

STATE OF ILLINOIS	SS	RECORDERS
COUNTY OF CARROLL		OFFICE
FILED FOR RECORD	6-22-87	
AT 11:30 O'CLOCK	A. M.	AS INSTR.
NO 397113		AND RECORDED IN
RECORD 42		AT PG. 321
BY SANDRA K. BROWN, Recorder		
C.A. M... Deputy		

AMENDMENT TO
DECLARATION OF EASEMENTS AND
DECLARATION OF RESTRICTIVE COVENANTS

SECTION 18-VALLEYVIEW HEIGHTS

LAKE CARROLL SUBDIVISION

THIS AMENDMENT ("AMENDMENT"), is made this 29th day of May, 1987, by LAKE CARROLL HOLDINGS, INC. ("Declarant").

RECITALS

WHEREAS, Declarant is the owner of all of the real estate described in the Plat of Section 18, Valleyview Heights of Lake Carroll, recorded with the Office of the Recorder of Carroll County, Illinois on the 13th day of April, 1987, in Rack 1P1 of Plats ("Plat");

WHEREAS, Declarant has executed and recorded a Declaration of Easements and Declaration of Restrictive Covenants, dated the 13th day of April, 1987 ("DECLARATION"), and recorded on the 13th day of April, 1987, as Document #396272 in Book 39, Page 153; and

WHEREAS, Declarant desires to amend the DECLARATION in certain respects.

NOW, THEREFORE, in consideration of TEN DOLLARS and other good and sufficient consideration, the receipt and sufficiency of which is hereby acknowledged, the Declarant hereby amends the DECLARATION as follows:

FIRST: Declarant hereby deletes from the DECLARATION Sub-subparagraph 4. (entitled "Treated Effluent Discharge") of Subparagraph A. (entitled "Reservations, Establishments and Grants") of Paragraph II (entitled "Easements") and substitutes the following in its place and stead:


4. Treated Effluent Discharge. Grants, reserves and establishes perpetual non-exclusive easements for the discharge of treated sewage effluent in, onto, over, across and under the portion of the real estate hereinbefore described as "Common Area Property" and designated on the Plat of Section 18, Valleyview Heights of Lake Carroll Development, as Parcel T-1 ("T-1 Easement Parcel"); and the discharge of effluent onto the T-1 Easement Parcel includes, but is not limited to, (i) subsurface discharge into, on, under and over subsurface seepage fields and elevated mound systems (sometimes referred to as "Wisconsin mounds") one or more of which seepage fields and mounds may hereafter be installed, operated, repaired and replaced, and also (ii) surface discharge of the treated effluent in, onto, over, under and across the surface of the T-1 Easement Parcel; and the T-1 Easement Parcel may be contoured, shaped, excavated and filled, from time to time, to facilitate, control, distribute, disburse, improve and modify the movement and seepage of the treated effluent. The sources of the treated effluent which may be discharged into, on, over, under, and

across the T-1 Easement Parcel are single family residences heretofore or hereafter constructed on Lots 1 through 22, inclusive, in Section 18, Valleyview Heights of Lake Carroll, shown in the Plat, and the Benefited Lots in Section 17, Lakeview Heights, of Lake Carroll Development. The easements herein reserved, established and granted are appurtenant to and are established for the benefit of Lots 1 through 22, inclusive, in Section 18, Valleyview Heights of Lake Carroll, shown in the Plat, and the Benefited Lots in Section 17, Lakeview Heights; and the owner or owners of each of these Lots shall be entitled to exercise each and all of the powers, privileges and authorities conferred on them pursuant to these easement provisions. These easements, including the benefits and burdens, shall be deemed to be covenants running with the land and binding upon the land (including Lots 1 through 22, inclusive, and the T-1 Easement Parcel) in Section 18, Valleyview Heights and the Benefited Lots. Also, for a period of ten (10) years after the date of the recording of this DECLARATION, the Declarant, on behalf of itself, its successors and assigns, reserves the right by deed or supplemental declaration to convey, establish or grant to owner or owners of the remaining Lots in Section 17, Lakeview Heights, non-exclusive perpetual sewage discharge easements into, on, under, over and to the T-1 Easement Parcel, appurtenant to such additional Section 17 Lots for the purposes aforesaid. Declarant's, or its successors or assigns' granting easements to additional Lots in Section 17, Lakeview Heights and consequently increasing the usage of the T-1 Easement Parcel shall be a permissible use of the easements and T-1 Easement Parcel and shall not be deemed an overburdening of the same.

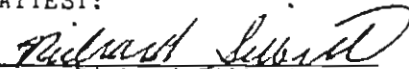
SECOND: Except as herein expressly amended, all provisions of the DECLARATION remain in full force and effect.

IN WITNESS WHEREOF, Declarant has executed and delivered this AMENDMENT.

LAKE CARROLL HOLDINGS, INC.

By: 
R.G. Johnson, its Vice President

ATTEST:


Richard Silbert
Secretary



(Corporate Seal)

STATE OF MARYLAND)
)SS.
COUNTY OF Prince George

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that R. G. JOHNSON personally known to me to be the Vice President of the Lake Carroll Holdings, Inc., an Illinois corporation, and RICHARD SILBERT personally known to me to be the Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Vice President and Secretary, they signed and delivered this said instrument as Vice President and Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 8th day of June, 1987.

Parvyn S. Demay
Notary Public

Commission Expires:
~~My Commission Expires July 1, 1990~~



This instrument prepared by:
Stanford E. Gass, Attorney At Law
29 S. LaSalle Street
Chicago, IL 60603