

ALL

FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS  
HUNT CLUB UNIT 1  
ST. CHARLES, ILLINOIS

THIS FIRST AMENDMENT TO DECLARATION, hereinafter referred to as the "First Amendment", is made and entered this 2nd day of March, 1989, by NBD TRUST COMPANY OF ILLINOIS, AS SUCCESSOR TRUSTEE TO BANK OF WHEATON, as Trustee under Trust Agreement dated November 23, 1987, and known as Trust Number 5042-WH, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant caused a certain Declaration of Covenants, Restrictions, and Easements, Hunt Club Unit 1, St. Charles, Illinois, dated January 25, 1989, to be recorded in Kane County, Illinois on February 1, 1989 as document number 1955890, hereinafter referred to as the "Declaration"; and

WHEREAS, the Declaration was recorded against the real estate legally described in Exhibit A attached hereto and made a part hereof, hereinafter referred to as the "Subject Property", and provides for the addition to the Declaration of certain real estate which is legally described in Exhibit B attached hereto and made a part hereof, herewith referred to as the "Add-On Property"; and

WHEREAS, Declarant is desirous of amending the Declaration to correct a scrivener's error contained in Article III, Section 5 thereof, concerning the definition of the term "Declarant".

NOW THEREFORE, Declarant hereby declares that the Declaration be and the same hereby is amended in accordance with this First Amendment, as follows:

1. Article III, Section 5 of the Declaration is hereby amended by deleting the same in its entirety and substituting in its place and stead the following:

**Section 5. Declarant.** NBD Trust Company of Illinois, as Successor Trustee to Bank of Wheaton, as Trustee under Trust Agreement dated November 23, 1987, and known as Trust Number 5042-WH.

2. Except as otherwise expressly provided in Paragraph 1 of this First Amendment, all terms and provisions of the Declaration shall remain in full force and effect without alteration or amendment.

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Chg 16-00  
CHICAGO TITLE INSURANCE  
Kane County Office  
Geneva, Illinois 60131  
Phone 232-2700

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IN WITNESS WHEREOF, Declarant has caused this instrument to be executed, acknowledged, and attested by its undersigned, duly authorized officers on the day and date first above written.

NBD TRUST COMPANY OF ILLINOIS, as  
Successor Trustee to Bank of Wheaton  
as Trustee under Trust Agreement  
dated November 23, 1987, and known  
as Trust Number 5042-WH

By: *Ray Brooks*

Title: VICE President & Trust Officer

Attest: *Peter Jung*

Title: TRUST OFFICER

This instrument is executed by NBD TRUST COMPANY OF ILLINOIS, not individually but solely as Trustee, as aforesaid. All the covenants and conditions to be performed hereunder by NBD TRUST COMPANY OF ILLINOIS are undertaken by it solely as Trustee, as aforesaid and not individually, and no personal or individual liability shall be asserted or enforceable against NBD TRUST COMPANY OF ILLINOIS by reason of any of the covenants, agreements, representations, indemnifications or warranties expressed or implied herein contained in this instrument.

State of Illinois  
County of Du Page

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Gary E Crocus, Vice Pres. & Trust Officer, and Peter Jung, Trust Officer, of NBD Trust Company of Illinois, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such officers, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth; and the said Trust Officer then and there acknowledged that as custodian of the corporation, he did affix the corporate seal of said corporation to said instrument as his own free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 2nd day of March, 1989.

Diane E Krawzik

Notary Public

Commission expires 5-22-89.



This First Amendment is hereby consented to on the date first above written by Home Federal Savings and Loan Association in its capacity as mortgagee of record against the Subject Property.

