct of the Members and their guests and the Developer, its successors, assigns, licensees, sublicenses, guests of its commercial operation and prospective customers thereon.

The Board may, after notice and an opportunity to be heard, levy reasonable fines for violations of the Declarations, Bylaws, and Rules and Regulations of the Association, in accordance with procedures to be established by the Board.

- (e) To exercise for the Association all powers, duties and authority vested in or delegated to this Association, except those, if any, reserved to the Members in the Declaration or in the Articles of Incorporation.
- (f) In the event that any Member of the Board shall be absent from three (3) consecutive regular meetings, the Board may by action taken at the meetings during which said third absence occurs, declare the office of said absent Director to be vacant.

Section 2. It shall be the duty of the Board:

- (a) To cause to be kept a complete record of all its acts and corporate affairs and to present a statement thereof to the Members at the annual meeting or, at any special meeting, when requested by the Members.
- (b) To supervise all officers, agents and the General Manager/Chief Executive Officer of the Association, and to see that their duties are properly performed.
- (c) The Association upon request and payment of a service fee shall furnish any Owner liable for any assessment a certificate in writing signed by the General Manager/Chief Executive Officer or his or her designee setting forth what assessments, if any which have been made with respect to said Owner's property and which are unpaid. Such certificate shall be conclusive evidence with respect to the matters certified therein.
- (d) To make annual assessments against the Members and to collect the same and create and enforce liens with respect thereto, as provided in the Declaration. No assessment shall be made for any year prior to the year 1976. The amount of the assessment for each year and the time for payment thereof shall be fixed by resolution of the Board.
- (e) The Board may increase the amount of the annual assessment for any year after 1976 in an amount greater than 15% of the amount of the assessment for the preceding year upon approval by vote of Members at the annual meeting of Members of a majority of the Members present and voting at said meeting, in person, in the following manner: Prior to any such annual meeting the Board shall adopt a budget for such year to be presented for approval by Members at such meeting, which budget as adopted shall be sent to the Members with a notice of such meeting. If such budget is approved by the Members, the

Board may levy an assessment for such year in an amount sufficient to meet the provisions of such budget.

- (f) The Board shall direct management to add any unpaid, past due fines as well as any other amounts owed to the Association by any property Owner to that property Owner's annual property Owner's assessment and this in total shall be subject to the rules of annual assessment collections as set forth in these Bylaws and the Declaration.
- (g) To formulate and provide by Rule a method of approving payment vouchers.
- (h) To select an independent auditor to conduct an annual audit of the Association.
- (i) And each individual director to fully comply with the Board approved Board of Directors Conflict of Interest Policy.

ARTICLE IX DIRECTORS' MEETINGS

Section 1. Special meetings of the Board shall be held when called by the President or 25% of the Directors upon not less than three (3) days' notice setting forth the business to be transacted at the meeting.

Section 2. The transaction of any business at any meeting of the Board, however called and noticed, or wherever held, shall be as valid as though made at a meeting duly held after regular call and notice if a quorum is present; or, if, either before or after the meeting, each of the Directors not present signs a written waiver of notice, or a consent to the holding of such meeting, or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the corporate records and made part of the minutes of the meeting.

Section 3. A majority of the members of the Board shall constitute a quorum.

Section 4 Unless prior notice to directors or Members is required by law, any action required by law or these Bylaws to be or which may be taken at a meeting of the Members or Directors, may be taken without a meeting if a consent in writing, setting forth the action so taken, shall be signed by all Members or Directors, as the case may be, entitled to vote with respect to the subject matter.

Section 5. The Board shall meet at least four (4) times annually.

Section 6. All meetings of the Board shall be open to any Owner, except that the Board may close any portion of a noticed meeting or meet separately from a noticed meeting:

- (a) To discuss litigation when an action against or on behalf of the Association has been filed and is pending in a court or administrative tribunal, or when the Association finds that such an action is probable or imminent;
- (b) To discuss third party contracts or information regarding appointment, employment, engagement or dismissal of an employee, independent contractor, agent, or other provider of goods and services;
- (c) To interview a potential employee, independent contractor, agent or other provider of goods and services;
- (d) To discuss violations of rules and regulations of the Association;
- (e) To discuss an Owner's unpaid share of common expenses; or
- (f) To consult with the Association's legal counsel.

However, any vote on the above matters shall be taken at a meeting or portion thereof open to any Owner.

Section 7.

- (a) Notice of meetings of the Board, containing the date, time and place of said meeting, shall be provided to each Owner by mail, personal delivery, by posting in an Association publication that is routinely mailed to all Owners or sent via any other delivery method that is approved in writing by the Owner and authorized by the Declaration or By-Laws, or shall be posted in entranceways or other conspicuous places in the Common Properties at least forty-eight (48) hours prior to the Board meeting. However, if there is no common entranceway for seven (7) or more Lots or Living Units, then the Board may designate one (1) or more locations in the proximity of the Lots and Living Units where the notices of meetings shall be posted.
- (b) Provided, however, that each Owner shall receive written notice by mail, personal delivery, by posting in an Association publication that is routinely mailed to all Owners or sent via any other delivery method that is approved in writing by the Owner and authorized by the Declaration or By-Laws, of any meeting of the Board concerning the adoption of the proposed annual budget, regular assessments, or a separate or special assessment not less than ten (10), and not more than sixty (60), days prior to such Board meeting.

Section 8. A portion of each Board meeting shall be reserved for comments by Members. Provided, however, that the duration and meeting order for such Member comment period is within the sole discretion of the Board.

ARTICLE X OFFICERS

Section 1. The officers shall be a president, a vice president, a secretary and a treasurer. All officers shall be members of the Board.

Section 2. The officers shall be chosen by a majority vote of the Board.

Section 3. All officers shall hold office during the pleasure of the Board.

Section 4. The President shall preside at all meetings of the Board and of the membership; shall see that orders and resolutions of the Board are carried out; shall sign all deeds, shall co-sign promissory notes, and shall ensure the General Manager/Chief Executive Officer endorses all leases, contracts, and other written instruments; and shall exercise and discharge such other duties as may be required by the Board. The President appoints all Committee, Commission and Board Advisory Group Chairs.

Section 5. The Vice President shall act in the absence of the President and shall exercise and discharge such other duties as may be required by the Board.

Section 6. The Secretary shall keep the minutes of all meetings of the board and of the membership, record the votes, keep the corporate seal of the Association and affix it on all papers requiring said seal; serve notice of meetings of the Board and of the Membership; keep appropriate current records showing the Membership of the Association, together with their addresses; and perform such other duties as may be required by the Board. The Secretary may request that the General Manager/Chief Executive Officer delegate all or part of the preparation of the minutes and other duties associated with the Secretary's responsibilities to a member of the Association's staff.

Section 7. The Treasurer shall keep the financial records and books of account, shall be responsible for receiving and depositing, or cause to be received and deposited, in appropriate bank accounts all monies of the Association; shall disburse such funds to pay for authorized functions approved by the Board; shall co-sign promissory notes of the Association; and shall ensure an annual budget is prepared and presented to the Board for approval; shall ensure the annual budget and audit

shall be distributed to the Members; perform such other duties as may be required by the Board. The Treasurer may request that the General Manager/Chief Executive Officer delegate all or part of the Treasurer's responsibilities to a member of the Association's staff.

ARTICLE XI COMMITTEES, COMMISSIONS, AND ADVISORY GROUPS

Section 1.

