

SUPPLEMENTAL DECLARATION

SUPPLEMENTAL DECLARATION made this 22nd day of August, 1989, 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 Walnut Hill Golf Villas ("Golf Villa Declaration") dated May 1, 1989 and recorded May 2, 1989, as Instrument Number 197205, in Jo Daviess County, Illinois; and

WHEREAS, Developer has subjected particular portions of real estate to the Umbrella Declaration for the Walnut Hill Property Owners Association dated and recorded December 15, 1988 as Instrument Number 195280, in Jo Daviess County, Illinois; and

WHEREAS, Developer desires to extend the provisions of the General Declaration, the Golf Villa Declaration, and the Umbrella 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.

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*Sam Miller* *RM*

NOW, THEREFORE, the Developer for itself, its successors and assigns hereby declares that the provisions of the General Declaration, the Golf Villa Declaration, and the Umbrella Declaration, except to the extent as herein changed and modified with respect to the property subject hereto are extended and shall apply to that certain real estate owned by the Developer in Jo Daviess County, Illinois, described as follows:

Plat of First Addition to Eagle Ridge Unit "R" of The Galena Territory, Jo Daviess County, Illinois, as recorded on May 11, 1989 in Plan Hold B, No. 189-B, as Instrument Number 197353. As defined in the Umbrella Declaration, the Plat of First Addition to Eagle Ridge Unit "R" is deemed "added premises", with the exception of Outlot 1, which is deemed "added community area". Walnut Hill Golf Villas #117 through 128 inclusive are deemed "added dwelling units".

Plat of Second Addition to Eagle Ridge Unit "R" of The Galena Territory, Jo Daviess County, Illinois, as recorded on July 25, 1989 in Plan Hold B, No. 197-B, as Instrument Number 198560. As defined in the Umbrella Declaration, the Plat of Second Addition to Eagle Ridge Unit "R" is deemed "added premises". Walnut Hill Golf Villas #129 through 140 inclusive are deemed "added dwelling units".

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 aforesaid plats of subdivision as "Walnut Hill Drive" will be dedicated to the public and is not part of the Common Properties defined in the General Declaration.

3. LIENS, PERSONAL OBLIGATIONS AND ENFORCEMENT OF ASSESSMENTS

The provisions of the General Declaration and the Golf Villa 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 Golf Villa 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: A. J. Cechvala  
Vice President



ATTEST:

Genevieve Rowe  
Assistant Secretary

STATE OF ILLINOIS, COUNTY OF Jo Daviess SS. I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that A. J. Cechvala personally known to me to be the Vice President of The Branigar Organization, Inc. and Genevieve 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 August, 1989.

Marilyn Hesselbacher  
Notary Public  
Marilyn Hesselbacher

