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A02593102

MICHAEL T. COSTELLO

RECORDER OF DEEDS

ST. CLAIR COUNTY

BELLEVILLE, IL

10/12/2018 10:13:51AM

RHSP FEE: 9.00

TOTAL FEE: \$39.25

PAGES: 3

This instrument was prepared by:  
Lisa A. Johnson  
SmithAmundsen, LLC  
120 S. Central Avenue, Suite 700  
St. Louis, MO 63105

RYAN FLOREK  
Archview Developers, LLC  
7 Goldenbear Ct.  
Belleville, IL 62220

FIRST AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS, AND EASEMENTS  
FOR THE SUMMIT OF SHILOH

THIS FIRST AMENDMENT is made as of the \_\_\_\_ day of August, 2018, to that certain Declaration of Covenants, Conditions, Restrictions, and Easements for The Summit of Shiloh recorded on June 11, 2018 as Document Number A02578938, in the office of the St. Clair County Recorder of Deeds, (the "Declaration"). Unless otherwise indicated, terms defined in the Declaration are used in this Amendment as therein defined.

RECITALS

- A. Pursuant to the Declaration, Archview Developers, LLC, a Delaware limited liability company ("Archview"), is the sole "Declarant" under the Declaration.
- B. Article III, Section 3(a)(i) of the Declaration permits the Declaration to be amended prior to the Turnover Date by the Declarant, if in its sole discretion the Declarant believes that such changes will better accomplish the objectives of the Development.
- C. This Amendment is made prior to the Turnover Date which is defined in Article V, Section 1(d) of the Declaration as that point in time after the earlier to occur of (i) seventy-five percent (75%) of the Lots being owned by Owners other than Declarant and (ii) three (3) years after the recording of the Declaration, upon which the election of Directors by the Owners will be held at a meeting within sixty (60) days thereafter.
- D. Seventy-five percent of the Lots are not yet owned by Owners other than Declarant and three years after recording of the Declaration has not passed; therefore, the Turnover Date has not occurred.

E. Article VII, Section 1(r) of the Declaration provides that "Any and all motorized vehicles that do not require registration with the State of Illinois (excluding construction, landscaping, and maintenance equipment) are prohibited from using the roads of the Development."

F. Archview wishes and intends to clarify and provide that the use of golf carts is permissible and that such use is not prohibited by the above-referenced restriction.

G. In accordance with Article III, Section 3(a) and Article X, Section 4 of the Declaration, Archview desires and intends to amend Article VII, Section 1(r) of the Declaration as set forth below.

#### AMENDMENT

NOW, THEREFORE, in accordance with the foregoing Recitals which are incorporated herein by reference, the Declarant amends the Declaration as follows:

1. Article VI, Section 1(r) of the Declaration is hereby amended by deleting the same and replacing it with the following language:

"(r) Except as expressly provided for in this Declaration, any and all motorized vehicles that do not require registration with the State of Illinois are prohibited from using the roads of the Development. Notwithstanding the foregoing, construction, landscaping, and maintenance equipment are permissible, and the use of golf carts will be permitted by Owners, their family, guests, and invitees, if such use is at all times in compliance with Illinois State law and all other applicable governmental regulations, including without limitation, requirements for insurance and that any driver have a valid driver's license. Any Owner using or permitting the use of a golf cart in the Development is solely responsible to learn and follow the statutory and governmental laws and regulations for such use."

2. Except as otherwise provided herein, the Declaration remains unchanged and in full force and effect.

SIGNATURE PAGE FOLLOWS

IN WITNESS WHEREOF, the undersigned has set its hand on the date first above written.

DECLARANT:

Archview Developers, LLC,  
a Delaware limited liability company

By: *Ryan Florek* MANAGER  
Ryan Florek, Manager

STATE OF ILLINOIS                    )  
  ) SS  
COUNTY OF ST. CHARLES         )

On this \_\_\_\_ day of August, 2018, before me appeared Ryan Florek, to me personally known, who by me duly sworn, did say that he is the Manager of Archview Developers, LLC, a Delaware limited liability company, and that he acknowledged that he executed the same on behalf of said limited liability company as the Manager thereof and acknowledged said instrument to be the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid the day and year first above written.

*Lisa M Rowe*  
Notary Public

My term expires: 5-10-20

After recording return to:  
Lisa A. Johnson  
SmithAmundsen, LLC  
120 S. Central Ave., Suite 700  
St. Louis, MO 63105