- (a) The Board, by resolution adopted by a majority of the Board, may designate one (1) or more committees. Each such committee shall consist of at least two (2) or more Directors and may also consist of Association Members who are not Directors; provided, however that the majority of each such committee shall be Directors. Committees may have as few as three (3) and as many as five (5) members, all as may be appointed by the Board as it deems appropriate. The members of each committee shall be nominated by the Committee Chair and approved by the Board and serve solely at the discretion and direction of the Board. Any committee member may be removed by a vote of the majority of the Directors on the Board whenever in their judgment the best interests of the Association shall be served by such removal. The Architectural Review Committee shall be a standing committee of the Association. The Nominating Committee shall also be a standing committee of the Association, whose members shall be appointed by the Board, but a majority of the members of the Nominating Committee need not be Directors. The membership of the Nominating Committee shall be as provided in Section 2 of this Article.
- (b) The Board, by resolution adopted by a majority of the Board, may designate one (1) or more commissions, which commissions may not act on behalf of the Association or bind the Association to any action, but may make recommendations to the Board. The President shall appoint a Director to chair each commission, but the other members of the commission need not be Directors but must be Association Members. Commissions may have as few as three (3) and as many as nine (9) members, all as may be appointed by the Board as it deems appropriate. The members of each commission shall be nominated by the Commission Chair and approved by the Board and serve solely at the discretion and direction of the Board. Any member thereof may be removed by a vote of the majority of the Directors on the Board whenever in their judgment the best interests of the Association shall be served by such removal. The standing commissions shall be: 1) the Budget and Finance Commission, 2) the Legal, Bylaws, and Arbitration Commission, 3) the Long Range Planning Commission, 4) the Civic Affairs Commission, and 5) Marketing Commission.
- (c) The Board may appoint Advisory Groups as it deems necessary.

Section 2. The Nominating Committee shall have the duties and functions described in Article VII, Section 5 hereof. The Nominating Committee shall consist of a chair who shall be a member of the Board, and who shall not be a candidate for election as a director and two or more members of the Association who shall not be candidates for election as directors.

Section 3. The Architectural Review Committee shall have the powers, duties and functions of the Committee established in the Declaration, Article IV, and such additional duties as may be delegated by resolution passed by a majority of the Board of Directors. All controversies between an Owner-Member and the Architectural Review Committee shall be subject to review under the approved GTA Dispute Resolution Policy as authorized under these bylaws at Article XVII, Section 1.

Section 4. The Budget and Finance Commission shall review and make recommendations on the annual budget of the Association and its subsidiaries, review and provide comment on the annual audit for the Association and its subsidiaries, and shall annually review the Association's investment and financial policies and provide recommendations to the Board. The Budget and Finance Commission shall be chaired by the Treasurer.

Section 5. The Legal, Bylaws, and Arbitration Commission shall review such legal matters involving the Association, its Members or employees relating to Association matters as may be referred to the Legal, Bylaws, and Arbitration Commission by the Board and to propose changes in legal procedures that the Legal, Bylaws, and Arbitration Commission deems appropriate to further the affairs of the Association. The Legal, Bylaws, and Arbitration Commission shall be responsible for developing dispute resolution and arbitration procedures as needed for recommendation to the Board for approval and supervising the arbitration process.

Section 6. The Long Range Planning Commission shall be responsible for the preparation and maintenance of the Strategic Plan, which will be reviewed, amended as desired, and approved by the Board of Directors. The plan is designed to improve and maintain the common properties. The plan fosters development and use of the common properties by providing recommendations for services, infrastructure, and management of amenities, consistent with property owner interests and protection of the natural environment and character of this recreational, residential, and resort community. The plan shall include a multi-year operational and capital plan for meeting the identified goals of the plan. The Strategic Plan shall be reviewed annually and comprehensively updated on a five-year rotation or sooner as needed.

Section 7: The Civic Affairs Commission shall monitor internal and external forces designated by the GTA Board of Directors, analyze issues, and report pros and cons to the GTA Board. The Commission shall build relationships with local officials to include regularly attending or reviewing meeting reports of the County Board, County Committees, and Townships; work to integrate the GTA and its members into local communities through the development and support of mutually beneficial projects; and periodically submit communication to GTA members.

Section 8: The Marketing Commission shall develop and recommend an ongoing, multi-year comprehensive marketing plan to promote the unique lifestyle of The Galena Territory to internal and external audiences for consideration and approval by the Board of Directors.

ARTICLE XII MEETINGS OF MEMBERS

Section 1. A regular annual meeting of Members for the purpose of electing Directors and taking action with respect to any other business noticed for the meeting shall be held on the Third Saturday of February or at such other reasonable time or date (not more than thirty (30) days before or after such date) as may be designated by written notice of the Board delivered to the Owners 10-30 days in advance of the date fixed for said meeting.

Section 2. Special Meetings of Members may be called at any time by the president, Board of Directors, or 20% of the Owners. The specific purpose or purposes for which the Special Meeting is being called shall be set forth in the request for such meeting.

Section 3. Notice of any meetings shall be given to the Members by the secretary. Notice may be given to the Member either personally, or by sending a copy of the notice through the mail, postage thereon fully prepaid, or other prescribed delivery method, including electronic means, to his address appearing on the books of the corporation. Each Member shall register his address with the secretary, and notices of meetings shall be mailed to him at such address. Notice of any meeting, regular or special, shall be mailed at least ten (10), but not more than thirty (30), days in advance of the meeting and shall set forth in general the nature of the business to be transacted, provided, however, that if the business of any meeting shall involve an election governed by Article VII herein or any action governed by the Articles of Incorporation, notice of such meeting shall be given or sent as therein provided.

Section 4. The presence at the meeting of Members entitled to cast, in person 10% of the votes of Members entitled to vote or 100 Members shall constitute a quorum for any action governed by these Bylaws, except as otherwise may be required by the Articles or Declaration.

**ARTICLE XIII
INDEMNIFICATION OF DIRECTORS,
OFFICERS AND EMPLOYEES**

Section 1. Any person who is involved without his consent in any legal action due to the fact that he is or was a Director, Officer, Committee or Commission Member, Volunteer or employee of the Association shall be indemnified by the Association against all expenses reasonably incurred by him in connection with or resulting from such legal action. Such expenses shall also include amounts paid by him with the consent of the Association acting through its Board of Directors in reasonable settlement of such actions except for those matters as to which it shall be determined that such persons were derelict in the performance of his duties to the Association. This right of indemnification shall apply to matters arising both before and after the time of adoption of the Bylaws and any amendments thereto, and shall not exclude any other legal right of indemnification to which such person may be entitled.

**ARTICLE XIV
BOOKS AND PAPERS**

Section 1. The inspection of books, records and papers by members of the Association shall be subject to policy established by the Board of Directors. Provided, however, that the Board shall maintain the following records of the Association and make them available for examination and copying at convenient hours of weekdays by any Owner, such Owner's mortgagees and their duly authorized agents or attorneys:

- (a) Copies of the recorded Declaration, other Association instruments, other duly recorded covenants and bylaws and any amendments, articles of incorporation, annual reports and any rules and regulations adopted by the Association;
- (b) Detailed and accurate records in chronological order of the receipts and expenditures affecting the Common Properties, specifying and itemizing the maintenance and repair expenses of the Common Properties and any other expenses incurred, and copies of all contracts, leases, or other agreements entered into by the Board shall be maintained;
- (c) The minutes of all meetings of the Board, which shall be maintained for a period of not less than seven (7) years;
- (d) With a written statement of a proper purpose, ballots and proxies related thereto, if any, for any election held for the Board and for any other matters voted on by the Members, which shall be maintained for a period of not less than one (1) year;
- (e) With a written statement of a proper purpose, such other records of the Board as are available for inspection by members of a not-for-profit corporation pursuant to Section 107.75 of the Illinois General Not-for-Profit Corporation Act of 1986.
- (f) With respect to Lots and Living Units owned by a land trust, a living trust, or other legal entity, the trustee, officer, or manager of the entity may designate, in writing, a person to cast votes on behalf of the Member or Owner and a designation shall remain in effect until a subsequent document is filed with the Association.

Where a request for records under this Article is made in writing to the Board or its agent, failure to provide the requested record or respond within thirty (30) days shall be deemed a denial by the Board. The Association may charge a reasonable fee for the costs of retrieving and copying any such records properly requested.

**ARTICLE XV
CORPORATE SEAL**

Section 1. The Association shall have the seal in circular form having within its circumference the words "The Galena Territory Association, Inc." or any abbreviation thereof approved by the Board.