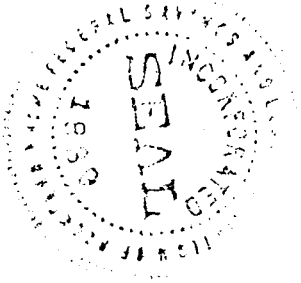
HOME FEDERAL SAVINGS AND LOAN  
ASSOCIATION,

By: C. Steven Sjogren  
C. Steven Sjogren

Title: President

Attest: Catherine M. VanVleet  
Catherine M. VanVleet

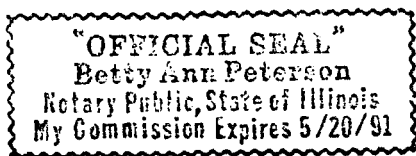
Title: Assistant Secretary

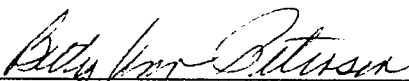


State of Illinois  
County of Du Page

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that C. Steven Sjogren, President, and Catherine M. VanVleet, Assistant Secretary, of Home Federal Savings and Loan Association, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such officers, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that as custodian of the corporation, she did affix the corporate seal of said corporation to said instrument as her own free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 28th day of February, 1989.



  
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Notary Public

Commission expires May 20, 1991 .

SCHEDULE OF EXHIBITS

EXHIBIT "A": Legal Description of the Subject Property

EXHIBIT "B": Legal Description of Add-On Property

Prepared by & Mailed to:

Harry P. Stillwell III  
Rothje, Woodward, Byer & Curt  
203 E. Liberty Ave.  
Wheaton, Ill 60187

LEGAL DESCRIPTION OF THE SUBJECT PROPERTY

LOTS 1 THROUGH 9 INCLUSIVE AND LOTS 11 THROUGH 92 INCLUSIVE IN THE HUNT CLUB UNIT 1 BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 26 AND THE EAST HALF OF SECTION 27 ALL IN TOWNSHIP 49 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 22, 1988 AS DOCUMENT NUMBER 1949388 IN KANE COUNTY, ILLINOIS.

