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AFTER RECORDING, RETURN TO:

(Not)
Gary L. Plomick, Esq
Schain, Burney, Ross & Citron, Ltd
222 North LaSalle Street
Suite 1910
Chicago, Illinois 60601

MCHEMRY COUNTY RECORDER
PHYLLIS K. WALTERS

2003R0056026

07/21/2003 03:00PM

PAGES 4

RECORDING FEE 19.00
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File

FIRST AMENDMENT TO THE FOURTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

OF DORAL RIDGE ESTATES UNIT NO. 1

THIS FIRST AMENDMENT TO THE FOURTH AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("First Amendment") made this 31 day of MARCH, 2003 by KENNEDY HOMES LIMITED PARTNERSHIP, an Illinois limited partnership ("Developer").

WITNESSETH:

WHEREAS, on or about July 16, 2001, Dzemat Mulasmajic, Doris J. Mulasmajic and Dzemat and Doris J. Mulasmajic, as Trustees under Trust Agreement dated December 11, 1997 and known as the Dzemat Mulasmajic Living Trust dated December 11, 1997 (hereinafter collectively referred to as "Original Developer") executed a Fourth Amended Declaration of Covenants, Conditions and Restrictions ("Fourth Amended Declaration"), which was recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, as Document Number 2001R0051200, which was recorded against the real estate legally described on Exhibit "A", which was attached hereto and made a part hereof;

WHEREAS, the Original Developer assigned all of its right, title and interest as Developer under the terms and conditions of the Fourth Amended Declaration to Kennedy Homes Limited Partnership, an Illinois limited partnership, which Assignment was recorded in the Office of the Recorder of Deeds of McHenry County, Illinois as Document Number 2001R0051199; and

WHEREAS, pursuant to Section 5.06 of the Fourth Amended Declaration, the Developer desires to modify the terms and conditions of the Fourth Amended Declaration, all as set forth herein.

POOR QUALITY
FOR IMAGING

19.00

03-064-0542

NOW, THEREFORE, in consideration of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration, the receipt, adequacy and sufficiency of which are hereby acknowledged, the Fourth Amended Declaration is hereby amended as follows:

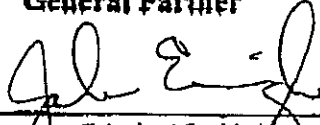
1. **Conflicts.** Wherever the terms and conditions of this First Amendment conflict with the terms and conditions of the Fourth Amended Declaration, the terms and conditions of this First Amendment shall control and govern. All other terms and conditions of the Fourth Amended Declaration are hereby resipated as if fully set forth in their entirety.

2. **Modifications to Fourth Amended Declaration.** The second sentence of Section 4.02(d) of the Fourth Amended Declaration shall be deleted in its entirety and the following sentence shall be inserted in its stead: "Said attached garage shall have a minimum of three hundred fifty (350) square feet of floor area".

IN WITNESS WHEREOF, Kennedy Homes Limited Partnership, an Illinois limited partnership has executed this First Amendment as of the day and date first above written.

**KENNEDY HOMES LIMITED
PARTNERSHIP**, an Illinois limited
partnership

By: **Kennedy Construction, Inc.**, an
Illinois corporation
Its: **General Partner**

By: 
Name: **JOHN EMIGH**
Its: **VICE PRESIDENT**

Q:\HOMF\CLP\AGREEMENT\KENNEDY-4TH-AMDED-DEC.doc
Draft #1: March 28, 2003 10:17 AM GLP

**POOR QUALITY
FOR IMAGING**

03-064-0543

STATE OF ILLINOIS

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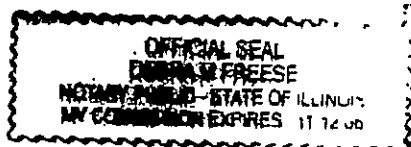
COUNTY OF COOK

) SS.

)

I, Debra M. Freese, a Notary Public in and for said County and State, DO HEREBY CERTIFY that, John Emich, as General Partner of Kennedy Construction, Inc., as General Partner of KENNEDY HOMES LIMITED PARTNERSHIP, an Illinois limited partnership, appeared before me this day in person and acknowledged that HE signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of said Partnership, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 21st day of MAY, 2003.



Debra M. Freese
Notary Public

POOR QUALITY
FOR IMAGING

03-064-0544

EXHIBIT "A"**LEGAL DESCRIPTION*****DORAL RIDGE ESTATES - MARENGO, ILLINOIS***

Lots 42 through 84, 118 through 127, 144 through 156 and Outlot A, inclusive, in Doral Ridge Estates Unit No. 1, being a subdivision of part of the Northwest Quarter of Section 1, Township 43 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded January 15, 1997 as Document 97R002432, all in Mc Henry County, Illinois.