**ARTICLE XVI
AMENDMENTS**

Section 1. These Bylaws may be amended by a two-thirds (2/3rds) vote of the then constituted Board of Directors and ratified by the affirmative vote of two-thirds (2/3rds) of the members voting, either in person or by mail, at the next ensuing regular or special meeting of the Members.

**ARTICLE XVII
DISPUTE RESOLUTION AND ARBITRATION**

Section 1. Dispute Resolution and Arbitration. Any claim or controversy between The Galena Territory Association, Inc. and any Member which arises out of or relates to the ownership and use of property in The Galena Territory shall, at the request of any such party, be submitted to dispute resolution and arbitration procedures prescribed by the Board of Directors. The Galena Territory Association, Inc. and every Member thereof, by becoming such, agrees to arbitrate all such disputes according to this Bylaw and the rules and regulations prescribed by the Board of Directors pursuant to this Bylaw, and further agrees to abide by and perform any awards made thereunder.

**ARTICLE XVIII
CAPTIONS**

Section 1. The captions and section numbers appearing in these Bylaws are inserted only as a matter of convenience. They do not define, limit, construe or describe the scope or intent of the provisions of these Bylaws.

**ARTICLE XIX
USE OF TECHNOLOGY**

Section 1. Any notice required to be sent or received or signature, vote, consent or approval required to be obtained under The Galena Territory Association's community instruments or any provision of the Illinois Common Interest Community Association Act may be accomplished using the technology generally available at that time.

Section 2. The Galena Territory Association, the Owners, and other persons entitled to occupy a Living Unit or Dwelling may perform any obligation or exercise any right under the community instruments by use of any technological means that provides sufficient security, reliability, identification and verifiability.

Section 3. A verifiable electronic signature satisfies any requirement for a signature under any of the community instruments.

Section 4. Voting on, consent to, and approval of any matter under any of the community instruments may be accomplished by electronic transmission or other equivalent technological means, provided that a record is created as evidence thereof and maintained as long as the record would be required to be maintained in non-electronic form.

Section 5. Subject to any provisions of Illinois law, no action required or permitted by any community instrument need be acknowledged before a notary public if the identity and signature of the person can otherwise be authenticated to the satisfaction of the board of directors.

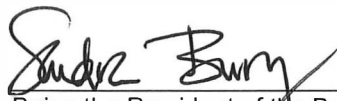
Section 6. If any person does not provide written authorization to conduct business using electronic transmission or other equivalent technological means, the Association shall, at its expense, conduct business with the person without the use of electronic transmission or other equivalent technological means.

END OF TEXT OF BY-LAWS

STATE OF ILLINOIS)
)
COUNTY OF JO DAVIESS) SS

The undersigned is the President of the Board of Directors of The Galena Territory Association, Inc., and by my signature below, do hereby execute the foregoing Amended and Restated By-Laws of the Galena Territory Association, Inc. on behalf of the Association and certify that said document has been approved by a two-thirds (2/3) vote of the then constituted Board and ratified by the affirmative vote of two-thirds (2/3) of the Members voting, either in person or by mail, at the next ensuing regular or special meeting of the Members.

EXECUTED this 10TH day of April, 2020.



Being the President of the Board of Directors of
The Galena Territory Association, Inc.

I, Susan R. Miller, a Notary Public, hereby certify that on the above date, the above President of the Board of Directors of The Galena Territory Association, Inc., which Board member is personally known to me, appeared before me and acknowledged that, as such Board member, he/she signed this instrument as his/her free and voluntary act of said Board for the uses and purposes therein set forth.

BY: Susan R. Miller



Exhibit "A"

Legal Description of Existing Properties and Lot Specific Restrictions

The restrictions set forth in this Exhibit "A" are applicable as to the lots included in the paragraph where each respective restriction is located only.

Paragraph 1. Lots 1 to 132 (both inclusive) in Shenandoah Unit 1 of Branlgar's Galena Territory, a Subdivision in Jo Daviess County, Illinois according to Plat of Record recorded with the Recorder of Deeds in Plat Book 14, Page 5, 6, 7 and 8. [*from Original Declaration*].

Paragraph 2. Lots 1 to 117, both inclusive, in Eagle Ridge Unit 1 of Branlgar's 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 Plat Book 14, at Pages 65-67 as Document No. 141748. [*from Supplemental Declaration recorded July 15, 1977 in Book 10 of Miscellaneous, pages 907 and 908 with recording number 143115*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 family and guests. Such permitted facility shall not be used for the stabling of more than two (2) horses, unless the instrument recorded designating these lots for such Special Use provides therein that certain lots may have facilities constructed thereon for the stabling of a greater number of horses.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 39, 40, 41, 59 and 60 in Eagle Ridge Unit 1 of Branlgar's 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 Plat Book 14, at Pages 65-67 as Document No. 141748

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 3. Lots 1 to 79, both inclusive, in Eagle Ridge Unit 2 of Branigar's 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 Plat Book 14, at Pages 75-78 as Document No. 145474. [*from Supplemental Declaration recorded March 2, 1978 in Book 11 of Miscellaneous, pages 349 and 350*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 family and guests. Such permitted facility shall not be used for the stabling of more than two (2) horses, unless the instrument recorded designating these lots for such Special Use provides therein that certain lots may have facilities constructed thereon for the stabling of a greater number of horses.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 1, 2, 3, 6 to 16 (both inclusive), 19, 20, 27, 28, 29, 33, 34, 50 to 56 (both inclusive), 61, 62, 75, 76 and 77 in Eagle Ridge Unit 2 of Branigar's 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 Plat Book 14, at Pages 75-78 as Document No. 145474, except for Lots 12, 13, 14, 15, 50 and 56, upon which a maximum of four (4) horses may be stabled.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 4. Lots 1 to 38, both Inclusive, in Eagle Ridge Unit 3 of Branigar's 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 Plat Book 14, at Page 81 as Document No. 146098. [from Supplemental Declaration recorded March 2, 1978 in Book 11 of Miscellaneous, pages 353 and 354].

Permitted Uses--General. All of the Lots identified In this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 family and guests. Such permitted facility shall not be used for the stabling of more than two (2) horses, unless the instrument recorded designating these lots for such Special Use provides therein that certain lots may have facilities constructed thereon for the stabling of a greater number of horses.

There are no lots identified in this paragraph which are designated for such special permitted uses to allow stabling of horses.

Architectural Criteria: By reason of the unique character and golf course proximity of Eagle Ridge Unit 3, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be withheld for capricious or unreasonable reasons.

Living Area. The living area In any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling constructed on any of the lots identified in this paragraph shall be 4 in 12.

Building Setbacks. No structures or fencing may be erected within rear building set back areas designated on the plat of subdivision identified in this paragraph.

Paragraph 5. Lots 1 to 35, both inclusive, in Eagle Ridge Unit 4 of Branigar's 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 Plat Book 14, at Pages 85 and 86 as Document No. 152066. *[from Supplemental Declaration recorded September 26, 1979 in Book 13 of Miscellaneous, page 431 with recording number 153362].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 6. Lots 1 to 7, both inclusive, in Eagle Ridge Unit 6 of Branigar's 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 Plat Book 14, at Page 111 as Document No. 157357. *[from Supplemental Declaration recorded May 28, 1981 in Book 15 of Miscellaneous, pages 742 and 743 with recording number 159409].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria: By reason of the unique character and golf course proximity of Eagle Ridge Unit 6, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling constructed on any of the lots identified in this paragraph shall be 4 in 12.

Building Setbacks. No structures of fencing may be erected within rear building set back areas designated on the plat of subdivision identified in this paragraph.

Paragraph 7. Lots 1 to 30, both inclusive, in Eagle Ridge Unit 7 of Branigar's 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 Plat Book 14, at Pages 112 and 113 as Document No. 157419. *[from Supplemental Declaration recorded May 28, 1981 in Book 15 of Miscellaneous, pages 744 and 745 with recording number 159410].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Architectural Criteria: By reason of the unique character and golf course proximity of Eagle Ridge Unit 7, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling constructed on any of the lots identified in this paragraph shall be 4 in 12.

