

2 original
RECORDER
DU PAGE COUNTY

R80- 13384

1980 MAR -4 PM 3:15

FIRST AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
TRINITY LAKES ESTATES

George V. Rusoff

THIS AMENDMENT, made this 11th day of February, 1980
by SWISSCO, INC., an Illinois corporation ("Developer")

W I T N E S S E T H :

WHEREAS, Beverly Bank, not individually, but as Trustee under Agreement dated July 3, 1975, and known as Trust #8-5020, has previously caused to be executed a certain Declaration of Covenants, Conditions and Restrictions for Trinity Lakes Estates, which declaration was recorded in the Office of the Recorder of Deeds, DuPage County, Illinois, on August 20, 1979, as Document #R 79-74436 ("Declaration"); and

WHEREAS, Developer, pursuant to the provisions of Article I Section 8, Articles IV and XIII, has the right and power to amend said declaration; and

WHEREAS, Declarant and Developer are entitled to cast all outstanding membership votes as provided in the Declaration pursuant to Article XIII thereof; and

WHEREAS, Developer desires to amend said Declaration by modifying Exhibit A attached thereto;

NOW, THEREFORE, pursuant to the rights of Declarant and Developer stated therein, the Declaration is hereby amended by substituting for Exhibit A attached thereto, the Amended Exhibit A attached hereto, which property may, from time to time, become subjected to the terms of the Declaration.

IN WITNESS WHEREOF, the undersigned has set its hand and seal on the day first written above.

SWISSCO, INC.

By *Michael J. Heagy*

ATTEST:

Michael J. Heagy

1099

BEVERLY BANK, not individually but as Trustee under Trust Agreement dated and known as Trust No. 8-6615.

ATTEST:

[Signature]
ASS. TRUST OFFICER

Exonerated by provision restricting and liability of the Beverly Bank stamped on the reverse side hereof, is hereby expressly made a part hereof.

[Signature]
Assistant Vice President and Trust Officer

Exonerated by provision restricting and liability of Harris Trust and Savings Bank stamped on the reverse side hereof, is hereby expressly made a part hereof.

Harris Trust and Savings Bank, not individually but as Trustee under Trust Agreement dated September 12, 1978 and known as Trust No. 38864.

[Signature]
ASSISTANT VICE PRESIDENT

ATTEST:

[Signature]

The undersigned, Harris Trust and Savings Bank, being first mortgagee of record of a portion of the property described on Exhibit "A", hereby consents to the execution and recording of the foregoing Declaration.

