

PETITION
EXTENSION AND AMENDMENT
DECLARATION OF RESTRICTIONS

DISCUSSED AND ADVISED
ANNUAL MEETING
SATURDAY JUNE 12 2021

ARTICLE #1 The premises shall be used for private, residential purposes only, with no industrial activity or enterprise to be permitted in connection with such residential occupation.

- A. The improvement or improvements to be made, constructed and maintained upon any portion of the premises shall be of a permanent nature for either seasonal or year round occupancy, and shall be limited to one such residence, together with all ordinary and usual appurtenant out-buildings and structures customary to the enjoyment of the residence, with the exception of No RV or Motor Homes or Camper Trailers to be occupied as a permanent or temporary structure.
- B. All permanent homes constructed on waterfront lots shall have a minimum of Eight Hundred (800) square feet of ground floor living area, exclusive of carport, breezeway or garage, in any, and be of new construction, and completed within twenty four (24) months after construction begins.
- C. All permanent homes constructed on second tier lots (off water) shall have a minimum Six Hundred Fifty (650) square feet of ground floor living area, exclusive of carport, breezeway and garage, if any, and will all be of new construction, and completed within twenty-four (24) months after construction begins.
- D. Modulares, Mobile and Manufactured Homes will be permitted on all lots, but must be a min of Six Hundred Fifty (650) - Eight Hundred (800) square feet floor living space. Any replacements must be replaced with a new Trailer or Modular with same square foot specifications, subject of approval.
- E. All facilities shall be constructed to fulfill the requirements of the Franklin, Williamson and Johnson Bi-County Health Codes and Building Codes.

DECLARATIONS OF RESTRICTIONS

WHEREAS, Charles Robertson and Patricia A Robertson, husband and wife, of the State of Illinois, is the record owners of that certain parcel of real estate situated in the County of Johnson, aforesaid more particularly described in "exhibit A" and platted in "exhibit B" attached hereto and made a part hereof by this reference.

WHEREAS, for the purpose of obtaining the most orderly and beneficial development of the land therein contained, it is desirable and necessary to limit the character and nature of the improvements to be made thereon and use of such premises.

NOW, THEREFORE, in order to obtain the benefits hereinabove described, the undersigned, as record owners of said premises for itself, its successors, grantees and assigns, does HEREBY DECLARE that the real estate described herein, shall, subject to the limitations and terms hereof, be and remain subject to the following restrictions to the use of the premises and nature and character of improvements to be made thereupon.

ARTICLE # 1. The premises shall be used for private, residential purposes only, with no industrial activity or enterprise to be permitted in connection with such residential occupation.

A. The improvement or improvements to be made, constructed and maintained upon any portion of the premises shall be of a permanent nature for either seasonal or year round occupancy, and shall be limited to one such residence, together with all ordinary and usual appurtenant outbuildings and structures customary to the enjoyment of the residence.

B. All cottages or permanent homes constructed on water front lots shall have a minimum of Five Hundred (500) square feet of ground floor living area, exclusive of carport, breezeway or garage, if any, and will all be of new construction, and completed within twenty-four (24) months after construction begins.

C. All cottages and homes constructed on second tier lots shall have a minimum of Four Hundred (400) square feet of ground floor living area, exclusive of carport, breezeway and garage, if any, and will all be of new construction, and completed within twenty-four (24) months after construction begins.

D. Trailers will be permitted on all lots but must have at least 300 square feet floor space.

E. All facilities shall be constructed to fulfill the requirements of the Franklin Williamson Bi-County Health Codes.

F. Use of water from the Lake of Egypt on and for the development and use of said premises by the Purchaser and his heirs and (or its) assigns shall be by special contract with the Seller under which the Purchaser abides by the rules and regulations relative thereto of the Seller.

G. Access to Lake of Egypt:

1. The Purchaser, his heirs (or assigns) shall have access to the lake with all the privileges for recreation according to the official rules and regulations governing the Lake of Egypt.

2. The Purchaser, his heirs or assigns, agrees to maintain the shoreline property to the extent necessary to prevent soil erosion and water pollution, and if necessary, to rip-rap the shoreline and build walkways to conform to good conservation practices.

