

SUPPLEMENTAL DECLARATION

SUPPLEMENTAL DECLARATION made this 22nd day of May,  
1987, by THE BRANIGAR ORGANIZATION, INC., an Illinois corporation,  
hereinafter called "Developer".

WITNESSETH:

WHEREAS, Developer is the owner of certain real estate in Jo Daviess County, Illinois, with respect to which it has recorded under date of July 25, 1973, a General Declaration of Covenants and Restrictions ("General Declaration") dated July 23, 1973, in Book 7 of Miscellaneous Records, Pages 780-798, and has recorded two amendments to the General Declaration, the first dated September 10, 1973, recorded September 14, 1973 in Book 7 of Miscellaneous Records, Pages 864-866 and the second amendment dated October 26, 1978, recorded October 26, 1978 in Book 12 of Miscellaneous Records, Pages 145 and 146; and

WHEREAS, Developer has designated certain portions of said real estate for multi-family residences and has subjected one particular portion to a Declaration of Covenants, Conditions and Restrictions for Spring Creek Townhouses ("Townhouse Declaration") dated August 7, 1986 and recorded August 7, 1986, as Instrument Number 181240, in Jo Daviess County, Illinois; and

WHEREAS, Developer desires to extend the provisions of the General Declaration and the Townhouse Declaration to the real estate hereinafter described which is subject to this Supplemental Declaration and which is owned by the Developer, except to the extent, if any, that the provisions of the General Declaration herein are modified with respect to the property subject to this Supplemental Declaration.

NOW, THEREFORE, the Developer for itself, its successors and assigns hereby declares that the provisions of the General Declaration and the Townhouse Declaration, except to the extent as herein provided, are modified with respect to the property subject hereto, hereby are extended and shall apply to that certain real estate owned by the Developer in

Jo Daviess County, Illinois, described as follows:

Plat of Eagle Ridge Unit "M" of The Galena Territory located in the Northwest Quarter of the Southwest Quarter of Section 30, Township 28 North, Range 2 East of the Fourth Principal Meridian, Guilford Township, Jo Daviess County, Illinois, as filed on March 23, 1987 in Plan Hold B, No. 106-B.

First Addition to Plat of Eagle Ridge Unit "M" of The Galena Territory located in the Northeast Quarter of the Southeast Quarter of Section 25, Township 28 North, Range 1 East of the Fourth Principal Meridian, East Galena Township, and in the Northwest Quarter of the Southwest Quarter of Section 30, Township 28 North, Range 2 East of the Fourth Principal Meridian, Guilford Township, all in Jo Daviess County, Illinois, as filed on March 23, 1987 in Plan Hold B, No. 107-A.

## 1. GENERAL RESTRICTIONS

### 1.1 Land Use - Multi-Family Residential

The properties which are subject to this Supplemental Declaration are designated "Multi-Family Residential" use. No building shall be erected on any such lot except a "Multi-Family Structure".

### 1.2 Lot Division

Notwithstanding any provisions in the General Declaration to the contrary, due to the nature of multi-family structures, a unit, not a lot, will be conveyed to purchasers, a number of units being on each lot; lot being defined in Paragraph 2.5 of the General Declaration.

## 2. PUBLIC ROADWAYS

The roadway designated on the plat of subdivision of Eagle Ridge Unit M and First Addition to Eagle Ridge Unit M as "Oak Glen Drive" will be dedicated to the public and is not part of the Common Properties defined in the General Declaration.

The provisions of the General Declaration and the Townhouse Declaration with respect to the creation of liens and the personal obligation of Owners with respect to assessments and the enforcement

thereof shall apply in the same manner and to the same extent as provided in the General Declaration and the Townhouse Declaration.

IN WITNESS WHEREOF, this instrument has been executed by Developer and its corporate seal affixed on the date and year first above written.



THE BRANIGAR ORGANIZATION, INC.

By: *M. Schmale*  
Vice President

ATTEST:

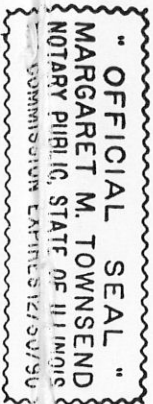
*Annmarie M. Rowe*  
Assistant Secretary

STATE OF ILLINOIS, COUNTY OF Jo Daviess SS. I,  
the undersigned, a Notary Public, in and for the County and State  
aforesaid, DO HEREBY CERTIFY, that A.J. Cechvala  
personally known to me to be the Vice President of The Branigar  
Organization, Inc. and G. Rowe personally known  
to me to be the Assistant Secretary of said corporation, and personally  
known to me to be the same persons whose names are subscribed to the  
foregoing instrument, appeared before me this day in person and  
severally acknowledged that as such Vice President and Assistant  
Secretary, they signed and delivered the said instrument as Vice  
President and Assistant Secretary of said corporation, and caused the  
corporate seal of said corporation to be affixed thereto, pursuant to  
authority, given by the Board of Directors of said corporation as their  
free and voluntary act, and as the free and voluntary act and deed of  
said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 22nd day of  
May, 1987.

Commission expires December 30, 1990.

*Margaret M. Townsend*  
Notary Public



STATE OF ILLINOIS      185819  
JO DAVIESS COUNTY    as instrument Number  
Filed for Record on the 22 day of May  
Recorder of Deeds *Tom Miller*  
By *Annmarie M. Rowe* Deputy Recorder