

COPY

This space reserved for Recorder's use only.

R2018051208

KAREN A. STUKEL
WILL COUNTY RECORDER
RECORDED ON
07/25/2018 09:49:12 AM
REC FEE: 41.75
IL RENTAL HSNG: 9.00
PAGES: 5
LEH

(RECORDING COVER PAGE)

**THIRD AMENDMENT TO DECLARATION OF COVENANTS
AND RESTRICTIONS FOR THE FIVE OAKS OF FRANKFORT SUBDIVISION
HOMEOWNERS AND LAKEOWNERS**

This Instrument was Prepared By:

Michael R. Martin
Dunn, Martin, Miller & Heathcock, Ltd.
15 West Jefferson Street, Suite 300
Joliet, Illinois 60432

After Recording Mail To:

Michael R. Martin
Dunn, Martin, Miller & Heathcock, Ltd.
15 West Jefferson Street, Suite 300
Joliet, Illinois 60432

This Third Amendment to the Declaration of Covenants and Restrictions for Five Oaks of Frankfort Subdivision Homeowners and Lakeowners (the "Third Amendment"), is made and entered into the 19th day of December, 2015, by the FIVE OAKS HOMEOWNERS AND LAKEOWNERS ASSOCIATION (hereinafter referred to as the "Association")

WITNESSETH:

WHEREAS, the Association is duly organized under the laws of Illinois as an Illinois not-for-profit corporation;

WHEREAS, pursuant to the Declaration of Covenants and Restrictions for Five Oaks Frankfort Subdivision Homeowners and Lakeowners recorded December 17, 2004 as Document No: R2004227436 with the Will County Recorder of Deeds; and as amended by the First Amendment to Declaration of Covenants, Conditions and Restrictions recorded April 4, 2005 as Document R200561657 with the Will County Recorder of Deeds; and as amended by the Second Amendment to Declaration of Covenants and Restrictions for Five Oaks of Frankfort Subdivision Homeowners and Lakeowners recorded May 25, 2005 as Document R2005085877 with the Will County Recorder of Deeds (collectively referred to as the "Declarations") the Association is charged with administrating and enforcing the terms of the Declarations and the Five Oaks of Frankfort Subdivision, legally described on Exhibit # 1 (hereinafter referred to as the "Property");

WHEREAS, the Association desires to amend the Declarations to provide for a uniform plan for development of the Property which is intended to enhance and protect the values and amenities of the Property and to help the Association fulfill its functions and govern the Property in a consistent and uniform manner; and

WHEREAS, pursuant to Article XI, paragraph 11.3 of the Declarations the Association has obtained approval of this Third Amendment from over 2/3 of the Lot Owners and the Village of Frankfort;

NOW THEREFORE, pursuant to Article XI, paragraph 11.3 of the Declarations, for the purposes above set forth, the Declarations are hereby amended as follows:

1. **Incorporation of Recitals:** The recitals set forth above are incorporated into and made part of the substance of this Third Amendment.
2. **Incorporation of Defined Terms:** All capitalized terms as defined in the Declarations shall have the same meanings as defined within this Third Amendment unless otherwise stated within.

3. Article V Minimum Building Requirements, Paragraphs 5.1 Minimum Living Areas.

Sub-Paragraph (a) of this paragraph is hereby deleted and the following language is inserted in its stead:

(a) A one-story residence shall contain at least two thousand eight hundred (2,800) square feet of living area, exclusive of the garage, porches and basement.

The remainder of paragraph 5.1 shall remain unchanged.

4. Article VI General Restrictions, Paragraph 6.2 Fence and Dog Runs.

This paragraph is hereby amended to allow for the construction of dark brown, bronze or black fences provided such fence and color scheme have been approved by the Architectural Review Committee which may approve or deny the fence and color scheme in its sole discretion.

5. Conflict. In the event of a conflict between any provision of the Declarations and this Third Amendment, the provisions of this Third Amendment shall prevail. Except as expressly modified by this Third Amendment the Declarations shall remain unmodified and in full force and effect in accordance with its terms.
6. Severability. If any provision of this Third Amendment or any section, sentence, clause, phrase, or word hereof, or the application thereof in any circumstance is held invalid, the validity of the remainder of the Third Amendment or Declarations and of the application of any provision, section, sentence, clause, phrase or word in any other circumstances shall not be affected thereby.

[Intentionally left blank]

IN WITNESS WHEREOF, the Association has caused this instrument to be executed, acknowledged, and attested to by its undersigned duly authorized officers on the day and date first written above, after acceptance of this Third Amendment pursuant to a vote of approval received by two-thirds (2/3) of the Owners or their duly authorized Proxy, and has received approval of this Third Amendment from the Village of Frankfort.

FIVE OAKS HOMEOWNERS AND LAKEOWNERS ASSOCIATION

By: Michelle Zomer
Its: President

Attest: William Long
Its: Secretary

Attest: J.P. Baldo
Its: Treasurer

EXHIBIT # 1

PARCEL ONE

LOTS 1 TO 70 BOTH INCLUSIVE 130, 131 AND OUTLOTS A, B & D IN FIVE OAKS OF FRANKFORT PHASE ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 6 TOWNSHIP 34, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 19, 2004 AS DOCUMENT NUMBER R2004-210781, IN WILL COUNTY, ILLINOIS.