HARRIS TRUST AND SAVINGS BANK

BY: [Signature]
Trusts President

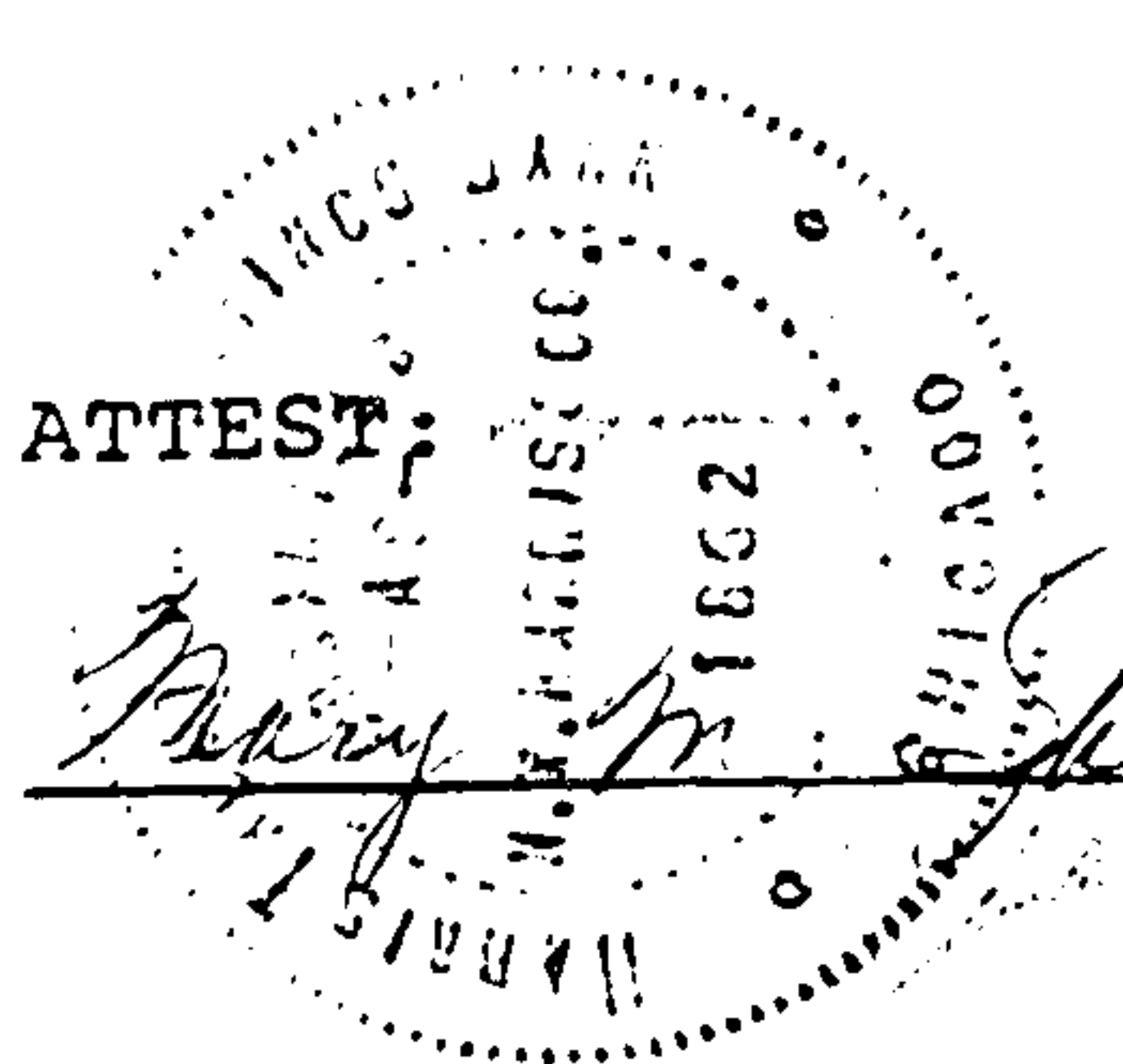
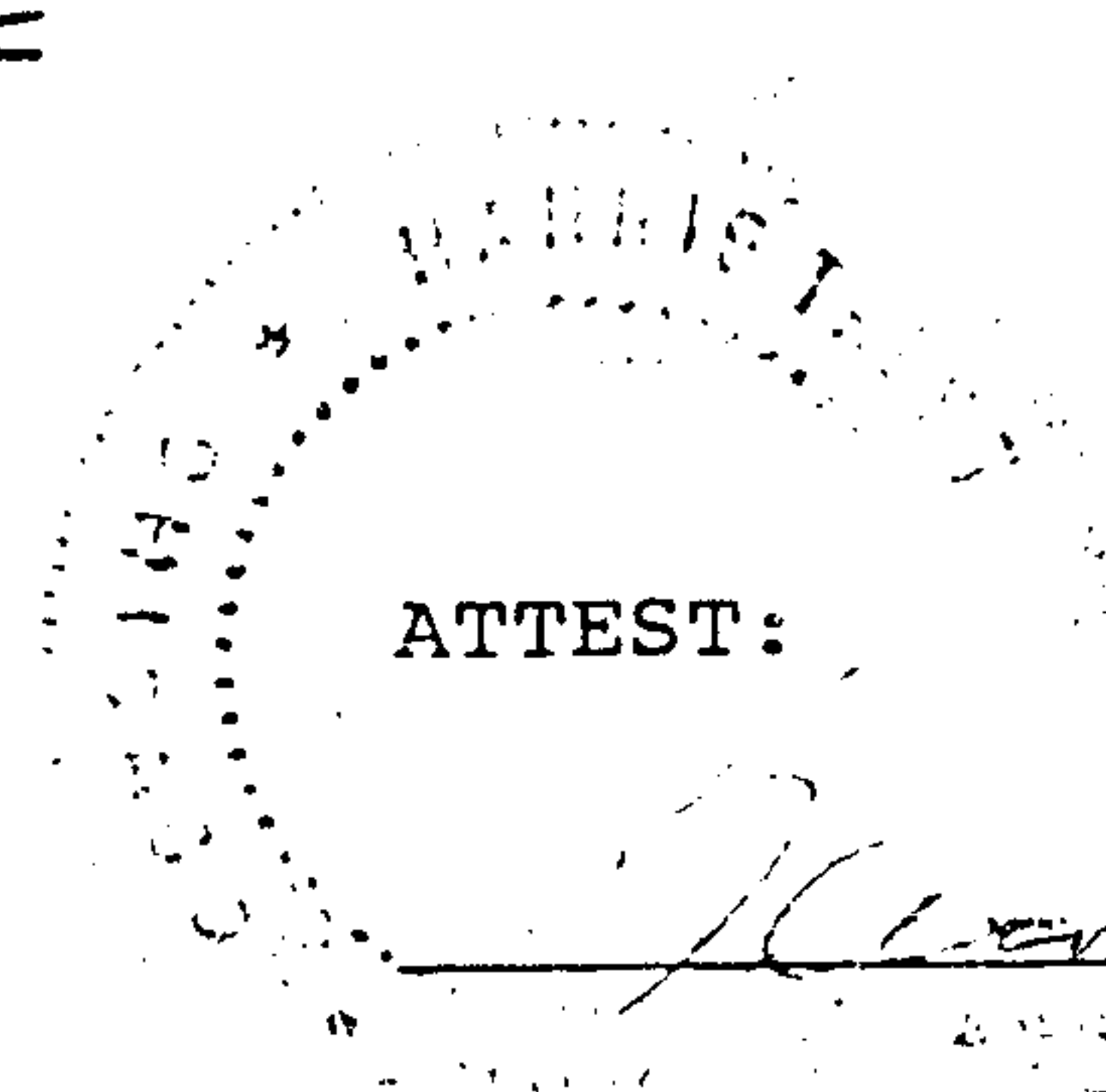
ATTEST:

[Signature]

ATTEST:

[Signature]
Assistant Vice President

R80 - 13384



This document is made by Beverly Bank as Trustee and accepted upon the express understanding that the Beverly Bank enters into the same not personally, but only as Trustee and that no personal liability is assumed by nor shall be asserted or enforced against Beverly Bank because of or on account of the making or execution of this document or of anything herein contained, all such liability, if any being expressly waived and released and shall be held personally liable upon or in connection with the execution of this document, either expressed, implied or otherwise.

It is expressly understood and agreed by and between the parties hereto, notwithstanding the contrary not withstanding, that each and all of the representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them made and intended not as personal representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the Harris Trust and Savings Bank or any of the beneficiaries under said Trust Agreement, on account of this instrument or on account of any representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, and such personal liability, if any, being expressly waived and released.

R80-13384

-3A-

Continental Illinois National Bank and Trust Company of Chicago
 The undersigned, [REDACTED], being the first mortgagee of record of a portion of the property described on Exhibit "A", hereby consents to the execution and recording of the foregoing Declaration.

CONTINENTAL ILLINOIS NATIONAL BANK AND TRUST COMPANY OF CHICAGO

BY: [Handwritten Signature]

JOHN E. HAUSMANN
 VICE PRESIDENT

ATTEST:

[Handwritten Signature]
 REAL ESTATE OFFICER
 STATE OF ILLINOIS)
) SS
 COUNTY OF COOK)

I, **J. R. Swee**, in and for said County, in the State aforesaid, DO HEREBY CERTIFY that John E. Hausmann, Vice President and Delbert W. Jones, Real Estate Officer Secretary, of Continental Illinois National Bank and Trust Co. of Chicago 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 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 Real Estate Officer Secretary, did affix the seal of the 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 19th day of February, 1980.

[Handwritten Signature]
 Notary Public
 My Commission Expires: Sept. 4, 1983

R80-13384

Prepared by:
 David Shaw
 Attorney at Law
 Two N. La Salle
 Chicago, Ill. 60602

Return To:
 J. H. Brechin
 Attorney at Law
 1200 Oak Brook Rd.
 Oak Brook, IL. 60521

6

AMENDED EXHIBIT "A"