Building Setbacks. No structures of fencing may be erected within rear building set back areas designated on the plat of subdivision identified in this paragraph.

Paragraph 8. Lots 1 to 30, both inclusive, in Eagle Ridge Unit 7 of Branigar's 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 Plat Book 14, at Pages 112 and 113 as Document No. 157419. *[from Supplemental Declaration recorded May 28, 1981 in Book 15 of Miscellaneous, pages 744 and 745 with recording number 159410].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Architectural Criteria: By reason of the unique character and golf course proximity of Eagle Ridge Unit 7, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling constructed on any of the lots identified in this paragraph shall be 4 in 12.

Building Setbacks. No structures of fencing may be erected within rear building set back areas designated on the plat of subdivision identified in this paragraph.

Paragraph 9. Lots 1 to 27, both inclusive, in Eagle Ridge Unit 10 of Branigar's 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 A, Nos. 57 and 58 as Document No. 166732. *[from Supplemental Declaration recorded July 13, 1983 in Book 18 of Miscellaneous, pages 348 and 349 with recording number 167399].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Architectural Criteria: By reason of the unique character and golf course proximity of Eagle Ridge Unit 10, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be withheld for capricious or unreasonable reasons.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling constructed on any of the lots identified in this paragraph shall be 4 in 12.

Building Setbacks. No structures of fencing may be erected within 50' of the rear lot lines of Lots 6-13.

Paragraph 10. Lots 1 to 17, both inclusive, in Eagle Ridge Unit 11 of Branigar's 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 Plat Book 14, at Page 123 as Document No. 160496. [*from Supplemental Declaration recorded June 11, 1982 in Book 17 of Miscellaneous, pages 4 and 5 with recording number 163125*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria: By reason of the unique character and golf course proximity of Eagle Ridge Unit 11, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling constructed on any of the lots identified in this paragraph shall be 4 in 12.

Building Setbacks. No structures or fencing may be erected within rear building set back areas designated on the plat of subdivision identified in this paragraph.

Paragraph 11. Lots 1 to 27, both inclusive, in Eagle Ridge Unit 12 of Branigar's 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 Plat Book 14, at Pages 133 and 134 as Document No. 162911. *[from Supplemental Declaration recorded March 4, 1983 in Book 17 of Miscellaneous, pages 1020 and 1021 with recording number 165812].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria: By reason of the unique character and golf course proximity of Eagle Ridge Unit 12, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet or more than 2,500 square feet.

Sanitary Disposal. All lots identified in this paragraph will be served by central water and a central sewage disposal system. No individual wells or septic tanks will be permitted. The owner by accepting conveyance of title to property subject to the Declaration agrees to pay the established sewer tap on fee set by the utility.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 12, the following special provisions with respect to the residential units constructed thereon shall apply:

- a. The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- b. Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- c. Roofing material shall consist of wood shakes or shingles or, if asphalt or fiberglass roofing is utilized, roofing materials shall be a 330# grade as a minimum.
- d. Suitability of design shall be judged in relation to compatibility with nearby units either existing or approved for construction. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- e. A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 12. Lots 1 to 6, both inclusive, in Eagle Ridge Unit 14 of Branigar's 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 A of Plats, No. 54 as Document No. 166733. [*from Supplemental Declaration recorded November 28, 1983 with recording number 169366*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building, except as otherwise permitted herein. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Architectural Criteria: By reason of the unique character and golf course proximity of Eagle Ridge Unit 14, 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. Proposed construction must be designed in architectural continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling constructed on any of the lots identified in this paragraph shall be 4 in 12.

Building Setbacks. No structures or fencing may be erected within rear building set back areas designated on the plat of subdivision identified in this paragraph.

Landscaping. Due to the unique setting of Eagle Ridge Unit 14 and the Developer's desire to provide for the preservation of the property values and for the benefit of the property within the unit and for each owner thereof, the Developer declares that the individual owners by accepting a deed to a lot in this unit shall be deemed to have agreed to enter into a joint contract providing for the landscape maintenance of the six (6) lots in the unit.

The provisions of this Declaration are intended to create mutual equitable servitudes on each lot in the unit in favor of each other lot; to create privity of contract and estate between grantees of each lot in the unit, their heirs, successors and assigns, and to operate as a covenant running with the land for the benefit of each lot in the unit, and the respective owners of such lots in the unit, present and future.

Each owner shall join with the other owners in executing a joint contract to procure landscaping service from one (1) contractor for an initial five (5) year period in order to provide overall quality and uniformity. The initial contract shall be executed by each owner at the time they purchase and the contract shall be binding upon their heirs, successors and assigns. At the expiration of the original contract, the owners shall execute an agreement for landscaping services by March 1 of each year. The execution of the joint contract by four (4) of the six (6) property owners shall suffice to obligate the remaining owners.

If a property owner fails to pay his portion of any obligation stated in the contract, the unpaid amount shall become a lien on the property pursuant to and enforceable in accordance with the Illinois Mechanics Lien Act (770 ILCS 60/1 et. seq.), as amended from time to time.

The landscape contract shall require that the property be maintained to meet standards promulgated from time to time by The Galena Territory Architectural Review Committee, except, however, any four (4) of the six (6) property owners by written agreement may override the standards of The Galena Territory Architectural Review Committee if they deem such requirements to be unreasonable or impractical.

Owners shall require performance by the contractor in accordance with the contract which may be modified only as provided in this paragraph. Failure of the owners to undertake such enforcement shall entitle the Architectural Review Committee to enforce the contract for the benefit of other owners and the preservation of property values, for the benefit of the property within the unit and for each owner thereof.

Paragraph 13. Lots 1-38, both inclusive, in Eagle Ridge Unit 15 of Branigar's 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 A of Plats, Nos. 121 and 122, as Document No. 170729. [from Supplemental Declaration recorded on June 18, 1984 as Document Number 171911.]

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 15, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet or more than 2,500 square feet.

Sanitary Disposal. All lots included in this paragraph will be served by central water and a central sewage disposal system. No individual wells or septic tanks will be permitted. The owner by accepting conveyance of title to property subject to this Declaration agrees to pay the established sewer tap on fee set by the utility.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 15, the following special provisions with respect to the residential units constructed thereon shall apply:

12. (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) Roofing material shall consist of wood shakes or shingles or, if asphalt or fiberglass roofing is utilized, roof material shall be a 330# grade as a minimum.
- (d) Native limestone shall be used in all exterior masonry work.
- (e) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 15. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (f) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 14. Lots 1-25, both inclusive, in Eagle Ridge Unit 16 of Branigar's 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 A of Plats, Nos. 176, 177 and 178, as Document No. 172010. *[from Supplemental Declaration recorded on January 22, 1985 as Document Number 174428.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 16, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be withheld for capricious or unreasonable reasons.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling shall be 4 in 12.

Building Setbacks. No structures or fencing may be erected within 50' of the rear lot lines of Lots 1-5.

Paragraph 15. Lots 1-16, both inclusive, in Eagle Ridge Unit 17 of Branigar's 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 A of Plats, Nos. 267 and 268, as Document No. 176010. *[from Supplemental Declaration recorded on July 24, 1985 as Document Number 176471.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and

one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 17, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 17, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) Roofing material shall consist of wood shakes or shingles or, if asphalt or fiberglass roofing is utilized, roof material shall be a 330# grade as a minimum.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 17. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 16. Lots 1-44, both inclusive, in Eagle Ridge Unit 18 of Branigar's 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 A of Plats, Nos. 287 and 288, as Document No. 177261. *[from Supplemental Declaration recorded on October 1, 1985 as Document Number 177304.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 18, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet or more than 2,500 square feet.

Sanitary Disposal. All lots included in this paragraph will be served by central water and a central sewage disposal system. No individual wells or septic tanks will be permitted. The owner by accepting conveyance of title to property subject to this Declaration agrees to pay the established sewer tap on fee set by the utility.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 18, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) Roofing material shall consist of wood shakes or shingles or, if asphalt or fiberglass roofing is utilized, roof material shall be a 330# grade as a minimum.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 18. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 17. . . . Lots 1-29, both inclusive, in Eagle Ridge Unit 19 of Branigar's 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 B of Plats, Nos. 107-B, 108-A and 108-B, on March 23, 1987.

