202300012660
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
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FOURTH AMENDMENT TO THE LAKEWOOD CREEK HOMEOWNERS ASSOCIATION DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

This instrument is recorded for the purpose of amending the Lakewood Creek Homeowners Association Declaration of Covenants, Conditions and Restrictions (hereinafter referred to as "Declaration"), which was recorded with the Recorder of Deeds of Kendall County, Illinois on August 9, 2001 as Document No. 200100014560.

This Amendment is adopted pursuant to the provisions of Article 15, Section 15.3 of said Declaration, which provides that this Amendment, the text of which is set forth below, shall become effective upon recordation in the Office of the Recorder of Deeds of Kendall County, Illinois, following the approval of Owners of not less than sixty-seven percent (67%) of the Units in the Association.

RECITALS

WHEREAS, the Declaration was recorded with the Recorder of Deeds of Kendall County, Illinois on August 9, 2001 as Document No. 200100014560;

WHEREAS, the Declaration was previously amended by the Amendment to Declaration to Lakewood Creek Homeowners Association Declaration of Covenants, Conditions and Restrictions, which was recorded with the Recorder of Deeds of Kendall County, Illinois on January 22, 2002 as Document No. 200200002165;

WHEREAS, the Declaration was additionally previously amended by the Amendment to Declaration to Lakewood Creek Homeowners Association Declaration of Covenants, Conditions and Restrictions, which was recorded with the Recorder of Deeds of Kendall County, Illinois on March 13, 2002 as Document No. 200200006517;

WHEREAS, the Declaration was additionally previously amended by the Amendment to Declaration to Lakewood Creek Homeowners Association Declaration of Covenants, Conditions and Restrictions, which was recorded with the Recorder of Deeds of Kendall County, Illinois on August 8, 2002 as Document No. 200200018181;

WHEREAS, the Board of Directors for the Lakewood Creek Homeowners Association (hereinafter referred to as "Association") and the Owners desire to amend the Declaration regarding fences;

WHEREAS, the Board of Directors for the Association and the Owners additionally desire to amend the Declaration regarding storage sheds;

WHEREAS, this Amendment has been approved by Owners of not less than sixty-seven percent (67%) of the Units in the Association; and

WHEREAS, this Amendment shall become effective upon recordation in the Office of the Recorder of Deeds of Kendall County, Illinois.

NOW THEREFORE, the Declaration is hereby amended in accordance with the text that follows:

AMENDMENT

1. Article 5 "Building and Use Restrictions", Section 5.9 "Fences", Subsection 5.9.1 "Permitted Type and Heights" of the Declaration shall be amended as follows (additions in text are indicated by underline and deletions in text are indicated by ~~strike outs~~):

5.9.1 **Permitted Type and Heights.**

~~No fences of any kind, other than board on board fences constructed of unpainted/unstained natural cedar, shall be installed on any Unit. Said remaining fences shall be four (4) feet in height and shall conform to the standards shown on Exhibit "C". Developer may install fences of varying heights in locations selected by the Developer on the Property.~~

Fences may be installed/constructed on a Unit, subject to compliance with all of the following conditions that are applicable to all fences:

a. The installation/construction of all fences must be prior approved by the RC, as further provided in Article 4 of this Declaration;
b. The height of fences must be either four feet (4') or six feet (6') in height;
c. The color/material/style of fences must be either (i) cedar wood, board on board (shadow box style), or (ii) white composite;
d. White composite fences are permitted to have adjacent white composite gates; and
e. All required Village permits must be obtained, with a copy provided to the RC, prior to installation/construction of the fence on a Unit.