3. The owner or owners of lots abutting the easement property lying between said lots and the lake shore, shall execute a standard official Lake of Egypt shoreline agreement.

ARTICLE #2. Form a not for profit corporation consisting of themselves as members, with power of assessment of its membership, for the purpose of providing an adequate system of "security lights" throughout the entire premises in such locations and at such intervals as will reduce to a minimum the danger of injury to persons or property inherent in a residential area during the hours of darkness. The not for profit corporation so formed shall be given all the powers necessary to maintain such privately owned lighting system and to enforce payment and collection of such sums from the owner of the premises as shall be necessary, from time to time, to keep such a system in operation and to defray the cost of providing service to itself on such equitable basis as the members thereof shall elect and provide in the by-laws of the corporation. Said not for profit corporation shall also put an assessment of TEN (\$10.00) Dollars per year on each lot as it is said in the Egyptian Hills subdivision. This money is to be spent on Roads in Egyptian Hills subdivision and may not be used for any other purpose, whatsoever. The obligation to accept membership in said not for profit corporation shall run with the land and every lot and part thereof as herein described and platted in exhibits "A" and "B",

A. Also not for profit corporation shall collect appropriate monies for office fund and related expenses.

ARTICLE #3. Any owner or occupant of any parcel, tract or lot in the premises herein described shall have the right to enforce compliance with or enjoin violation of any of the restrictions herein contained whether occurring or threatened against any other owner or

occupant by suit at law or in equity in a court of competent jurisdiction together with the right to recover costs of such proceeding including reasonable attorney's fees incurred in connection herewith upon obtaining a favorable judgment, order or decree. Any remedy or remedies available to an owner or occupant hereunder shall be cumulative, and the failure of any or all the owners or occupants to enforce compliance or enjoin violation in on instance shall not be construed to be a wainer of the right to seek relief against subsequent violations.

B. The restrictions herein contained shall be and remain in force and effect and shall be binding upon all owners or occupants of any portion of the premises herein described for a period of 20 years from and after the date hereof, subject to release, modification, revision, amendment or extension in the manner hereinafter provided.

C. When at any time prior to the expiration of these restrictions, the then owners of 75% of the total area of the premises herein described shall be written instrument agree to release, modify, revise, and amend or extean any or all of the restrictions herein contained, upon record of such instrument in the office of the recorder of deeds of Johnson County, aforesaid, these restrictions shall thereafter be so released, modified, revised, amended or extended according to the tenor of such instrument, and to that end and to that extent, all deeds of conveyance of any portion of the premises herein described shall be subject to the right, power and interest of other remaining owners of said premises, from time to time, to so release, modify, revise, amend, or extend the restrictions herein contained

D. Upon recording of this instrument in the office of the recorder of deeds of Johnson County, aforesaid, all grants or deeds of conveyance of any estate of interest in any portion of the premises herein described thereafter delivered shall be subject to and limited by the provisions herein contained by reference hereto to the same extent as would be if the terms and provision of this instrument were expressly contained in the body of the grant or deed of conveyance.

ARTICLE #4. The terms and provisions of the instrument shall be strictly construed in favor of the undersigned, its grantees, successors and assigns against any attack, whether direct or

collateral, and shall be deemed to be desirable, so that any judgment, order of decree rendering one or more of these restrictions unenforceable shall not affect the enforceability of the remaining restrictions.

BY LAWS OF CORPORATION

ARTICLE #5. – BOARD OF DIRECTORS

A. GENERAL POWERS. The affairs of the corporation shall be managed by a Board of Directors.

B. QUALIFICATIONS. The number of Directors shall be 9. Each director shall hold office for a three (3) year term and/or until his successors shall have been elected and qualified. A director may serve more than one term. All directors must be members of the Corporation and own property in Johnson County, Illinois.

C. REGULAR MEETING. A regular annual meeting of the Board of Directors shall be held without other notice than this by-law, immediately after, and at the same place as, the annual meeting of members. The Board of Directors may provide by resolution the time and place for the holding of additional regular meetings of the Board without other notice than such resolution, but the meeting shall be held in Johnson County.