Lots 1-49, both inclusive, in Eagle Ridge Unit 20 of Branigar's 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

B of Plats, Nos. 109-A, 109-B, 110-A and 110-B, on March 23, 1987. [from Supplemental Declaration recorded on March 26, 1987 as Document Number 184780.]

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Units 19 and 20, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Units 19 and 20, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) Roofing material shall consist of wood shakes or shingles or, if asphalt or fiberglass roofing is utilized, roof material shall be a 330# grade as a minimum.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Units 19 and 20. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Units 19 and 20.

Paragraph 18. Lots 1-18, both inclusive, in Eagle Ridge Unit 21 of Branigar's 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 B of Plats, Nos. 115-B, 116-A and 116-B, as Document No. 185681. *[from Supplemental Declaration recorded on November 23, 1987 as Document Number 188937.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 21, 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 continuity with the dwelling. Lot size limitations and building setbacks from lot lines may preclude approval of additions and garages on some lots. 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Roof Pitch. The minimum roof pitch for any dwelling shall be 6 in 12.

Building Setbacks. No structures or fencing may be erected within rear building setback areas. 50' rear building setbacks from golf course lands affect lots 1, 2, 3, 9, 10, 11, 12, 13 and 14.

Satellite Television Dishes and Antennas. Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 21.

Paragraph 19. Lots 1-2, both inclusive, in Eagle Ridge Unit 22 of Branigar's 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 B of Plats, No. 179-B, as Document No. 195914. *[from Supplemental Declaration recorded on February 6, 1989 as Document Number 195923.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 22, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet, nor more than 2,800 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 22, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 22. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 22.

Paragraph 20. Lots 1-10, both inclusive, in Eagle Ridge Unit 23 of Branigar's 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 B of Plats, No. 146-B, on March 18, 1988. *[from Supplemental Declaration recorded on March 28, 1988 as Document Number 190723.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and

one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 23, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet, nor more than 2,800 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 23, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 23. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 23.

Paragraph 21. Lots 1-14, both inclusive, in Eagle Ridge Unit 24 of Branigar's 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 B of Plats, No. 147-B, on March 18, 1988. *[from Supplemental Declaration recorded on March 28, 1988 as Document Number 190722.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained

on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 24, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet, nor more than 2,800 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 24, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 24. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 24.

Paragraph 22. Lots 1-7, both inclusive, in Eagle Ridge Unit 25 of Branigar's 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 B of Plats, No. 147-A, on March 18, 1988. *[from Supplemental Declaration recorded on March 28, 1988 as Document Number 190721.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. The Architectural Review Committee will apply 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 25, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 25. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (c) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 23. Lots 1-21, both inclusive, In Eagle Ridge Unit 26 of Branigar's 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 B of Plats, No. 160-B, as Document No. 192595. *[from Supplemental Declaration recorded on July 25, 1988 as Document Number 192713.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 26, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 26, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 26. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 26.

Paragraph 24. Lots 1-24, both inclusive, in Eagle Ridge Unit 27 of Branigar's 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 B of Plats, No. 178-B, as Document No. 195898. *[from Supplemental Declaration recorded on February 6, 1989 as Document Number 195924.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 27, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 27, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual cedar boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 27. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 27.

Paragraph 25. Lots 1-21, both inclusive, in Eagle Ridge Unit 28 of Branigar's 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 B of Plats, No. 179-A, as Document No. 195900. *[from Supplemental Declaration recorded on February 6, 1989 as Document Number 195925.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 28, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 28, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 28. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 28.

Paragraph 26. Lots 1-25, both inclusive, in Eagle Ridge Unit 29 of Branigar's 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. 21, as Document No. 201955. *[from Supplemental Declaration recorded on March 16, 1990 as Document Number 202474.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 29, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 29, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 29. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 29.

Paragraph 27. Lots 1-8, both inclusive, in Eagle Ridge Unit 30 of Branigar's 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. 51, as Document No. 204198. *[from Supplemental Declaration recorded on June 28, 1990 as Document Number 204229.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character of Eagle Ridge Unit 30, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 30, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 30. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 30.

Paragraph 28. Lots 1-12, both inclusive, in Eagle Ridge Unit 31 of Branigar's 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. 57, as Document No. 204471. *[from Supplemental Declaration recorded on July 12, 1990 as Document Number 204495.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 31, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 31, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 31. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 31.

Paragraph 29. Lots 1-24, both inclusive, in Eagle Ridge Unit 32 of Branigar's 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. 92, as Document No. 208248. *[from Supplemental Declaration recorded on March 22, 1991 as Document Number 208326.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 32, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 32, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 32. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 32.

Paragraph 30. Lots 1-8, both inclusive, in Eagle Ridge Unit 33 of Branlgar's 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. 121, as Document No. 210438. *[from Supplemental Declaration recorded on August 16, 1991 as Document Number 210957.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 33, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 33, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 33. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 33.

Paragraph 31. Lots 1-3, both Inclusive, in Eagle Ridge Unit 34 of Branigar's 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. 122, as Document No. 210439. *[from Supplemental Declaration recorded on August 16, 1991 as Document Number 210958.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) 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.

Architectural Criteria. By reason of the unique character and golf course proximity of Eagle Ridge Unit 34, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Eagle Ridge Unit 34, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Eagle Ridge Unit 34. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.
- (f) Satellite television dishes and free-standing antenna towers are prohibited on lots in Eagle Ridge Unit 34.

Paragraph 32. Lots 1 to 132, both inclusive, in Shenandoah Unit 1 of Branigar's 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 Plat Book 14, at Pages 5, 6, 7 and 8. *[from Supplemental Declaration recorded on July 25, 1973 as Document No. 129438, the Second Supplemental Declaration recorded on October 3, 1973 as Document No. 129988, and the Amendment to Second Supplemental Declaration recorded on January 2, 1974 as Document No. 130643].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection

therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph as lots which may be improved, in addition to the General Permitted Uses, with an additional dwelling accessory structure to be used for stabling not to exceed two (2) horses, 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 thereon in the facilities provided therefor not to exceed two (2) horses for the use by him and members of his family and guests.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 85-117, both inclusive, and Lots 122-132, both inclusive, in Shenandoah Unit 1 of Branigar's 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 Plat Book 14, at Pages 5, 6, 7 and 8.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 33. Shenandoah Unit 2 of Branigar's Galena Territory, located in NE1/4-NE1/4, NW1/4-NE1/4, and SE1/4-NE1/4, Section 32, Township 28 North, Range 2 East, Town of Guilford, according to the plat thereof recorded with the Recorder of Deeds of Jo Daviess County, Illinois in Plat Book 14, at Page 29 as Document No. 130347.

Shenandoah Unit 3 of Branigar's Galena Territory, located in SE1/4-NW1/4, SW1/4-NE1/4, NW1/4-SE1/4, SE1/4-SW1/4, SW1/4-SE1/4, Section 29, NE1/4-NW1/4, NW1/4-NE1/4, SE1/4-NW1/4, SW1/4-NE1/4, SE1/4-NE1/4, NE1/4-SW1/4, Section 32, Township 28 North, Range 2 East, Town of Guilford, according to the plat thereof recorded with the Recorder of Deeds of Jo Daviess County, Illinois in Plat Book 14, at Page 30 as Document No. 130349.

Shenandoah Unit 4 of Branigar's Galena Territory, located in SE1/4-SW1/4, SW1/4-SW1/4, NW1/4-SW1/4, SW1/4-NW1/4, NE1/4-SW1/4, SE1/4-NW1/4, SW1/4-NE1/4, SE1/4-NE1/4, NW1/4-SE1/4, Section 28, Township 28 North, Range 2 East, of the Fourth Principal Meridian, Town of Guilford, according to the plat thereof recorded with the Recorder of Deeds of Jo Daviess County, Illinois in Plat Book 14, at Page 30 as Document No. 130351.

