

900632

BK 257 PG 219

AMENDMENT TO
RESTRICTIVE COVENANTS AND CONDITIONS
REGARDING "WORMLEY'S CENTURY ESTATES,"
RECORDED MARCH 15, 1968, AS DOCUMENT
NO. 158649, IN BOOK 12 OF PLATS AT
PAGE 62, IN THE RECORDER'S OFFICE,
KENDALL COUNTY, ILLINOIS

FILED FOR RECORD
KENDALL COUNTY ILL
REC # 900632
I.A.N.
JAN 26 1990
John P. Bradley
RECORDER OF DEEDS

THIS INDENTURE, made this 10 day of December 1989, WITNESSETH:

WHEREAS, Myron L. Wormley and Frances B. Wormley, his wife, caused to be subdivided a certain parcel of land owned by Myron L. Wormley, which subdivision is known as "Wormley's Century Estates," the plat of which was recorded March 15, 1968, as Document No. 158649, in Book 12 of Plats, at Page 62, in the Recorder's Office, Kendall County, Illinois; and

WHEREAS, thereafter, said Myron L. Wormley and Frances B. Wormley, his wife, did impose certain restrictions and conditions relating to the use of the land, and to the use, size, character, and construction of buildings to be erected thereon, and to the approval of plans for improvements, by a certain declaration recorded May 1, 1968, as Document 159154, in the Recorder's Office, Kendall County, Illinois; and

WHEREAS, said declaration was amended by the respective owners of the lots in said "Wormley's Century Estates" by certain amendments to the restrictions and conditions, recorded August 4, 1970, as Document 70-2145, and May 5, 1976, as Document 76-2033, in the Recorder's Office, Kendall County, Illinois; and

WHEREAS, the undersigned, a majority of the owners of the lots of "Wormley's Century Estates," have agreed again to amend the restrictive covenants and conditions regarding "Wormley's Century Estates;"

NOW THEREFORE, the undersigned, a majority of the owners of the lots of "Wormley's Century Estates," do hereby amend paragraph 1 of the restrictive covenants and conditions regarding "Wormley's Century Estates" dated March 29, 1968, recorded as Document 159154 on May 1, 1968 in Book 160, Page 691, Kendall County Recorder's Office, as amended, by striking out the following words in the second sentence: "... and a private garage for not more than three cars ...", and substituting in place of such words the following: "... and a private attached garage for not more than four cars (provided that the total floor area of such garage shall not exceed 1,100 square feet) ..."

IN WITNESS WHEREOF, the undersigned, being owners of a majority of the lots in "Wormley's Century Estates," do hereby certify that they approve the above and foregoing amendment to the restrictive covenants and conditions and signify such approval by endorsement as follows:

A. Myron L. Wormley, owner of Lots 1, 2, 5, and 13:

Myron L. Wormley
Myron L. Wormley

B. Jean Rothfusz and Paul W. Rothfusz, owners of Lot 3:

Jean Rothfusz
Jean Rothfusz

Paul W. Rothfusz
Paul W. Rothfusz

C. James T. Wormley and Cheryl B. Wormley, owners of Lot 4:

James T. Wormley
James T. Wormley

Cheryl B. Wormley
Cheryl B. Wormley

D. Aurora National Bank, Aurora, Illinois, not individually, but as Trustee under Trust Agreement dated _____, known as Trust Number 52270, owner of Lots 6 and 7:

Trust Officer

ATTEST _____

E. Orrin Frank Baker and Sandra Jean Baker, owners of Lot 8:

Orrin F. Baker
Orrin Frank Baker

Sandra Jean Baker
Sandra Jean Baker

F. John H. McEachern Jr. and Marie C. McEachern, owners of Lot 9:

John H. McEachern Jr.
John H. McEachern Jr.