PIN#S 09-26-151-027  
09-26-101-008  
09-26-301-014  
09-27-276-010  
09-27-276-014

LEGAL DESCRIPTION OF THE ADD-ON PROPERTY

THAT PART OF THE SOUTH HALF OF SECTION 23, THE NORTHWEST QUARTER OF SECTION 26 AND THE NORTHEAST QUARTER OF SECTION 27, ALL IN TOWNSHIP 40 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHWESTERLY LINE OF AINTREE ROAD AND THE SOUTHEASTERLY LINE OF FOX CHASE BOULEVARD AS RECORDED BY THE PLAT OF AINTREE IN ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTHWESTERLY ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 995.93 FEET, A CHORD BEARING SOUTH 33 DEGREES 07 MINUTES 45 SECONDS WEST, AN ARC DISTANCE OF 696.24 FEET TO A POINT ON THE MOST WESTERLY LINE EXTENDED NORTHERLY OF A TRACT OF LAND CONVEYED TO KANE COUNTY BOARD OF SCHOOL TRUSTEES FOR COMMUNITY SCHOOL DISTRICT 303 BY DOCUMENT NUMBER 1751333 THAT IS 142.0 FEET NORTHERLY OF THE MOST NORTHERLY NORTHWEST CORNER OF SAID SCHOOL TRUSTEES TRACT; THENCE SOUTHERLY ALONG SAID WESTERLY LINE EXTENDED SOUTH 13 DEGREES 06 MINUTES 07 SECONDS WEST, 1224.66 FEET; THENCE SOUTHWESTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 986.0 FEET TANGENT TO THE LAST DESCRIBED COURSE, SAID CURVE ALSO BEING THE NORTHERLY LINE OF UNIT NO. 1-A, HUNTERS FIELDS, IN ST. CHARLES, KANE COUNTY, ILLINOIS, AN ARC DISTANCE OF 1229.12 FEET; THENCE NORTH 08 DEGREES 42 MINUTES 00 SECONDS WEST, 164.86 FEET; THENCE ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING SOUTH 85 DEGREES 34 MINUTES 30 SECONDS WEST AND RADIUS OF 1030.00 FEET, AN ARC DISTANCE OF 153.70 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 00 SECONDS WEST, 382.87 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 660.00 FEET, AN ARC DISTANCE OF 380.71 FEET TO A POINT OF TANGENCY; THENCE SOUTH 56 DEGREES 48 MINUTES 00 SECONDS WEST, 159.38 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 610.00 FEET, AN ARC DISTANCE OF 166.09 FEET TO THE NORTHEASTERLY CORNER OF LOT 52 IN THE HUNT CLUB UNIT 1 IN ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE NORTH 20 DEGREES 14 MINUTES 42 SECONDS WEST, 80.10 FEET TO A POINT ON A CURVE, BEING THE NORTHWESTERLY LINE OF FOX CHASE BOULEVARD ACCORDING TO THE PLAT OF THE HUNT CLUB UNIT 1; THENCE ALONG THE NORTHWESTERLY LINE OF SAID FOX CHASE BOULEVARD ON A CURVE TO THE RIGHT HAVING A RADIUS OF 530.00 FEET, A CHORD BEARING SOUTH 74 DEGREES 18 MINUTES 39 SECONDS WEST, AN ARC DISTANCE OF 27.96 FEET TO A POINT OF TANGENCY; THENCE SOUTH 75 DEGREES 49 MINUTES 20 SECONDS WEST ALONG THE NORTHWESTERLY LINE OF FOX CHASE BOULEVARD, 75.19 FEET TO THE NORTHERLY LINE OF STONEHEDGE ROAD ACCORDING TO THE PLAT OF THE HUNT CLUB UNIT 1; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 430.78 FEET, A CHORD BEARING NORTH 36 DEGREES 14 MINUTES 52 SECONDS WEST, AN ARC DISTANCE OF 264.18 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 1200.00 FEET AND CHORD