ATTACHED TO FIRST AMENDMENT TO DECLARATION OF
 COVENANTS, CONDITIONS AND RESTRICTIONS FOR TRINITY
 LAKES ESTATES

THAT PART OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING NORTHWESTERLY AND SOUTHEASTERLY OF THE OLD INDIAN BOUNDARY LINE AND THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE INTERSECTION OF THE EXISTING EAST RIGHT OF WAY LINE OF MIDWEST ROAD AND THE EXISTING NORTH RIGHT OF WAY LINE OF 35TH STREET; THENCE NORTH ALONG SAID EXISTING EAST RIGHT OF WAY LINE OF MIDWEST ROAD FOR A DISTANCE OF 1413.68 FEET; THENCE EAST ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 34 LYING NORTHWESTERLY OF THE OLD INDIAN BOUNDARY LINE FOR A DISTANCE OF 1525 FEET MORE OR LESS; THENCE NORTH ALONG A LINE PARALLEL WITH THE WEST LINE OF THE EAST HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SAID SECTION 34 LYING NORTHWESTERLY OF THE OLD INDIAN BOUNDARY LINE FOR A DISTANCE OF 1140.00 FEET TO A POINT ON THE EXISTING SOUTH RIGHT OF WAY LINE OF 31ST STREET; THENCE EAST ALONG SAID EXISTING SOUTH RIGHT OF WAY LINE OF 31ST STREET FOR A DISTANCE OF 665 FEET MORE OR LESS; THENCE SOUTH ALONG A LINE NORMAL TO THE LAST DESCRIBED LINE FOR A DISTANCE OF 265 FEET MORE OR LESS; THENCE EASTERLY ALONG A LINE, TURNING AN ANGLE OF 81°30' MORE OR LESS TO THE LEFT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 355 FEET MORE OR LESS; THENCE SOUTHEASTERLY ALONG A LINE TURNING AN ANGLE OF 47°30' MORE OR LESS TO THE RIGHT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 328 FEET MORE OR LESS; THENCE SOUTHERLY ALONG A LINE TURNING AN ANGLE OF 34° MORE OR LESS TO THE RIGHT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 286 FEET MORE OR LESS; THENCE SOUTHWESTERLY ALONG A LINE TURNING AN ANGLE OF 28° MORE OR LESS TO THE RIGHT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 475 FEET MORE OR LESS; THENCE SOUTHERLY ALONG A LINE TURNING AN ANGLE OF 37°30' MORE OR LESS TO THE LEFT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 337 FEET MORE OR LESS; THENCE SOUTHEASTERLY ALONG A LINE TURNING AN ANGLE OF 18° MORE OR LESS TO THE LEFT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 129 FEET MORE OR LESS; THENCE SOUTHERLY ALONG A LINE NORMAL TO SAID EXISTING NORTH RIGHT OF WAY LINE OF 35TH STREET FOR A DISTANCE OF 132 FEET MORE OR LESS; THENCE EAST ALONG A LINE PARALLEL WITH SAID EXISTING NORTH RIGHT OF WAY LINE OF 35TH STREET FOR A DISTANCE OF 152 FEET MORE OR LESS; THENCE SOUTHEASTERLY ALONG A LINE TURNING AN ANGLE OF 31°30' MORE OR LESS TO THE RIGHT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 248 FEET MORE OR LESS; THENCE NORTHEASTERLY ALONG A LINE TURNING AN ANGLE OF 59° MORE OR LESS TO THE LEFT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 985 FEET MORE OR LESS; THENCE SOUTHEASTERLY ALONG A LINE TURNING AN ANGLE OF 94°30' MORE OR LESS TO THE RIGHT OF THE PROLONGATION OF THE LAST DESCRIBED LINE FOR A DISTANCE OF 733 FEET MORE OR LESS; THENCE SOUTH ALONG A LINE NORMAL TO SAID EXISTING NORTH RIGHT OF WAY LINE OF 35TH STREET FOR A DISTANCE OF 350 FEET MORE OR LESS TO A POINT ON SAID EXISTING NORTH RIGHT OF WAY LINE OF 35TH STREET; THENCE WEST ALONG SAID EXISTING NORTH RIGHT OF WAY LINE OF 35TH STREET FOR A DISTANCE OF 300 FEET MORE OR LESS TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER OF SECTION 35; THENCE NORTH ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 35 FOR A DISTANCE OF 3 FEET TO A POINT ON SAID EXISTING NORTH RIGHT OF WAY LINE OF 35TH STREET; THENCE WEST ALONG SAID EXISTING NORTH RIGHT OF WAY LINE OF 35TH STREET TO SAID POINT OF BEGINNING.

SAID PARCEL OF LAND HEREIN DESCRIBED CONTAINS 136.1 ACRES MORE OR LESS.

R80- 13386

and also,

That part of the East half of the Northwest fractional quarter, and that part of the Northeast fractional quarter, of fractional Section 34, Township 39 North, Range 11, East of the Third Principal Meridian, lying North of the Indian boundary line described as follows: Beginning at the Northwest corner of the Northeast quarter of the Northwest quarter of fractional Section 34 aforesaid; thence running Easterly along the North line of said fractional section, a distance of 1569 feet to a point; thence running Southerly along a line parallel with the Westerly line of the Northeast quarter of the Northwest quarter of said fractional Section 34, a distance of 1190 feet to a point; thence running along a line parallel with the Northerly line of said fractional Section 34, a distance of 1569 feet, more or less, to the Westerly line of the Northeast quarter of the Northwest quarter of said fractional Section 34; thence North along the Westerly line of the Northeast quarter of the Northwest quarter of said fractional Section 34, to the place of beginning, all in DuPage County, Illinois, except those portions thereof dedicated or used for highway purposes.

Above described property has 31st Street at North, and Midwest Road at West boundaries.

1.