Shenandoah Unit 5 of Branigar's Galena Territory, located in SE1/4-NE1/4, NE1/4-SE1/4, and SE1/4-SE1/4, Section 28, and in SW1/4-NW1/4, NW1/4-SW1/4, and SW1/4-SW1/4, Section 27, Township 28 North, Range 2 East, of the Fourth Principal Meridian, according to the plat thereof recorded with the Recorder of Deeds of Jo

Daviess County, Illinois in Plat Book 14, at Page 31 as Document No. 130353. [from Supplemental Declaration recorded on December 7, 1973 as Document No. 130519, and the Second Supplemental Declaration recorded on June 17, 1974 as Document No. 131885].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph as lots which may be improved, in addition to the General Permitted Uses, with an additional dwelling accessory structure to be used for stabling not to exceed two (2) horses, 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 thereon in the facilities provided therefor not to exceed two (2) horses for the use by him and members of his family and guests.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 1-19, both inclusive, Lot 25, Lots 33-41, both inclusive, Lots 47-49, both inclusive, and Lots 51-64, both inclusive, in Shenandoah Unit 3 of Branigar's 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 Plat Book 14, at Page 30 as Document No. 130349.

Lot 10, Lot 49, Lots 74-77, both inclusive, Lot 81, Lot 82, Lots 85-96, both inclusive, and Lots 100-103, both inclusive, in Shenandoah Unit 4 of Branigar's 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 Plat Book 14, at Page 30 as Document No. 130351.

Lot 6 and Lot 42, in Shenandoah Unit 5 of Branigar's 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 Plat Book 14, at Page 31 as Document No. 130353

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 34. Lots 1-9, both inclusive, in Shenandoah Unit 6 of Branigar's 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 Plat Book 14, at Page 36, as Document No. 132123. *[from Supplemental Declaration recorded on August 15, 1974 as Document Number 132366.]*

1. General Restrictions

1.1 Non-Applicability of Certain Portions of Section 5 of the Declaration to Properties Included in this Paragraph. Article V, Sections 1, 2, 3 and 4 of the Declaration shall not be applicable to the Lots Included in this paragraph.

1.2 Land Use-Single Family Residential. All of the lots Included in this paragraph are designated "Single Family Residential" use. No building shall be erected on any such lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use in conjunction with said dwelling as a private garage or servants quarters or a combination of both.

1.3 Living Area. The living area in any dwelling constructed on any lot Included in this paragraph shall not be less than 800 square feet.

2. Common Properties—Shenandoah Unit 6

2.1 Private Roads. The roadways designated on the plat of subdivision of Shenandoah Unit 6 as "Private Road" are declared to be Common Properties, except that the use thereof shall be restricted as set forth in this Paragraph.

2.2 Use of Private Roadway. Use of the private roadways declared herein to be Common Properties shall be limited to non-exclusive use thereof by owners and their guests and licensees whose lots now or hereafter abut upon or are served for purposes of ingress and egress by such private roadways, subject, however, to the limitation on extent of members easements in the Common Properties as set forth herein and as set forth in Section 6 of the Declaration.

3. Maintenance of Private Roadway

3.1 Use Responsibility for Maintenance. By acceptance of a contract of purpose or deed for any lot included in this paragraph served by private road which is declared to be a common property, the Owner agrees, in common with other Owners who are users of right with respect to such common property, to provide the Association with his proportionate share of the funds necessary to enable the Association to discharge its obligation of maintenance of such Common Properties. The responsibility of each Owner in such regard shall be that fraction of the cost thereof in which the number of lots served by such private road at any point in time is the numerator and the cost of such maintenance is the denominator.

3.2 Special Assessments for Private Road Maintenance. In addition to any other assessment authorized by the Declaration, the Association may levy in any assessment year for which it is responsible for maintaining any private road which is a common property a special assessment for the purpose of defraying the estimated cost of such maintenance for such year. Any such special assessment shall be made only with respect to owners who are users of right with respect to such private road and shall be limited in amount to the proportionate share of such maintenance for which such Owner is responsible as set forth herein. Any special assessment in such regard shall reflect any amounts by which the preceding assessment was over or under the estimated cost reflected by any preceding assessment in such regard.

3.3 Liens, Personal Obligations and Enforcement of Assessments. The provisions of Article VIII of the Declaration shall apply with respect to the creation of liens and the personal obligation of Owners with respect to such special assessments and the enforcement thereof in the same manner and to the same extent as provided in the Declaration with respect to annual assessments.

Paragraph 35. Lots 1 to 101, both inclusive, in Shenandoah Unit 7 of Branlgar's 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 Plat Book 14, at Page 41 as Document No. 132938.

Lots 1 to 90, both inclusive, in Shenandoah Unit 9 of Branlgar's 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 Plat Book 14, at Pages 43 and 44 as Document No. 133226. [*from Supplemental Declaration recorded on February 3, 1975 as Document No. 133631*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 1, 17 to 19, both inclusive, 33 to 39, both inclusive, 46 to 51, both inclusive, 65 to 72, both inclusive, 74 to 89, both inclusive, and 93 to 101, both inclusive, in Shenandoah Unit 7 of Branigar's 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 Plat Book 14, at Page 41 as Document No. 132938, except for Lots 65, 73, 82, 83, 98 and 101, upon which a maximum of four (4) horses may be stabled.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 36. Lots 1 to 88, both inclusive, in Shenandoah Unit 8 of Branigar's 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 Plat Book 14, at Pages 55-58 as Document No. 137990. *[from Supplemental Declaration recorded on June 30, 1976 as Document No. 138574, and the Amendment to Supplemental Declaration recorded on October 14, 1977 as Document No. 144615].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 62, 63 and 82 to 88, both inclusive, in Shenandoah Unit 8 of Branigar's 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 Plat Book 14, at Pages 55-58 as Document No. 137990, except for Lot 82, upon which a maximum of four (4) horses may be stabled. However, Developer reserves the right, in conjunction with the operation of the Shenandoah Riding Center, to stable more than four (4) horses on the property as long as it retains title to Lot 82.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 37. Lots 1 to 59, both inclusive, in Shenandoah Unit 10 of Branigar's 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 Plat Book 14, at Pages 90, 91 and 92 as Document No. 153059. *[from Supplemental Declaration recorded on September 26, 1979 as Document No. 153361].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 22, 23 and 25 In Shenandoah Unit 10 of Branlgar's 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 Plat Book 14, at Pages 90, 91 and 92 as Document No. 153059.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 38. Lots 1-9, both inclusive, in Shenandoah Unit 11 of Branlgar's 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 Plat Book 14, at Page 72, as Document No. 147856. *[from Supplemental Declaration recorded on November 1, 1978 as Document Number 149309.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 800 square feet.

Paragraph 39. Lots 1-25, both inclusive, in Shenandoah Unit 12 of Branlgar's 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 Plat Book 14, at Page 82, as Document No. 149680. *[from Supplemental Declaration recorded on April 27, 1979 as Document Number 151282.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 800 square feet.

Paragraph 40. Lots 1 to 47, both inclusive, in Shenandoah Unit 13 of Branlgar's 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 Plat Book 14, at Pages 101 and 102 as Document No. 155093. *[from Supplemental Declaration recorded on May 2, 1980 as Document No. 155704].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or

maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 21, 22, 29, 30, 31, 38 and 39 in Shenandoah Unit 13 of Branigar's 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 Plat Book 14, at Pages 101 and 102 as Document No. 155093.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 41. Lots 1 to 77, both inclusive, in Shenandoah Unit 14 of Branigar's 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 Plat Book 14, at Pages 97, 98 and 99 as Document No. 154534. [*from Supplemental Declaration recorded on May 2, 1980 as Document No. 155705*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 18, 35, 37, 42 and 45 in Shenandoah Unit 14 of Branigar's 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 Plat Book 14, at Pages 97, 98 and 99 as Document No. 154534.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 42. Lots 1 to 60, both inclusive, in Shenandoah Unit 15 of Branigar's 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 Plat Book 14, at Pages 103 and 104 as Document No. 155094. *[from Supplemental Declaration recorded on May 2, 1980 as Document No. 155706].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses are:

Lots 12 and 25 in Shenandoah Unit 15 of Branigar's 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 Plat Book 14, at Pages 103 and 104 as Document No. 155094.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 43. Lots 1 to 33, both inclusive, in Shenandoah Unit 16 of Branigar's 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 Plat Book 14, at Pages 108 and 109 as Document No. 157355.