D. SPECIAL MEETINGS. Special meetings of the Board of Directors may be called by or at the request of the President or any two (2) Directors. The person or persons authorized to call special meetings of the Board may fix any place within the County of Johnson and the State of Illinois, as the place for holding any special meeting of the Board called by them.

E. NOTICE. Notice of any special meeting of the Board of Directors shall be given at least two days previously to each Director on this telephone as shown by the records of the corporation. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed with postage thereon prepaid. Any Director may waive notice of any meeting. The attendance of a Director at any meeting shall constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular or special meeting of the Board need be specified in the notice of waiver of notice of such meeting, unless specifically required by law or by these by-laws.

F. QUORUM. A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board, provided, that is less than a majority of the Directors present may adjourn the meeting from time to time without further notice.

G. MANNER OF ACTING. The act of a majority of the Directors present at the meeting at which a quorum is present shall be the act of the Board of Directors, except where otherwise provided by law or by these by-laws.

H. VACANCIES. Any Vacancy occurring in the Board of Directors or any Directorship to be filled by reason of an increase in the number of Directors, shall be filled by the Board of Directors. A Director elected to fill a vacancy shall be elected for the unexpired term of his predecessor in office.

I. COMPENSATION. Directors as such shall not receive any states salaries for their services.

ARTICLE #6. – OFFICERS

A. OFFICERS. The officers of the corporation shall be a President, one Vice President, A Treasurer and a Secretary. The Board of Directors may elect or appoint such other officers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board of Directors.

B. ELECTION AND TERM OF OFFICE. The officers of the corporation shall be elected annually by the membership at the regular annual meeting. Vacancies may be filled at any

meeting of the Board of Directors. Each officer shall hold office until his successor shall have been duly elected and shall have qualified.

C. REMOVAL. Any officer or agent elected or appointed by the membership or Board of Directors may be removed the Board of Directors whenever in its judgment the best interests of the corporation would be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

D. VACANCIES. A vacancy in any office because of death, resignation, removal, disqualification of otherwise, may be filled by the Board of Directors for the unexpired portion fo the term.

E. PRESIDENT. The President shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He/she shall preside at all meetings of the members and of the Board of Directors. He/she may sign, with the Secretary, or any other proper office of the corporation authorized by the Board of Directors, any deeds, mortgages, bonds, contracts, or other instruments which the Board of Directors have authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors of by their by-laws or b y statute to some other office or agent of the corporation; and in general shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.

F. VICE PRESIDENT. In the absence of the President or in the event of the inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all the powers of, and be subject to all the restrictions upon the president. Any Vice President shall perform such other duties as from time to time may be assigned to him by the President or by the Board of Directors.

G. TREASURER. If required by the Board of Directors and membership, the treasurer shall give a bond for the faithful discharge of his duties in such sum and with such surity or sureties as the Board of Directors shall determine. He/she shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for money due and payable to the corporation from any source whatsoever, and deposit all such money in the name of the corporation in such banks, and in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him/her by the President or by the Board of Directors.

H. SECRETARY. The secretary shall keep the minutes of the meetings of the members and of the Board of Directors in one or more books provided for that purpose' see that all notices are duly given in accordance with the provisions of these by-laws or as required by law; be custodian of the corporate records, keep a register of the post office address of each member which shall be furnished to the secretary by such members, and in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned the him/her by the President of by the Board of Directors.

ARTICLE #7. COMMITTEES

A. COMMITTEES OF DIRECTORS. The Board of Directors, by resolution adopted by a majority of the Directors in office, may designate one or more committees, each of which shall consist of two or more Directors, which committees, to the extent provided in said resolution shall have and exercise the authority of the Board of Directors in the management of the corporation; but the designation of such committees and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Directors, of any responsibility imposed upon it or him/her by law.

B. OTHER COMMITTEES. Other committees not having and exercising the authority of the Board of Directors in the management of the corporation may be designated by a resolution adopted by a majority of the Directors present at a meeting at which a quorum is present. Except as otherwise provided in such resolution members of each such committee shall be members of the corporation, and the President of the corporation shall appoint the members thereof. Any member thereof may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the corporation shall be served by such removal. The President shall be ex officio member of each committee appointed.

