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11/18/2002 08:36AM

SANGAMON COUNTY
ILLINOIS

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MARY ANN LAMM
SANGAMON COUNTY RECORDER

AMENDMENT TO COVENANTS AND RESTRICTIONS

FOR "FOXX CREEK ESTATES SUBDIVISION," FOURTH ADDITION

KNOW ALL MEN BY THESE PRESENTS THAT,

R. L. P. DEVELOPMENT COMPANY, INC., an Illinois corporation (hereinafter referred to as "Developer"), as the developer of Foxx Creek Estates Subdivision, Fourth Addition, does hereby file the following amendment to the Covenants and Restrictions for Foxx Creek Estates Subdivision, Fourth Addition, and does hereby amend Paragraph 4, "BUILDING LOCATION" to now read as follow:

"4. **BUILDING LOCATION.** Each building shall be located in compliance with the then current Village of Chatham's ordinances. No building shall be located on any Lot nearer to any street line than the building lines shown on said plat of the subdivision. No structure shall be located closer than eight (8) feet from any side lot line, or closer than thirty (30) feet from any rear lot line. However, where more than one lot is used for the construction of one dwelling overlapping the lot lines, the side line restrictions are hereby waived as to the lines between said combined lots, and the combined lots shall thereafter be considered one "lot" for purposes of these Covenants and Restrictions. For purposes of the setback requirements herein, eaves, steps and open porches shall not be considered a part of the building, provided however, that this shall not be construed to permit any portion of a building, on a Lot, to encroach upon another Lot."

All other provisions of the Covenants and Restrictions for Foxx Creek Estates Subdivision, Fourth Addition, shall remain in full force and effect except as specifically amended by this document, subject to the Developer's rights to amend as contained in the said Covenants and Restrictions for Foxx Creek Estates Subdivision, Fourth Addition. 2002R56754

R. L. P. Development Company, Inc. has caused this instrument to be executed on this 22nd day of October 2002.

R. L. P. DEVELOPMENT COMPANY, INC.,
an Illinois Corporation

By: 
Its President

(Corporate Seal)

ATTEST:

By: 
Its Secretary

000207

NOIS)
) ss.
OF MADISON)

I, Ann E. Dietrich, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Robert L. Plummer, personally known to me to be President and Secretary of the corporation which signed the foregoing document, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President and Secretary he signed and delivered the said instrument as President and Secretary of said corporation, and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and Notarial seal this 22nd day of October 2002.

Ann E. Dietrich
Notary Public

Prepared by and return to:

John A. Ess
Attorney at Law
514 East Vandalia Street
Edwardsville, IL 62025
618-656-1514

