

1996 FEBRUARY

**THIRD SUPPLEMENTARY DECLARATION**

**COVENANTS AND RESTRICTIONS FOR  
SUMMERFIELD SUBDIVISION UNIT IV**

This Third Supplementary Declaration is made this 25 day of February, 1996 by Habco, Inc. an Illinois corporation, hereinafter referred to as "Covenantor."

WHEREAS, Covenantor had the DECLARATION OF COVENANTS AND RESTRICTIONS FOR SUMMERFIELD SUBDIVISION (hereinafter referred to as the "Declaration") recorded in Will County, Illinois on December 10, 1993, and identified by the Recorder as Document No. R93-111835;

WHEREAS, Section 3 of Article I of the Declaration provides that Covenantor may subject other property to the Declaration at the discretion of Covenantor and on December 12, 1995 the property described herein was subjected to the Declaration and other restrictions by the recording of the Second Supplementary Declaration: and

WHEREAS, Section 3 of Article VIII of the Declaration provides that Covenantor has the right to execute all documents and undertake all actions desirable or necessary to fulfill or implement, either directly or indirectly, any of the rights granted or reserved to it in the Declaration and the Covenantor shall have the right to amend the Declaration until the election of the initial Board of Directors of the Summerfield Homeowners Association;

Now, Therefore, Covenantor declares by this Third Supplementary Declaration:

1. In addition to those restrictions previously imposed, the following described property is subject to all of the covenants, restrictions, easements, charges, and liens and all other terms, conditions and provisions of this Third Supplementary Declaration and all of these obligations shall run with and bind the property described herein and shall inure to the benefit of and be the personal obligation of all of the owners of the following property in the same manner and to the same extent and with the same force and effect as the restrictions imposed by the Declaration and the Second Supplementary Declaration:

Lots 28, 29, 30, 31, 32, and 33 in Summerfield Subdivision Unit Four, a resubdivision of part of Section 33, Township 36 North, Range 9, East of the Third Principal Meridian, in Will County, Illinois.

Common Addresses:

- Lot 28 - 1812 Pebble Beach Drive
- Lot 29 - 1814 Pebble Beach Drive
- Lot 30 - 1900 Pebble Beach Drive
- Lot 31 - 1902 Pebble Beach Drive
- Lot 32 - 1904 Pebble Beach Drive
- Lot 33 - 1906 Pebble Beach Drive

Property Tax Nos: 03-33-400-010  
03-33-400-011

2. In accordance with the stated purpose of the Declaration to provide for a residential community of the highest



quality and character for the benefit and convenience of all of the residents of Summerfield Subdivision, Sections 11 and 12 of Article VIII of the Declaration are amended for the property described herein to include the prohibitions that no above ground pools of any type whatsoever are permitted and no fences of any type whatsoever are permitted except to the extent required by law to enclose an installed inground pool.

3. In the event of any conflict between the terms of the Declaration or the Second Supplementary Declaration and this Third Supplementary Declaration, the terms of this Third Supplementary Declaration shall govern and control.

HABCO, INC.

By: [Signature]  
Its President

ATTEST:

By: [Signature]  
Its Secretary

COUNTY OF WILL )  
STATE OF ILLINOIS )

I, TERE M KOVACK, a Notary Public in and for

said County, in the State aforesaid, do hereby certify that Gerald E. Ruzich personally known to me to be the President and Secretary of Habco, Inc., an Illinois Corporation, appeared before me this day in person and signed and delivered this instrument as President and Secretary and caused the Corporate

Seal of said corporation to be affixed thereto, pursuant to the authority given by the Board of Directors of said corporation, as their free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes herein set forth.

GIVEN under my hand and Notary Seal this 23<sup>rd</sup> day of February, 1996.

*Teri M. Kovarik*  
Notary Public



Prepared by: Michael J. Wall, Rothschild, Barry & Myers, 55 West Monroe Street, Suite 3900, Chicago, Illinois 60603

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