Marie C. McEachern
Marie C. McEachern

G. Harris Bank, Naperville, of Naperville, Illinois, not individually, but as Trustee under Trust Agreement dated _____, known as Trust No. 4029, owner of Lot 10:

See Trustee's Other Attached Facts And Note A Part Hereof
Trust Officer

ATTEST _____

H. Maurice W. Myers and Darlene F. Myers, owners of Lot 11: *cfm*

Maurice W. Myers
Maurice W. Myers

Darlene F. Myers
Darlene F. Myers

I. Richard Budd Wormley and Susan K. Wormley, owners of Lot 12:

Richard Budd Wormley
Richard Budd Wormley

Susan K. Wormley
Susan K. Wormley

J. Robert J. Prosek and Carol P. Prosek, owners of Lot 14:

Robert J. Prosek
Robert J. Prosek

Carol P. Prosek
Carol P. Prosek

K. Chicago Title & Trust Company, not individually, but as Trustee under Trust Agreement dated _____, known as Trust Number 83-1797, owner of Lot 15:

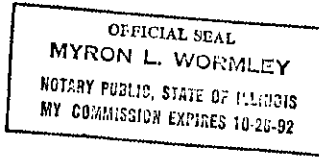
David Mah...
~~XXXXXXXXXX~~ Asst. V. Pres.

ATTEST Patricia K...
Asst. Sec.

STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that ORRIN FRANK BAKER and SANDRA JEAN BAKER 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

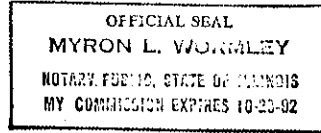
Myron L. Wormley
Notary Public



STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that JOHN H. McEACHERN JR. and MARIE C. McEACHERN 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

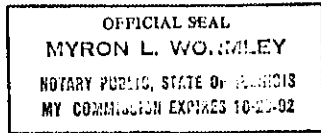
Myron L. Wormley
Notary Public



STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that MAURICE W. MYERS and DARLENE F. MYERS 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

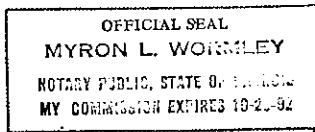
Myron L. Wormley
Notary Public



STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that RICHARD BUDD WORMLEY and SUSAN K. WORMLEY 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

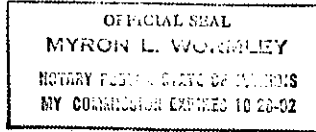
Myron L. Wormley
Notary Public



STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that ROBERT J. PROSEK and CAROL P. PROSEK 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

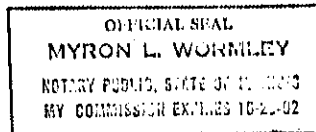
Myron L. Wornley
Notary Public



STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that RONALD J. KECK and JEANNETTE L. KECK 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

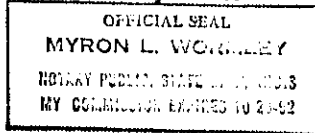
Myron L. Wornley
Notary Public



STATE OF ILLINOIS)
) SS.
COUNTY OF Kendall)

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify that FRANK T. DEVINE and NANCY J. DEVINE 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 acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act for the uses and purposes therein set forth.

Myron L. Wornley
Notary Public



STATE OF ILLINOIS)
) SS.
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that _____, Trust Officer of Harris Bank, Naperville, and _____, Assistant Trust Officer/Assistant Cashier of said national banking association, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trust Officer and Assistant Trust Officer/Assistant Cashier, 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 Harris Bank, Naperville, as Trustee, for the uses and purposes therein set forth.

Notary Public

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee: and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against the HARRIS BANK NAPERVILLE, on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

HARRIS BANK NAPERVILLE, not personally but as Trustee under L/T # 4029

By: Mark E. Rice
Mark E. Rice, Vice President

Attest:

By: Beverly J. Sheets
Beverly J. Sheets, Pro-Secretary

STATE OF ILLINOIS
COUNTY OF DuPage

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Mark E. Rice of Harris Bank Naperville, and Beverly J. Sheets thereof, are personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Pro-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 Harris Bank Naperville, for the uses and purposes therein set forth, and the said Pro-Secretary did also then and there acknowledge that she as custodian of the corporate seal of said Harris Bank Naperville did affix the said corporate seal of said Harris Bank Naperville to said instrument as her own free and voluntary act, and as the free and voluntary act of said Harris Bank Naperville for the uses and purposes therein set forth.

December 4, 1989
Date

Margaret L. Adelman
Notary Public

