

4/10/86

FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS, RESTRICTIONS AND
EASEMENTS OF TALL TREES OF BARRINGTON

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS OF TALL TREES OF
BARRINGTON is made as of this 30th day of September,
1986 by BARRINGTON DEVELOPMENT CORPORATION, an Illinois
corporation (the "Declarant")

W I T N E S S E T H:

WHEREAS, the Declarant previously recorded the Plat
of Tall Trees of Barrington Subdivision on January 15,
1986 as Document No. 2413429 (the "Tall Trees I Plat");
and

WHEREAS, the Declarant previously recorded the
Declaration of Covenants, Conditions, Restrictions and
Easements of Tall Trees of Barrington on January 17, 1986
as Document No. 2414159 (the "Tall Trees I Declaration");
and

WHEREAS, the Declarant is the developer of a 17.98
acre parcel, more or less, located immediately east of
and adjoining the Property (the "Tall Trees Unit 2
Subdivision"); and

WHEREAS, the Declarant and Developer of each of the
Property and of the Tall Trees Unit 2 Subdivision desire

9

to develop a unified single-family residential development and submit the entire development under a single homeowners association for ease of administering and maintaining the common areas therein and for other mutual benefits of residents of both subdivisions; and

WHEREAS, a declaration and plat have been or will be recorded for the Tall Trees Unit 2 Subdivision, and the Tall Trees I Plat has been amended and revised and has been recorded so as to evidence the unification of the development of the Property and the Tall Trees Unit 2 Subdivision; and

WHEREAS, the Tall Trees I Declaration provides for amendments thereto by the Declarant, and the Declarant has so approved the amendments thereto as contained herein;

NOW, THEREFORE, the Tall Trees I Declaration is hereby amended as follows:

Section 1. The Declarant and Developer shall mean and refer to BARRINGTON DEVELOPMENT CORPORATION, an Illinois corporation, and its successor and assigns, whether such succession or assignment applies to all or any part of the Property.

Section 2. Article II, Section 1(o) shall be amended in its entirety and restated as follows:

"(o) "Subdivision Plat" and "Plat of Subdivision" shall mean the plat of subdivision for Tall Trees I of Barrington, as amended and revised and as recorded in the Office of the Recorder of Deeds of Lake County, Illinois and includes one or more phases or units thereof."

Section 3. Article VI, Section 1 shall be amended in its entirety and restated as follows:

"Section 1. Creation and Purposes. The Developer has formed or shall form an Illinois not-for-profit corporation to be known as the Tall Trees Homeowners Association. The Developer hereby declares that the Association shall provide for maintenance and operation of the Common Areas of both the Property and Tall Trees Unit 2 Subdivision, and in general to maintain and promote the desired character of both the Property and Tall Trees Unit 2 Subdivision."

Section 4: Article VI, Section 5(b) shall be amended in its entirety and restated as follows:

"(b) Maintain the fence and screening shrubbery which shall be located within Lots 1, 28 and 30 and facing Lake-Cook Road and also as located within the right-of-ways along Lake-Cook Road, and maintain the roadway entrance to Lake-Cook Road. Maintenance shall include repair of any and all damage to such fence. In the event the Association fails to fulfill such responsibilities, the Village may, but shall not be obligated to do so, and the costs thereof may be recorded as a lien on the title to all Lots, which may be foreclosed by court action initiated by the Village and in addition, the Village may bring an action at law against the Owner or Owners or record of such Lots."

Section 5. A new Section 10 shall be added to Article VI, such section to be as follows:

"Section 10. Combined Homeowners Association. The Association shall serve both the Property and Tall Trees Unit 2 Subdivision, and references in this Article to Owners, Members, Lots and Common Areas shall unless the context indicates clearly to the contrary, refer to Owners, Members, Lots and Common Areas located in both the Property and Tall Trees Unit 2 Subdivision."

