

*George V. Quasfeld*

FIRST AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
MARYKNOLL ESTATES OWNERS ASSOCIATION  
GLEN ELLYN, DU PAGE COUNTY, ILLINOIS

This First Amendment to the Declaration of Covenants, Conditions and Restrictions for the Maryknoll Estates Owners Association made this 27th day of May, 1980, by the American National Bank and Trust Company of Chicago, not individually but solely as Trustee under a Trust Agreement dated September 12, 1978 and known as Trust Number 43856 (hereinafter referred to as "Declarant").

W I T N E S S E T H:

WHEREAS, Declarant did on November 7, 1979, cause to be recorded in the office of the Recorder of Deeds of DuPage County, Illinois, as Document No. R79-100933 a certain Declaration of Covenants, Conditions and Restrictions for the Maryknoll Estates Owners Association whereby the property legally described in Exhibits "A" through "D", both inclusive, attached hereto was subject to the terms and provisions of said Declaration; and

WHEREAS, Declarant desires to modify said Declaration in the following respects.

NOW THEREFORE, Declarant hereby declares that the Declaration of Covenants, Conditions and Restrictions for the Maryknoll Estates Owners Association heretofore recorded in the office of the Recorder of Deeds of DuPage County, Illinois as Document No. R79-100933 is hereby amended in the following respects:

1. Paragraph 4 of Article X of said Declaration is hereby deleted in its entirety and the following paragraph 4 of said Article X is hereby substituted in its place and stead.

4. No buildings other than one single Residential Building shall at any time hereafter be erected, occupied, sold or used on any part of or portion of any lot in the Development Tract; provided, however, that when and after any Residential Building is so erected and occupied, the Owner thereof may also erect a private garage attached to and having access from the Residential Building and one gazebo. In the event the Owner constructs a swimming pool on the Lot, one pool equipment building may be constructed adjacent to the swimming pool of the minimum size necessary to house the pumps, filters and related mechanical equipment which serves the pool for the sole and exclusive use of the Owner. Any such garage, gazebo or pool equipment building shall be constructed only of materials permitted for the Residential Building and shall conform to and be harmonious with the design and color of the Residential Building and shall be subject to the provisions of Article IX hereof.

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Prepared By:  
*David L. Conarty*  
211 A W. Weston

2. Paragraph 6 of Article X of said Declaration is hereby deleted in its entirety and the following paragraph 6 of said Article X is hereby substituted in its place and stead.

6. No trailer, recreational vehicle, tent, shack, shed, garage, barn or outbuilding shall be erected or placed on any lot nor shall any residence of a temporary character be permitted. The parking or storage of house trailers, recreational vehicles, boats and boat trailers, snowmobiles, trucks or motorcycles on any lot in the Development Tract is prohibited. Such items may be parked or stored only in garages attached to any Residential Building and may not be parked or stored on the apron, driveway or approach to such garage.

3. Paragraph 7 of Article X of said Declaration is hereby deleted in its entirety and the following paragraph 7 of said Article X is hereby substituted in its place and stead.

7. No hedge, shrub or other planting shall be erected or maintained on any lot in the Development Tract which unreasonably restricts or blocks the view from an adjoining lot, which materially impairs the continuity of the general landscaping plan of the Development Tract or which obstructs the view at any corner or intersection so as to constitute a hazard to vehicular or pedestrian traffic. For this purpose, a hedge shall be maintained at no greater height than four (4') feet. Fences are not permitted on any lot or the Common Areas of the Development Tract except:

- (a) fencing required by law or ordinance around swimming pools;
- (b) appropriate fencing around tennis courts;
- (c) fencing enclosing any patio adjacent to the Residential Building on the lot.

All permitted fences are subject to the approval of the Architectural Review Committee. No walls are permitted on any lot or the Common Areas of the Development Tract except walls which are an integral architectural feature of the Residential Building may be permitted subject to approval by the Architectural Review Committee.

4. Except as modified by this First Amendment, all of the terms and provisions of the above-described Covenants, Conditions and Restrictions are hereby ratified and affirmed.

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IN WITNESS WHEREOF, the said American National Bank and Trust Company of Chicago as Trustee, as aforesaid and not individually, has caused its corporate seal to be affixed hereunto and has caused its name to be signed to these presents by its \_\_\_\_\_ Vice President and attested by its \_\_\_\_\_ Assistant Secretary this 27th day of \_\_\_\_\_ May, A. D., 1980.

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO as TRUSTEE as aforesaid and not individually,

By: \_\_\_\_\_  
President

Attest: \_\_\_\_\_  
Assistant Secretary



(SEAL)

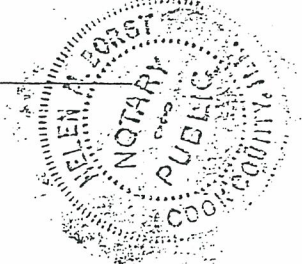
STATE OF ILLINOIS )  
                            ) SS  
COUNTY OF DU PAGE )

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I, HELEN BORST, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that \_\_\_\_\_, President of American National Bank and Trust Company of Chicago and \_\_\_\_\_ Assistant Secretary of said Bank, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such \_\_\_\_\_ Vice President and \_\_\_\_\_ Secretary, respectively, appeared before me this day in person and acknowledged to me that they signed and delivered said instrument as their own free and voluntary act and as the free and voluntary act of said Bank for the uses and purposes therein set forth, and the said \_\_\_\_\_ Secretary did also then and there acknowledge that he, as custodian of the corporate seal of said Bank, did affix the corporate seal of said Bank to said instrument as his own free and voluntary act and the free and voluntary act of said Bank, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this \_\_\_\_\_ day of MAY 27 1980, A. D., 1980.