BEARING SOUTH 49 DEGREES 39 MINUTES 37 SECONDS EAST, AN ARC DISTANCE OF 174.09 FEET ALONG THE SOUTHERLY LINE OF A TRACT OF LAND DESCRIBED IN DOCUMENT NUMBER 1489696; THENCE NORTH 21 DEGREES 42 MINUTES 18 SECONDS EAST, ALONG THE EASTERLY LINE OF SAID LAND DESCRIBED IN DOCUMENT NUMBER 1489696, 498.55 FEET; THENCE NORTH 20 DEGREES 33 MINUTES 28 SECONDS WEST ALONG THE NORTHEASTERLY LINE OF SAID LAND DESCRIBED IN DOCUMENT NUMBER 1489696, 340.0 FEET; THENCE SOUTH 59 DEGREES 26 MINUTES 32 SECONDS WEST ALONG THE NORTHWESTERLY LINE OF SAID LAND DESCRIBED IN DOCUMENT NUMBER 1489696, 350.00 FEET TO THE NORTHERLY LINE OF LOT 93 IN AFORESAID THE HUNT CLUB UNIT 1; THENCE NORTH 30 DEGREES 33 MINUTES 28 SECONDS WEST ALONG THE NORTHERLY LINE OF SAID 93, 60.78 FEET TO THE EASTERLY LINE OF PERSIMMON WOODS, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE NORTH 44 DEGREES 56 MINUTES 31 SECONDS EAST ALONG THE EASTERLY LINE OF SAID PERSIMMON WOODS, 256.66 FEET; THENCE NORTH 26 DEGREES 45 MINUTES 50 SECONDS EAST ALONG THE EASTERLY LINE OF SAID PERSIMMON WOODS, 249.50 FEET TO THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO ST. CHARLES PARK DISTRICT BY QUIT CLAIM DEED RECORDED MARCH 25, 1985 AS DOCUMENT NUMBER 1715241; THENCE NORTH 88 DEGREES 35 MINUTES 52 SECONDS EAST ALONG THE SOUTHERLY LINE OF SAID PARK DISTRICT TRACT, 822.20 FEET TO THE SOUTHEASTERLY CORNER THEREOF; THENCE NORTH 01 DEGREES 24 MINUTES 08 SECONDS WEST ALONG AN EASTERLY LINE OF SAID PARK DISTRICT TRACT, 97.00 FEET; THENCE NORTH 88 DEGREES 35 MINUTES 52 SECONDS EAST ALONG A SOUTHERLY LINE OF SAID PARK DISTRICT TRACT, 210.00 FEET; THENCE NORTH 01 DEGREES 24 MINUTES 08 SECONDS WEST ALONG AN EASTERLY LINE OF SAID PARK DISTRICT TRACT, 1523.41 FEET TO A SOUTHEASTERLY LINE OF LOT 10 IN SAID PERSIMMON WOODS; THENCE NORTH 59 DEGREES 33 MINUTES 49 SECONDS EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOT 10, 106.57 FEET TO THE MOST EASTERLY CORNER OF SAID LOT 10; THENCE NORTH 24 DEGREES 53 MINUTES 32 SECONDS EAST ALONG AN EASTERLY LINE OF SAID PERSIMMON WOODS, 508.36 FEET TO THE MOST EASTERLY CORNER OF LOT 7 IN SAID PERSIMMON WOODS; THENCE NORTH 35 DEGREES 25 MINUTES 46 SECONDS WEST ALONG AN EASTERLY LINE OF SAID PERSIMMON WOODS, 299.93 FEET TO A NORTHEAST CORNER OF SAID PERSIMMON WOODS; THENCE SOUTH 87 DEGREES 45 MINUTES 22 SECONDS EAST, 458.31 FEET TO THE NORTHWEST CORNER OF THE MANORHOUSES UNIT TWO, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTH 10 DEGREES 11 MINUTES 12 SECONDS EAST ALONG THE WESTERLY LINE OF SAID UNIT TWO, 365.44 FEET; THENCE SOUTH 16 DEGREES 43 MINUTES 48 SECONDS WEST ALONG A WESTERLY LINE OF THE MANORHOUSES UNIT THREE, ST. CHARLES, KANE COUNTY, ILLINOIS, 253.39 FEET; THENCE SOUTH 38 DEGREES 46 MINUTES 12 SECONDS EAST ALONG A WESTERLY LINE OF SAID THE MANORHOUSES UNIT THREE, 251.23 FEET; THENCE NORTH 72 DEGREES 03 MINUTES 48 SECONDS EAST ALONG A SOUTHERLY LINE OF SAID MANORHOUSES UNIT THREE, 513.62 FEET; THENCE SOUTH 70 DEGREES 36 MINUTES 12 SECONDS EAST ALONG A SOUTHERLY LINE OF SAID THE MANORHOUSES UNIT THREE, 422.33 FEET; THENCE NORTH 60 DEGREES 01 MINUTES 12 SECONDS EAST ALONG A SOUTHERLY LINE OF SAID THE MANORHOUSES UNIT THREE, 79.60 FEET TO THE WESTERLY LINE OF AINTREE ROAD; THENCE ALONG THE WESTERLY LINE OF SAID AINTREE ROAD ON A CURVE TO THE LEFT HAVING A RADIUS OF 627.72 FEET, A CHORD BEARING SOUTH 33 DEGREES 24 MINUTES 02 SECONDS EAST, AN ARC DISTANCE OF 75.43 FEET TO A POINT OF TANGENCY; THENCE SOUTH 36 DEGREES 50 MINUTES 35 SECONDS EAST ALONG THE WESTERLY LINE OF

AINTREE ROAD, 190.00 FEET TO THE POINT OF BEGINNING, ALL IN THE CITY OF ST. CHARLES, KANE COUNTY, ILLINOIS.