Section 6. Article VII, Section 8 shall be amended in its entirety and restated as follows:

"Section 8. The provisions of this Declaration shall be liberally construed to effectuate its purpose of creating a uniform plan for development of the Property and Tall Trees Unit 2 Subdivision."

Section 7. All provisions of the Tall Trees I Declaration not expressly amended hereby shall remain in full force and effect.

IN WITNESS WHEREOF, BARRINGTON DEVELOPMENT CORPORATION has caused its corporation seal to be affixed hereunto and has caused its name to be signed to and attested by its proper officers as of the date and year above mentioned.

BARRINGTON DEVELOPMENT CORPORATION

By: *John B. Pitter*
Vice President

ATTEST: *John B. Pitter*
Assistant Secretary

Subscribed and sworn to before me this 30th day of September, 1986.

Jessie K. Kist
Notary Public
Comm. Exp. 3-12-88

This document was prepared by
Boodell, Sears, Giambalvo &
Crowley, 69 W. Washington Street,
Chicago, IL 60602.

Mail recorded document to:
Barrington Development Corp.
1530 E. Dundee Road
Palatine, IL 60067
Attn: C. Crandall

PAID

-4-

2499335

THE FOREGOING FIRST AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF TALL TREES OF BARRINGTON IS HEREBY ACKNOWLEDGED
AND CONSENTED TO BY :

Robert W. Herrman

ROBERT W. HERRMAN

Melissa A. Herrman

MELISSA A. HERRMAN

State of Illinois

County of

I, the undersigned Notary Public in the County and
State aforesaid, do hereby certify that Robert W
Herrman and Melissa A.
Herrman personally known to me to be
the same persons whose name s are subscribed
to the foregoing document, appeared before me this day
in person, and acknowledged that they signed, sealed
and delivered the said document as their free and
voluntary act, for the uses and purposes therein set forth.

Sworn to before me this 20th day of
October, 1986.

Conrad F. Crandall

Notary Public

Commission expires: 5-4-88

2499335

THE FOREGOING FIRST AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF TALL TREES OF BARRINGTON IS HEREBY ACKNOWLEDGED
AND CONSENTED TO BY :

Russell G. O'Brien

RUSSELL G. O'BRIEN

State of Illinois

County of

I, the undersigned Notary Public in the County and
State aforesaid, do hereby certify that Russell G.
O'Brien and _____
_____ personally known to me to be
the same person whose name _____ is _____ subscribed
to the foregoing document, appeared before me this day
in person, and acknowledged that he signed, sealed
and delivered the said document as his free and
voluntary act, for the uses and purposes therein set forth.

Sworn to before me this 20th day of
October, 1986.

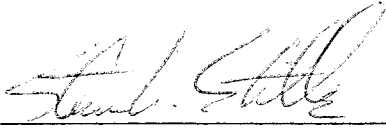
Conrad H. Crandall

Notary Public

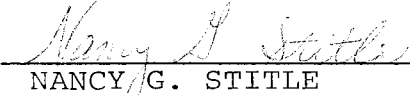
Commission expires: 5-4-88

2499335

THE FOREGOING FIRST AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
OF TALL TREES OF BARRINGTON IS HEREBY ACKNOWLEDGED
AND CONSENTED TO BY :



STEVEN L. STITTLE



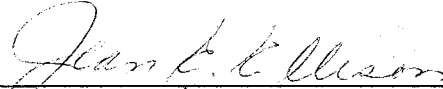
NANCY G. STITTLE

State of Illinois

County of

I, the undersigned Notary Public in the County and
State aforesaid, do hereby certify that STEVEN L.
STITTLE and NANCY G.
STITTLE personally known to me to be
the same persons whose names s are subscribed
to the foregoing document, appeared before me this day
in person, and acknowledged that they signed, sealed
and delivered the said document as their free and
voluntary act, for the uses and purposes therein set forth.

Sworn to before me this 15th day of
October, 1986.



Notary Public

Commission expires: 7-10-88

2499335