2. Exhibit C "Four Foot Fences" of the Declaration shall be deleted in its entirety and shall not be replaced.

3. Article 5 "Building and Use Restrictions", Section 5.11 "Storage Buildings and Sheds" of the Declaration shall be amended as follows (additions in text are indicated by underline and deletions in text are indicated by ~~strike outs~~):

5.11 **Storage Buildings and Sheds.**

~~Storage buildings and sheds of all kinds shall not be installed on the Property.~~

Storage sheds may be installed/constructed on a Unit, subject to compliance with all of the following conditions that are applicable to all storage sheds:

a. The installation/construction of all storage sheds must be prior approved by the RC, as further provided in Article 4 of this Declaration;
b. A maximum of one (1) storage shed is allowed per Unit;
c. Storage sheds must be made of either resin or wood;
d. No metal storage sheds are allowed;
e. Storage sheds must be placed on top of a concrete foundation/pad;
f. Storage sheds made of wood must have vinyl siding and roof shingles that match the style, color and materials of the home on the Unit;
g. All required Village permits must be obtained, with a copy provided to the RC, prior to installation/construction of the storage shed on a Unit; and
h. The Board may adopt rules and regulations with respect to storage sheds, including but not limited to rules and regulations regarding the location of storage sheds on the Units and the size of storage sheds.

4. The terms used herein, if not otherwise defined, shall have the same meaning described to them in the Declaration.

5. The language of this Amendment shall govern any conflicts between this document and the prior Declaration and its amendments.

6. Except as to the extent expressly set forth herein above, and as amended, the Declaration shall continue in full force and effect without change.

END OF TEXT OF AMENDMENT

This instrument was prepared by, and upon recording return to:

Keith R. Jones
Costello Sury & Rooney, P.C.
One Lincoln Centre, Suite 1670
Oakbrook Terrace, Illinois 60181
630-690-6446

STATE OF ILLINOIS)
) SS
COUNTY OF Kendall)

The undersigned hereby certifies that I am the duly elected, qualified and acting President of the Board of Directors of Lakewood Creek Homeowners Association, and that the attached is a true, correct, and accurate copy of the Fourth Amendment to the Lakewood Creek Homeowners Association Declaration of Covenants, Conditions and Restrictions, and that said document was approved by Owners of not less than sixty-seven percent (67%) of the Units in the Association.

IN WITNESS WHEREOF, I have hereunto set my hand this 29 day of October, 2023.

Lakewood Creek Homeowners Association

James Goniwicha By: _____
[Printed Name] As President of the Board of Directors

I, Doris Turano, a Notary Public, hereby certify that on the above date, the above President of the Board of Directors of the Lakewood Creek Homeowners Association, which Board member is personally known to me, appeared before me and acknowledged that, as such Board member, he/she signed this instrument as his/her free and voluntary act of said Board for the uses and purposes therein set forth.

BY: _____

OFFICIAL SEAL
DORIS TURANO
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES: 06/30/2027

Legal Description of Property

LOTS 1 THROUGH 269, BOTH INCLUSIVE, AND LOTS A, B, C, D, E, F AND G IN LAKEWOOD CREEK UNIT 1 BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 1 AND PART OF THE NORTHEAST QUARTER OF SECTION 2, ALL IN TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 19, 2001 AS DOCUMENT NUMBER 200100004400, IN KENDALL COUNTY, ILLINOIS.

and

LOTS 474 THROUGH 574, BOTH INCLUSIVE, AND LOTS Q, R AND S IN LAKEWOOD CREEK UNIT 5 BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 1 AND PART OF THE NORTHEAST QUARTER OF SECTION 2, ALL IN TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2001 AS DOCUMENT NUMBER 200100019240, IN KENDALL COUNTY, ILLINOIS.

and

LOTS 270 THROUGH 329, BOTH INCLUSIVE, AND LOT K IN LAKEWOOD CREEK UNIT 2 BEING A SUBDIVISION OF PART OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 3, 2001 AS DOCUMENT NUMBER 200100014120, IN KENDALL COUNTY, ILLINOIS.

and

LOT 259 AND LOTS 408 THROUGH 473, BOTH INCLUSIVE, AND LOT O IN LAKEWOOD CREEK UNIT 4 BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 12, 2001 AS DOCUMENT NUMBER 200100019241, IN KENDALL COUNTY, ILLINOIS.

and

LOTS 330 THROUGH 407, BOTH INCLUSIVE, AND LOTS L, M AND N IN LAKEWOOD CREEK UNIT 3 BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 37 NORTH, RANGE 7, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 16, 2001 AS DOCUMENT NUMBER 200100021966 AND AMENDED BY CERTIFICATE OF CORRECTION RECORDED MARCH 13, 2002 AS DOCUMENT NUMBER 200200006523, IN KENDALL COUNTY, ILLINOIS.