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PHYLLIS K. WALTERS

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**COVER SHEET**

Attached by  
Zanck, Coen, & Wright, P.C.  
for the purposes of affixing Recording information

Prepared by:

Thomas C. Zanck  
Zanck, Coen, & Wright, P.C.  
40 Brink Street  
Crystal Lake, Illinois 60014  
Phone: 815-459-8800

After recording mail to:

The Waggoner Law Firm  
4 N. Walkup Avenue  
Crystal Lake, Illinois 60014  
Phone: 815-477-0830

**FIRST AMENDMENT TO THE  
DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND  
EASEMENTS FOR BELLE POINTE HOMEOWNERS ASSOCIATION  
RECORDED WITH THE McHENRY COUNTY RECORDER OF DEEDS OFFICE  
AS DOCUMENT NO. 2005R0018908 ON MARCH 14, 2005**

WHEREAS, Millstream Estates, Inc., an Illinois corporation ("Declarant"), caused the Declaration of Covenants, Conditions, Restrictions and Easements for Belle Pointe Homeowners Association to be recorded with the McHenry County Recorder of Deeds Office on March 14, 2005 as Document No. 2005R0018908 ("Declaration"); and

WHEREAS, Declarant did reserve the right under Section 9.6 of Article IX of the Declaration to Amend the Declaration; and

WHEREAS, Declarant desires to amend the Declaration;

NOW, THEREFORE, the Declarant does hereby declare that the property which is the subject matter of the Declaration shall be transferred, held, sold, conveyed and occupied subject to the provisions of the Declaration as amended by the provisions of this First Amendment set forth herein.

1. Article III, Section 3.3 is amended to read as follows:

"3.3 Except for the requirements and obligations imposed on each Owner set forth in 4.7 below, the Association shall be responsible for the maintenance of the detention and retention ponds constructed and all storm sewers, if any, located in the non-right-of-way areas, including those areas located in drainage easements, for the benefit of all lot owners. Those storm water retention and detention areas located within the right of way of Coral Township, shall be maintained by said township."

2. Article IV, Section 4.3 is amended to read as follows:

"4.3 Except as provided herein, no temporary building trailer, mobile home, recreational vehicle, camper, boat, snowmobile, tent, shack, or similar improvements shall be located upon the lot, however, a camper, boats, recreational vehicles, and snowmobiles are permissible on Lot 19."

3. Article IV, Section 4.5 is amended to read as follows:

"4.5 Parking of commercial vehicles on any lot and habitual parking on roadways is prohibited. Except as to Lot 19, trucks, boats, recreational vehicles, trailers and other vehicles (other than automobiles) shall at all times be parked in the garage of the dwelling and their repair or maintenance shall not be permitted except within the confines of the garage."

4. Article IV, Section 4.6 is amended to read as follows:

"4.6 Except as provided herein, no animals (other than inoffensive common domestic household pets such as dogs and cats) shall be kept on any lot or within the confines of any improvements thereon. No other uncommon domestic pets shall be allowed without the consent and written approval of the Board of Directors established herein. The breeding and keeping of dogs and cats for sale or profit is expressly prohibited. However, with respect to Lot 19, the Owners shall be allowed to keep horses, a goat, three llamas and three alpacas over and upon the land of said Lot 19. Any and all stables, barns or outbuildings necessary for the keeping and training of the horses, llamas and alpacas shall be allowed on Lot 19 upon the approval in writing of the Architectural Control Committee of the Association as to material, size, design, location and the landscaping of the structure, which approval shall not be unreasonably withheld.

5. Article IV, Section 4.13 is amended to read as follows:

"4.13 Square Footage Requirement. All residences shall have a minimum of 3,200 square feet and shall be no less than two stories unless specifically approved by the Architectural Control Committee. Porches, basements, lower level of residences and garages shall not be included in the computation of the square footage requirement. No below grade areas shall be considered in determining the square footage requirement."

6. Article IV, Section 4.17 is amended to read as follows:

"4.17 Each residence shall be serviced with an attached garage having the capacity of no less four cars and except for Lot 19, no more than six cars. The garage shall be built of material similar to the main structure. No garage shall be used for a temporary or permanent residential structure (except for Lot 19). All garages must be side-loading (i.e. not facing the road)."

7. Article IV, Section 4.18 is amended to read as follows:

"Subject to the provisions of Section 4.6 above, no utility buildings or storage sheds, attached or detached shall be erected on any lot except for a pool house 400 square feet or less."

8. Article IV, Section 4.23 is amended to read as follows:

"Portions of the following lots have impervious limitation easements which have the following limitations in those impervious limitation easements:

Lot 1            500 square feet

Lot 2	1,000 square feet
Lot 13	500 square feet
Lot 19	23,000 square feet

In the event the Owners of Lot 19 provide for detention or retention of its surface water generated from Lot 19 by reason of the impervious surface improvements placed thereon consistent with the ordinances of the County of McHenry and in the event the Owners of Lot 19 are able to obtain an approval of a replat of Lot 19 by the McHenry County Board approving a revision of the impervious surface limitation for Lot 19, then and in that event the impervious surface limitations will be consistent with the provisions of such an approved replat of subdivision which may result in the increase of the impervious surface limitation."

9. All other provisions of the Declaration not herein amended shall remain in full force and effect.

10. This First Amendment applies to Belle Pointe Subdivision, being a subdivision of the Northwest Quarter of the Southwest Quarter of Section 23, Township 43 North, Range 6 East, also that part of the West Half of the northwest Quarter of Section 23, Township 43 North, Range 6 East of the Third Principal Meridian, in Coral Township, McHenry County, Illinois recorded as Document No. 2005R0030067 in McHenry County on the 20<sup>th</sup> day of April, 2005.

Signed the 30<sup>th</sup> day of September, 2006.

MILLSTREAM ESTATES, INC.  
an Illinois corporation

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