Helen M. Borst  
Notary Public



My Commission Expires:  
My commission expires August 16, 1983

(SEAL)

MORTGAGEE'S CONSENT

Continental Illinois National Bank and Trust Company of Chicago, a national banking association, as holder of the following described Mortgage which encumbers some or all of the property legally described in Exhibits "A", "B", "C" and "D" attached hereto and made a part hereof, to wit:

<u>Date of Mortgage</u>	<u>Date of Recording</u>	<u>Document No.</u>
June 6, 1979	June 22, 1979	R79-52589

hereby consents to the execution and recording of the above and foregoing First Amendment to Declaration of Covenants, Conditions and Restrictions and hereby submits the aforesaid Mortgage to the provisions of the above and foregoing First Amendment to Declaration and the Declaration.

IN WITNESS WHEREOF, the said Continental Illinois National Bank and Trust Company of Chicago has caused its corporate seal to be affixed hereunto and has caused its name to be signed to these presents by its Vice President and attested by its 2nd V-P. Secretary this 4<sup>th</sup> day of March, 1980.

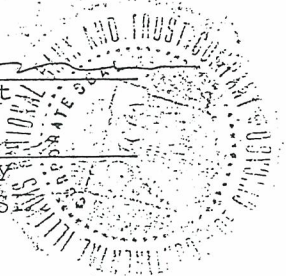
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CONTINENTAL ILLINOIS NATIONAL BANK AND TRUST COMPANY OF CHICAGO

By: [Signature]  
 VICE President

Attest: [Signature]  
 Secretary

and VICE PRES



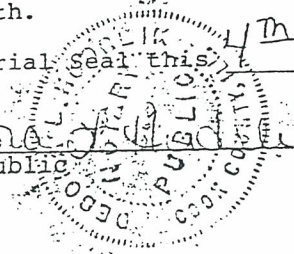
(SEAL)

STATE OF ILLINOIS )  
) SS  
COUNTY OF COOK )

I, Deborah Lynn Hudrlik, a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY that John F. Hausmann Vice-President of Continental Illinois National Bank and Trust Company of Chicago, and A. Cary Gentry 2<sup>nd</sup> Vice President Secretary of said Continental Illinois National Bank and Trust Company of Chicago; personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and 2<sup>nd</sup> Vice President Secretary respectively, 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 Continental Illinois National Bank and Trust Company of Chicago for the uses and purposes therein set forth; and the said 2<sup>nd</sup> Vice President Secretary did also then and there acknowledge that he, as custodian of the said corporate seal of said Continental Illinois National Bank and Trust Company of Chicago, affixed said corporate seal to said instrument as his own free and voluntary act and the free and voluntary act of said Continental Illinois National Bank and Trust Company of Chicago, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial seal this 4<sup>th</sup> day of March, 1980.

Deborah Lynn Hudrlik  
 Notary Public



My Commission Expires: April 24, 1982

(SEAL)

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EXHIBIT "A"

Lots 1 through 115, both inclusive, Lot 235 and  
Lots A, B, C, and D in Maryknoll, being a subdivi-  
sion of part of the North half of Section 24,  
Township 39 North, Range 10, East of the Third  
Principal Meridian in DuPage County, Illinois  
according to the Plat thereof, recorded in the  
Office of the Recorder of Deeds of DuPage County,  
Illinois on November 7, 1979 as Document No.  
R79-100932.

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EXHIBIT "B"

Lots A, B, C, D and 235 in Maryknoll, being a subdivision of part of the North half of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian in DuPage County, Illinois according to the Plat thereof, recorded in the Office of the Recorder of Deeds of DuPage County, Illinois on November 7, 1979 as Document No. R79-100932.

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EXHIBIT "C"

Lot 235 in Maryknoll, being a subdivision of part of the North half of Section 24, Township 39 North, Range 10, East of the Third Principal Meridian in DuPage County, Illinois according to the Plat thereof, recorded in the Office of the Recorder of Deeds of DuPage County, Illinois on November 7 , 1979 as Document No. R79-100932.

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EXHIBIT "D"

Lots 117 through 234, both inclusive, Lot 235 and  
Lots E and F in Maryknoll, being a subdivision of  
part of the North half of Section 24, Township 39  
North, Range 10, East of the Third Principal  
Meridian in DuPage County, Illinois according to  
the Plat thereof, recorded in the Office of the  
Recorder of Deeds of DuPage County, Illinois on  
November 7 , 1979 as Document No. R79-100932.

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