C. TERM OF OFFICE. Each member of a committee shall continue as such until the next annual meeting of the members of the corporation and until his successor is appointed, unless the committee shall be sooner terminated, or unless such member be removed from such committee, or unless such member shall cease to qualify as a member thereof.

D. CHAIRMAN. One member of each committee shall be appointed chairman.

E. QUORUM. Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum and the act of a majority of the members present at a meeting at which a quorum is present shall be the act of the committee.

F. RULES. Each committee may adopt rules for its own government not inconsistent with these by-laws or with rules adopted by the Board of Directors.

ARTICLE #8. CONTRACT, CHECKS, DEPOSITS AND FUNDS

A. CONTRACTS. The Board of Directors may authorize any officer or officers, so authorized by these by-laws, to enter into any contract or execute and deliver any instrument in the name and on behalf of the corporation and such authority may be general or confined to specific instances.

B. CHECKS, DRAFTS, ETC. All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the corporation, shall be signed by President and Treasurer.

C. DEPOSITS. All funds of the corporation shall be deposited from time to time to the credit of the corporation in such banks.

D. GIFTS. The Board of Directors may accept on behalf of the corporation any contribution, gift, bequest, or devise for the general purpose or for any special purpose of the corporation.

ARTICLE #9 BOARD OF DIRECTORS.

A. GENERAL POWERS. The affairs of the corporation shall be managed by its Board of Directors.

ARTICLE #10. BOOKS AND RECORDS

A. The corporation shall keep correct and complete books and records accurately and shall also keep minutes of the proceedings of its members, Board of Directors. And committees having any of the authority of the Board of Directors, and shall keep at the registered principal office a record giving the names and address of the members entitled to vote. All books and record of the Corporation may be inspected by any member, or his agent or attorney for any proper purpose at any reasonable time.

ARTICLE #11. FISCAL YEAR

A. The fiscal year of the corporation shall begin on the first day of March and end of the last day of February in each year.

ARTICLE #12. DUES, DEFAULT

A. When any member shall be in default in payment of annual dues for a period of 3 months from the beginning of the period for which such dues become payable, see Article 3.

ARTICLE # 13. VOTING AND QUALIFICATIONS

A. Each member of the corporation shall have one vote regardless of number of lots owned by said voter. If one lot is owned by more than one person, there shall be but one vote per lot.

ARTICLE #14. WAIVER OF NOTICE

A. Whenever any notice whatever is required to be given under the provisions of the General Not For Profit Corporation Act of Illinois or under the provisions of the articles of incorporation or by the by-laws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time state therein, shall be deemed equivalent to the given time of such notice.

ARTICLE #15. ANIMALS

A. Domestic animals whether or not on private property must be controlled.

ARTICLE #17. BOAT DOCKS

A. There are to be no boat docks built on the point. All boat docks must be maintained in good and usable condition.

B. Docks owned on Ramp Road by off-water lot owners may be offered to new lot owner separately. If not sold to new lot owner, said dock to be offered to next off-water lot owner on waiting list for space on Ramp Road.

ARTICLE #18 PROPERTIES

A. All properties occupied or not shall have to be kept to standards fitting of the sub-division. If not maintained in an appropriate manner, lots will be cut at owners expense.

ARTICLE #19. AMENDMENTS TO BY-LAWS

A. These by-laws may be altered, amended or repealed and new by-laws may be adopted or at any special meeting, provided that at least thirty (30) days written notice is given of intention to alter, amend or repeal or to adopt new by-laws at such meeting.

ARTICLE #20.

The order of business of the corporation shall be:

1. Call to order
2. Roll Call of membership
3. Reading of minutes of previous meetings
4. Reports of Officers
5. Reports of Committees
6. Unfinished Business
7. New Business
8. Bills and Communications
9. Election of Officers
10. Debate for the good of the Corporation
11. Adjournment

BE IT FURTHER RESOLVED THAT THE ABOVE Resolution take effect and be in force from and after its passage, approval and signing and that all by-laws in conflict with this resolution be and the same are hereby repealed.