

Return to: *Courtsey*  
Community Title Shiloh, LLC  
1207 Thouvenot Lane, Suite 800  
Shiloh, IL 62269



\* A 0 2 6 6 2 6 7 8 3 \*

**A02662678**

MICHAEL T. COSTELLO  
RECORDER OF DEEDS  
ST. CLAIR COUNTY  
BELLEVILLE, IL

08/19/2020 08:34:35AM

RHSP FEE: 9.00

TOTAL FEE: \$39 00

PAGES: 3

This instrument was prepared by and  
after recording return to.  
Lisa A. Johnson  
SmithAmundsen, LLC  
120 S. Central Avenue, Suite 700  
St Louis, MO 63105

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

29- THIS SECOND AMENDMENT is made as of the 1<sup>st</sup> day of June, 2020, to that certain Declaration of Covenants, Conditions, Restrictions, and Easements for The Summit of Shiloh recorded on June 11, 2018 as Document Number A02578938, as amended by that First Amendment to Declaration recorded on October 12, 2018 as Document Number A02593102, both 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 ("Developer"), is the sole "Declarant" under the Declaration.
- B. Article III, Section 3(a)(1) 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 The Association has annual budgeted assessments of One Hundred Thousand Dollars or less

F. In accordance with Article III, Section 3(a) and Article X, Section 4 of the Declaration, Developer desires and intends to amend Article V, Section 1 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 V, Section 1(b)-(d) of the Declaration is hereby amended by deleting the same and replacing it with the following language

“(b) At the point in time at which seventy-five percent (75%) of the Lots are owned by Owners other than Declarant, then within sixty (60) days after such date (or at such earlier time as Declarant may elect) the Directors shall call a special election for the Association through which one Director shall be elected by a majority vote of a quorum of Owners and the remaining two Directors shall be appointed by Declarant. The Directors elected and appointed pursuant to this subsection (b) shall serve as Directors until new Directors are elected and appointed and qualified pursuant to subsection (c) of this Section 1 below,

(c) At the point in time at which eighty-five percent (85%) of the Lots are owned by Owners other than Declarant, then within sixty (60) days after such date (or at such earlier time as Declarant may elect) the Directors shall call a special election of the Association through which two Directors shall be elected by a majority vote of a quorum of Owners and the remaining Director shall be appointed by Declarant. The Directors elected and appointed pursuant to this subsection (c) shall serve as Directors until new Directors are elected and qualified pursuant to subsection (d) of this Section 1 below,

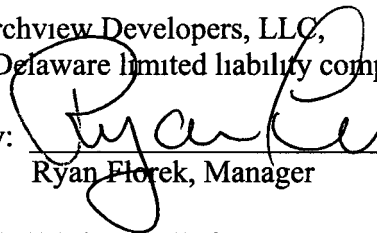
(d) At the point in time at which ninety-five percent (95%) of the Lots are owned by Owners other than Declarant, then within sixty (60) days after such date (or at such earlier time as Declarant may elect) the Directors shall call a meeting of the Association at which all three Directors shall be elected by a majority vote of a quorum of Owners (the “Turnover Date”).”

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.

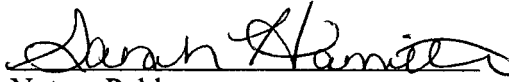
Archview Developers, LLC,  
a Delaware limited liability company

By:  - MANAGER  
Ryan Florek, Manager

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

On this 1<sup>st</sup> day of June, 2020, 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

  
Notary Public

My term expires: \_\_\_\_\_