Lots 1 to 16, both inclusive, in Shenandoah Unit 17 of Branigar's 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 Plat Book 14, at Page 110 as Document No. 157356. *[from Supplemental Declaration recorded on May 28, 1981 as Document No. 159411].*

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 44. Lots 1 to 20, both inclusive, in Shenandoah Unit 18 of Branigar's 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 A of Plats, Nos. 59, 60 and 61 as Document No. 166734. [*from Supplemental Declaration recorded on July 13, 1983 as Document No. 167400*].

Permitted Uses--General. All of the Lots Identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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.

The lots identified in this paragraph which are designated for such special permitted uses are:

Lots 1 to 20, both inclusive, in Shenandoah Unit 18 of Branigar's 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 A of Plats, Nos. 59, 60 and 61 as Document No. 166734.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Water Service. All lots Identified in this paragraph will be served by individual wells, the cost of such wells to be borne by the individual lot owners. No central water system will be provided by the Developer. The owner by accepting conveyance of title to property subject to the Declaration agrees to install a well at his cost in order to provide water service to his lot.

Paragraph 45. Lots 1-16, both inclusive, in Shenandoah Unit 19 of Branigar's 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 B of Plats, No. 148-A, on March 18, 1988. *[from Supplemental Declaration recorded on March 28, 1988 as Document Number 190724.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. The Architectural Review Committee will apply 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Shenandoah Unit 19, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Shenandoah Unit 19. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (c) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 46. Lots 1-23, both inclusive, in Shenandoah Unit 20 of Branigar's 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 B of Plats, No. 187-B, as Document No. 197220. *[from Supplemental Declaration recorded on May 5, 1989 as Document Number 197273 and Second Supplemental Declaration recorded on October 6, 1989 as Document Number 199837.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. The Architectural Review Committee will apply 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Shenandoah Unit 20, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Shenandoah Unit 20. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Height Limitation. The overall height of any house in Shenandoah Unit 20 shall not exceed forty-two feet. Overall height is defined as the vertical distance from the lowest floor in the house (whether finished or not) to the highest point on the roof. Chimneys may extend up to four feet above the highest point on the roof.

Paragraph 47. Lots 1-47, both inclusive, in Shenandoah Unit 21 of Branigar's 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 B of Plats, No. 187-A, as Document No. 197219. *[from Supplemental Declaration recorded on May 5, 1989 as Document Number 197274.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character of Shenandoah Unit 21, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Shenandoah Unit 21, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Shenandoah Unit 21. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 48. Lots 1-28, both inclusive, in Shenandoah Unit 22 of Branigar's 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. 50, as Document No. 204195. *[from Supplemental Declaration recorded on June 28, 1990 as Document Number 204230.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character of Shenandoah Unit 22, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Shenandoah Unit 22, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Shenandoah Unit 22. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 49. Lots 1-4, both inclusive, in Shenandoah Unit 23 of Branlgar's 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. 77, as Document No. 206651. *[from Supplemental Declaration recorded on December 13, 1990 as Document Number 206905.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character of Shenandoah Unit 23, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of Shenandoah Unit 23, the following special provisions with respect to the residential units constructed thereon shall apply:

- (a) The minimum pitch of the dominant roof line of any dwelling shall be 6 in 12.
- (b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.
- (c) 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.
- (d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within Shenandoah Unit 23. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.
- (e) A detailed site plan including proposed landscaping elements shall be required prior to approval.

Paragraph 50. Lots 1 to 3, both inclusive, in Shenandoah Unit 24 of Branigar's Galena Territory, a Subdivision of Jo Davless County, Illinois, according to the plat thereof recorded with the Recorder of Deeds of Jo Davless County, Illinois in Plan Hold C of Plats, No. 126 as Document No. 211059.

Lots 1 to 4, both inclusive, in Shenandoah Unit 25 of Branigar's Galena Territory, a Subdivision of Jo Davless County, Illinois, according to the plat thereof recorded with the Recorder of Deeds of Jo Davless County, Illinois in Plan Hold C of

Plats, No. 127 as Document No. 211060. [*from Supplemental Declaration recorded on August 27, 1991 as Document No. 211149*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses, are:

Lots 1 to 3, both inclusive, in Shenandoah Unit 24 of Branigar's 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. 126 as Document No. 211059.

Lots 1 to 4, both inclusive, in Shenandoah Unit 25 of Branigar's 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. 127 as Document No. 211060.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 1,000 square feet.

Paragraph 51. Lots 1-21, both inclusive, in Eagle Ridge Inn and Resort Shenandoah, Unit 26 of the Galena Territory, according to the plat thereof recorded with the Recorder of Deeds of Jo Daviess County, Illinois, Commonly known as Shenandoah Unit 26, Galena Territory.

Lots 1-7, both inclusive, in Eagle Ridge Inn and Resort Shenandoah, Unit 27 of the Galena Territory, according to the plat thereof recorded with the Recorder of Deeds of Jo Daviess County, Illinois, Commonly known as Shenandoah Unit 27, Galena Territory.

Lots 1-10, both inclusive, in Eagle Ridge Inn and Resort Shenandoah, Unit 28 of the Galena Territory, according to the plat thereof recorded with the Recorder of Deeds of Jo Daviess County, Illinois, Commonly known as Shenandoah Unit 28, Galena Territory. *[from Supplemental Declaration recorded on July 20, 1994 as Document Number 232789.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Architectural Criteria. By reason of the unique character and golf course proximity of the lots included in this paragraph, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Design Criteria. To preserve the unique characteristics of the lots included in this paragraph, the following special provisions with respect to the residential units constructed thereon shall apply:

(a) The minimum pitch of the dominant roof line of any dwelling shall be 6 inches in 12 inches.

(b) Exterior siding material shall consist of individual wood boards. Plywood sheet siding is specifically excluded.

(c) 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.

(d) Suitability of design shall be judged in relation to compatibility with other units either existing or approved for construction within each of the subdivisions described in this paragraph each as a separate subdivision. Designs that conflict sharply in architectural style or exterior treatment with existing or approved units will not be approved.

(e) A detailed site plan including proposed landscaping elements shall be required prior to approval.

(f) Satellite television dishes and free-standing antenna towers are prohibited on lots included in this paragraph.

Paragraph 52. Lots 1 to 141, both inclusive, in Thunder Bay Unit 1 of Branigar's 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 Plat Book 14, at Page 37 as Document No. 132125. *[from Supplemental Declaration recorded in Book 8 of Miscellaneous, at pages 447 and 448]*.

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph as lots which may be improved, in addition to the General Permitted Uses, with an additional dwelling accessory structure to be used for stabling not to exceed two (2) horses, 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 thereon in the facilities provided therefore not to exceed two (2) horses for the use by him and members of his family and guests.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses, are:

Lots 116 to 141, both inclusive, in Thunder Bay Unit 1 of Branigar's 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 Plat Book 14, at Page 37 as Document No. 132125.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 53. Lots 1 to 171, both inclusive, in Thunder Bay Unit 2 of Branigar's 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. *[from Supplemental Declaration recorded January 8, 1976 as Document No. 136945]*.