AND

THAT PART OF THE WEST HALF OF SECTION 26, IN TOWNSHIP 40 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 11 IN BLOCK 2, SURREY HILL, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE WESTERLY ALONG A NORTH LINE OF LONGMEADOW OF FOX CHASE, ST. CHARLES, KANE COUNTY, ILLINOIS 156.12 FEET TO THE NORTHWEST CORNER OF SAID LONGMEADOW OF FOX CHASE, THENCE NORTH 48 DEGREES 48 MINUTES 29 SECONDS EAST, 244.71 TO A POINT OF CURVATURE, THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET, AN ARC DISTANCE OF 450.72 FEET; THENCE NORTH 88 DEGREES 32 MINUTES 15 SECONDS EAST, 500.41 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 986.00 FEET, AN ARC DISTANCE OF 28.77 FEET TO THE NORTHWEST CORNER OF UNIT NO. 1-A HUNTERS FIELDS, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTHERLY ALONG THE WESTERLY LINE OF SAID UNIT NO. 1-A, 364.87 FEET TO THE MOST NORTHEASTERLY CORNER OF SAID BLOCK 2, SURREY HILL; THENCE WESTERLY ALONG THE NORTH LINE OF SAID BLOCK 2, 979.22 FEET TO THE POINT OF BEGINNING; AND ALSO THAT PART COMMENCING AT THE NORTHWEST CORNER OF LOT 11 IN BLOCK 2, SURREY HILL, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE WESTERLY ALONG A NORTH LINE OF LONGMEADOW OF FOX CHASE, ST. CHARLES, KANE COUNTY, ILLINOIS 156.12 FEET TO THE NORTHWEST CORNER OF SAID LONGMEADOW OF FOX CHASE, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 48 DEGREES 48 MINUTES 29 SECONDS EAST, 33.28 FEET TO THE SOUTHEAST CORNER OF LOT 52 IN THE HUNT CLUB UNIT 1, ST. CHARLES, KANE COUNTY, ILLINOIS, THENCE NORTH 17 DEGREES 36 MINUTE, 00 SECONDS WEST ALONG THE EASTERLY LINE OF SAID LOT 52, 210.81 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 610.00 FEET, ON A CHORD BEARING NORTH 64 DEGREES 36 MINUTES 00 SECONDS EAST, AN ARC DISTANCE OF 166.09 FEET; TO A POINT OF TANGENCY; THENCE NORTH 56 DEGREES 48 MINUTES 00 SECONDS EAST, 159.38 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 660.00 FEET, AN ARC DISTANCE OF 380.71 FEET TO A POINT OF TANGENCY; THENCE NORTH 89 DEGREES 51 MINUTES 00 SECONDS WEST, 382.87 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1030.00 FEET, AN ARC DISTANCE OF 153.56 FEET; THENCE SOUTH 08 DEGREES 42 MINUTES 00 SECONDS EAST, 164.86 FEET TO THE NORTHERLY LINE OF LOT 6 IN HUNTERS FIELDS UNIT NO. 1-A, ST. CHARLES, KANE COUNTY, ILLINOIS; THENCE SOUTHWESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 6 ON A CURVE TO THE RIGHT HAVING A RADIUS OF 986.00 FEET, AN ARC DISTANCE OF 69.04 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 32 MINUTES 15 SECONDS WEST, 500.41 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 650.00 FEET, AN ARC DISTANCE OF 450.72 FEET TO A POINT OF TANGENCY; THENCE SOUTH 48 DEGREES 48 MINUTES 29 SECONDS WEST, 211.43 FEET TO THE POINT OF BEGINNING, ALL IN KANE COUNTY, ILLINOIS.

AND

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LOT 94 IN THE HUNT CLUB UNIT 1 BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 26 AND THE EAST HALF OF SECTION 27 ALL IN TOWNSHIP 49 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 22, 1988 AS DOCUMENT NUMBER 1949388 IN KANE COUNTY, ILLINOIS.