Together with

Lots 35 through 41, 85 through 105, 113 through 117, 128 through 143, 157 through 167, Outlot A and Outlot B, inclusive, in Doral Ridge Estates Unit 2, being a subdivision of part of the Northwest Quarter of Section 1, Township 43 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded August 3, 2001 as Document 2001R0055915, as amended by Certificate of Correction recorded August 29, 2001 as Document 2001R0063038, as further amended by Certificate of Correction recorded October 10, 2001 as Document 2001R0077934, as further amended by Certificate of Correction recorded March 26, 2002 as Document 2002R0027996, all in Mc Henry County, Illinois.

Also together with

Lots 1 through 34, 106 through 112, and Outlot D, inclusive, in Doral Ridge Estates Unit 3, being a subdivision of part of the Northwest Quarter of Section 1, Township 43 North, Range 5 East of the Third Principal Meridian, according to the plat thereof recorded October 29, 2002 as Document 2002R0099024, all in Mc Henry County, Illinois.

Prepared by:

SURVEY SYSTEMS OF AMERICA, INC.

783 S. 8th Street

Dundee, Illinois 60118

847-428-5775

April 10, 2003

REJECTION NOTICE

This Document is NOT Recorded

Telephone 815/334-4110

Fax 815/338-9612

Email: pkwalter@co.mchenry.il.us

Web: www.co.mchenry.il.us/countydp/recorder

PHYLLIS K. WALTERS

McHenry County Recorder

Room A 280 • 2200 North Seminary Avenue
Woodstock, Illinois 60098DATE MAY 5-03✓ TOTAL FEE IS \$ 14.00

BALANCE DUE \$ _____

✓ CHECK NO 13345-18.00
100 cash ENCLOSED

_____ REFUND ENCLOSED (AMOUNT _____)

_____ CHECK IS NOT SIGNED () NOT INCLUDED () PAYABLE TO WRONG OFFICIAL ()

_____ INSTRUMENT NOT SIGNED

_____ NON-STANDARD FORM (as per Chap. 55 ILCS 5/3-5018, Eff 1-1-95) ADDITIONAL FEE REQUIRED() Not standard 8 1/2 x 11 page () Tape on attachments () Illegible - not reproducible
() No 3 x 5 Recorder's stamp space () Not white paper () Continuous page form

_____ LEGAL DESCRIPTION IS MISSING () INCORRECT () OUT OF COUNTY ()

_____ DOCUMENT NUMBER REFERRED TO INCORRECT () MISSING () NOT McHENRY COUNTY NO. ()

_____ GRANTEES ADDRESS MUST APPEAR ON THE FACE OF DEED (as per Chap 55 ILCS 5/3-5020 & 5026)_____ ANY INSTRUMENT AFFECTING TITLE TO REAL ESTATE MUST HAVE THE NAME & ADDRESS OF THE PERSON WHO PREPARED SUCH INSTRUMENT ON THE FACE THEREOF (as per Chap. 55 ILCS 5/3-5022)_____ ANY DEED HAVING A METES & BOUNDS LEGAL DESCRIPTION MUST HAVE A COMPLETED "PLAT ACT AFFIDAVIT" ATTACHED PLEASE CIRCLE THE APPROPRIATE NUMBER, SIGN AND HAVE NOTORIZED AND RETURN WITH DEED. (ENCLOSED)_____ DEED MUST HAVE EITHER A DATED & SIGNED EXEMPTION CERTIFICATE WITH PROPER LETTER OF EXEMPTION FILLED IN ON THE ORIGINAL DOCUMENT - OR - A COMPLETED REAL ESTATE TRANSFER DECLARATION FORM. IF STAMPS ARE TO BE PURCHASED, THEY MUST BE PURCHASED FROM THIS OFFICE.

_____ EXEMPTION CERTIFICATE NOT COMPLETED (SEE ENCLOSED LIST)

_____ DECLARATION FORM NOT PROPERLY COMPLETED (SEE HIGHLIGHTED AREAS)

✓ OTHER NO NAME OF SUBDIVISION ON FIRST
PAGE (PARTY TWO)IMPORTANT: RETURN THIS NOTICE WITH YOUR REPLYALL OF THE ABOVE CHECKED ADDITIONS OR CORRECTIONS MUST BE COMPLIED
WITH FULLY OR DOCUMENTS WILL NOT BE ACCEPTED FOR RECORDING.

MAKE CHECKS PAYABLE TO: PHYLLIS K. WALTERS McHENRY COUNTY RECORDER