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be

used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. None of the lots included in this paragraph have been designated for special permitted uses.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 54. A parcel of land located in the SE1/4-NW1/4 Section 19, Township 28 North, Range 2 East of the Fourth Principal Meridian, Gullford Township, Jo Daviess County, Illinois, which is bounded by a line described as follows:

Beginning at the Southeast corner of Lot 85 in the recorded Plat of Thunder Bay 2 of The Galena Territory; thence S45°35'48"W 110.68; thence N73°30'W 98.0' to the Southwest corner of said Lot 85; thence N 74°E 180' along the South line of said Lot 85 to the Point of Beginning. Said parcel contains .10 acres, more or less. [*from Supplemental Declaration recorded on August 27, 1976 as Document No. 139276*].

Permitted Uses--General. The parcel identified in this paragraph is restricted to single-family residential use in conjunction with ownership, use and enjoyment of Lot 85 in Thunder Bay Unit 2 as such restrictions are set forth in the Declaration, as amended. This parcel may only be conveyed in conjunction with the conveyance of Lot 85 in Thunder Bay Unit 2 of which it shall be considered an integral part.

Paragraph 55. Lots 1 to 198, both inclusive, in Thunder Bay Unit 3 of Branigar's 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 Plat Book 14, at Pages 60-62 as Document No. 140263. [*from Supplemental Declaration recorded on January 4, 1977 as Document No. 140828*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses, are:

Lots 1, 2, 91, 92, 144, 156, 158, 167, 192, 196, 197 and 198 In Thunder Bay Unit 3 of Branlgar's Galena Territory, a Subdivision of Jo Daviess County, Illinois, according to the plat thereof recorded with the Recorder of Deeds of Jo Davless County, Illinois In Plat Book 14, at Pages 60-62 as Document No. 140263.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 56. Lots 1 to 151, both Inclusive, in Thunder Bay Unit 4 of Branigar's 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 Plat Book 14, at Pages 78-80 as Document No. 146096. [*from Supplemental Declaration recorded on March 2, 1978 in Book 11 of Miscellaneous at Pages 351 and 352*].

Permitted Uses--General. All of the Lots identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

Living Area. The living area in any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 57. Lots 1 to 35, both inclusive, In Thunder Bay Unit 5 of Branlgar's 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 Plat Book 14, at Pages 99 and 100 as Document No. 155092. *[from Supplemental Declaration recorded on May 2, 1980 as Document No. 155707].*

Permitted Uses--General. All of the Lots Identified in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) dwelling accessory building designed for use as a private garage, except as otherwise permitted herein. Garages may have living quarters in connection therewith for use by the owner or occupants or his servants or guests but shall not be used for rental purposes. No dwelling accessory structure shall be erected prior to construction of a dwelling.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified In this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed two (2) horses, are:

Lot 13 In Thunder Bay Unit 5 of Branigar's 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 Plat Book 14, at Pages 99 and 100 as Document No. 155092.

Living Area. The living area In any dwelling constructed on any of the lots identified in this paragraph shall be not less than 800 square feet.

Paragraph 58. Lots 1-36, both inclusive, in Thunder Bay Unit 6 of Branlgar's 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 B of Plats, No. 161-A, as Document No. 192596. *[from Supplemental Declaration recorded on July 25, 1988 as Document Number 192712.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character of Thunder Bay Unit 6, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Paragraph 59. Lots 1-11, both inclusive, in Thunder Bay Unit 7 of Branigar's 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 B of Plats, No. 189-A, as Document No. 197352. *[from Supplemental Declaration recorded on May 12, 1989 as Document Number 197373.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character of Thunder Bay Unit 7, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Paragraph 60. Lots 1-18, both inclusive, in Thunder Bay Unit 8 of Branigar's 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. 49, as Document No. 204194. *[from Supplemental Declaration recorded on June 28, 1990 as Document Number 204228.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Architectural Criteria. By reason of the unique character of Thunder Bay Unit 8, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Paragraph 61. Lots 1-14, both inclusive, in Thunder Bay Unit 9 of Branigar's 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. 91, as Document No. 208247. *[from Supplemental Declaration recorded on March 22, 1991 as Document Number 208325]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses are:

Lots 1-6, both inclusive, in Thunder Bay Unit 9 of Branigar's 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. 91, as Document No. 208247, upon which not more than four (4) horses may be stabled.

Lots 7-10, both inclusive, in Thunder Bay Unit 9 of Branigar's 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. 91, as Document No. 208247, upon which not more than two (2) horses may be stabled.

Architectural Criteria. By reason of the unique character of Thunder Bay Unit 9, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Paragraph 62. Lot 1 in Thunder Bay Unit 10 of Branigar's 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 Document No. 211075. *[from Supplemental Declaration recorded on August 27, 1991 as Document Number 211148.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and

one (1) 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.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph 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 (2) 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.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed four (4) horses, are:

Lot 1 in Thunder Bay Unit 10 of Branigar's 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 Document No. 211075.

Architectural Criteria. By reason of the unique character of Thunder Bay Unit 10, 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Living Area. The living area in any dwelling constructed on any lot included in this paragraph shall not be less than 1,000 square feet.

Paragraph 63. Lots 1-3, both inclusive, in Thunder Bay Unit A of Branigar's 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, on May 27, 1992 as Document No. 216433. *[from Supplemental Declaration recorded on May 27, 1992 as Document Number 216435.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained

on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Permitted Uses--Special. Developer reserves the right to designate any of the lots identified in this paragraph as lots which may be improved, in addition to the General Permitted Uses, with an additional dwelling accessory structure to be used as a horse stable, together with an appropriate corral in connection therewith as approved by the Architectural Review Committee provided for under the Declaration. The exercise of such right by the Developer shall be by appropriate instrument recorded with the Recorder of Deeds designating the parcels or lots with respect to which such Special Uses are designated as being permitted. The owner of any parcel or lot so designated may maintain such a permitted facility on his or her parcel or lot for the use of the members of his or her family and guests. Such permitted facility shall not be used for the stabling of more than two (2) horses, unless the instrument recorded designating these lots for such Special Uses provides therein that certain parcels or lots may have facilities constructed thereon for the stabling of a greater number of horses.

The lots identified in this paragraph which are designated for such special permitted uses, not to exceed four (4) horses, are:

Lots 1-3, both inclusive, in Thunder Bay Unit A of Branigar's 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, on May 27, 1992 as Document No. 216433.

Living Area. The living area in any dwelling constructed on any parcel or lot included in this paragraph shall not be less than 1,000 square feet.

Water Service. All parcels or lots identified in this paragraph will be served by individual wells, the cost of such wells to be borne by the individual parcel or lot owners. No central water system will be provided by the Developer. Each owner by accepting conveyance of title to parcel or lot subject to the Declaration agrees to install a well at its cost in order to provide water service to its lot.

Paragraph 64. Lot 1 in Thunder Bay Unit B of Branigar's 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. 184 as Document No. 217322. *[from Supplemental Declaration recorded on July 15, 1992 as Document Number 217473.]*

Permitted Uses-General. All of the lots included in this paragraph are restricted to single family residential use. No structure shall be erected, re-erected or maintained on any lot except for one (1) dwelling designed for occupancy by a single family, and one (1) 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.

Permitted Uses--Special. The lot identified in this paragraph 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 owner of this lot 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 four (4) horses.

Architectural Criteria. The Architectural Review Committee will apply 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 continuity 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 reason deemed by it to be appropriate, including aesthetic reasons, except that approval will not be unreasonably withheld.

Satellite Television Dishes and Free-Standing Antenna Towers. While not specifically prohibited in Thunder Bay Unit B any satellite dish or antenna tower must be submitted to and approved by the Architectural Review Committee prior to purchase and/or installation.

Living Area. The living area in any dwelling constructed on any parcel or lot included in this paragraph shall not be less than 1,000 square feet.

Height Limitation. The overall height of any house in Thunder Bay Unit B shall not exceed forty-two feet. Overall height is defined as the vertical distance from the lowest floor in the house (whether finished or not) to the highest point on the roof. Chimneys may extend up to four feet above the highest point on the roof.

Water Service. All lots identified in this paragraph will be served by individual wells, the cost of such wells to be borne by the individual lot owners. No central water system will be provided by the Developer. The owner by accepting conveyance of title to property subject to the Declaration agrees to install a well at his cost in order to provide water service to his lot.