PARCEL TWO

LOTS 71 THRU 129, BOTH INCLUSIVE, OUTLOT F & OUTLOT G IN FIVE OAKS OF FRANKFORT PHASE TWO, BEING A SUBDIVISION OF PART OF THE NORTHEAST FRACTIONAL ¼ OF SECTION 6, NORTH OF THE INDIAN BOUNDARY LINE AND PART OF THE NORTHEAST FRACTIONAL ¼ OF SECTION 6, SOUTH OF THE INDIAN BOUNDARY LINE, TOWNSHIP 34 NORTH, RANGE 12, EAST OF THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED APRIL 8, 2005 AS DOCUMENT NUMBER R2005-58570, IN WILL COUNTY, ILLINOIS.

Permanent Index Numbers:

18-13-06-201-013-0000	18-13-06-204-015-0000	18-13-06-202-005-0000
18-13-06-201-012-0000	18-13-06-204-016-0000	18-13-06-202-006-0000
18-13-06-201-011-0000	18-13-06-204-057-0000	18-13-06-202-007-0000
18-13-06-201-010-0000	18-13-06-204-019-0000	18-13-06-202-008-0000
18-13-06-201-009-0000	18-13-06-204-020-0000	18-13-06-202-009-0000
18-13-06-201-014-0000	18-13-06-204-021-0000	18-13-06-202-010-0000
18-13-06-201-006-0000	18-13-06-203-016-0000	18-13-06-202-011-0000
18-13-06-201-005-0000	18-13-06-203-015-0000	18-13-06-202-012-0000
18-13-06-201-001-0000	18-13-06-203-014-0000	18-13-06-202-013-0000
18-13-06-201-002-0000	18-13-06-203-013-0000	18-13-06-202-014-0000
18-13-06-201-003-0000	18-13-06-203-012-0000	18-13-06-202-015-0000
18-13-06-201-004-0000	18-13-06-203-011-0000	18-13-06-202-016-0000
18-13-06-204-001-0000	18-13-06-203-010-0000	18-13-06-202-017-0000
18-13-06-204-002-0000	18-13-06-203-001-0000	18-13-06-205-001-0000
18-13-06-206-003-0000	18-13-06-203-002-0000	18-13-06-205-002-0000
18-13-06-206-004-0000	18-13-06-203-003-0000	18-13-06-205-003-0000
18-13-06-204-005-0000	18-13-06-203-004-0000	18-13-06-205-004-0000
18-13-06-204-006-0000	18-13-06-203-005-0000	18-13-06-205-005-0000
18-13-06-204-007-0000	18-13-06-203-006-0000	18-13-06-205-006-0000
18-13-06-204-008-0000	18-13-06-203-007-0000	18-13-06-205-007-0000
18-13-06-204-009-0000	18-13-06-203-008-0000	18-13-06-205-008-0000
18-13-06-204-010-0000	18-13-06-203-009-0000	18-13-06-205-009-0000
18-13-06-204-011-0000	18-13-06-202-001-0000	18-13-06-205-010-0000
18-13-06-204-012-0000	18-13-06-202-002-0000	18-13-06-205-011-0000

18-13-06-204-013-0000	18-13-06-204-052-0000	18-13-06-205-012-0000
18-13-06-204-014-0000	18-13-06-204-053-0000	18-13-06-205-013-0000
18-13-06-205-014-0000	18-13-06-202-003-0000	
18-13-06-205-015-0000	18-13-06-202-004-0000	
18-13-06-205-016-0000	18-13-06-204-054-0000	
18-13-06-205-017-0000	18-13-06-204-055-0000	
18-13-06-205-018-0000	18-13-06-204-056-000	
18-13-06-205-019-0000	18-13-06-204-024-0000	
18-13-06-205-020-0000	18-13-06-204-023-000	
18-13-06-205-021-0000	18-13-06-206-001-0000	
18-13-06-205-022-0000	18-13-06-206-002-0000	
18-13-06-205-023-0000	18-13-06-208-001-0000	
18-13-06-207-007-0000	18-13-06-208-002-0000	
18-13-06-207-006-0000		
18-13-06-207-005-0000		
18-13-06-207-004-0000		
18-13-06-207-003-0000		
18-13-06-207-002-0000		
18-13-06-207-001-0000		
18-13-06-204-025-0000		
18-13-06-204-026-0000		
18-13-06-206-027-0000		
18-13-06-206-028-0000		
18-13-06-204-029-0000		
18-13-06-204-030-0000		
18-13-06-204-031-0000		
18-13-06-204-032-0000		
18-13-06-204-033-0000		
18-13-06-204-034-0000		
18-13-06-204-035-0000		
18-13-06-204-036-0000		
18-13-06-204-037-0000		
18-13-06-204-038-0000		
18-13-06-204-039-0000		
18-13-06-204-040-000		
18-13-06-204-041-0000		
18-13-06-204-042-0000		
18-13-06-206-043-0000		
18-13-06-206-044-0000		
18-13-06-204-045-0000		
18-13-06-204-046-0000		
18-13-06-204-047-0000		
18-13-06-204-048-0000		
18-13-06-204-049-0000		
18-13-06-204-050-0000		
18-13-06-204-051-0000		