

7

98R35115

15.00  
3.00  

---

18.00

DOC # \_\_\_\_\_  
CHAMPAIGN COUNTY, ILL

'98 NOV 17 PM 2 42

*Barbara A. Sacca*  
RECORDER

Amendments to Covenants, Restrictions,  
and Easements of Lots  
1301, 1302, 1303, 1304, 1305, 1306,  
1307, 1308, 1309, 1310, 1311, 1312,  
1313, and 1314 in  
Robeson Meadows Subdivision No. 3A

Return to:  
Richard L. Thies  
Webber & Thies, P.C.  
202 Lincoln Square  
Urbana, IL 61801

AMENDMENTS TO COVENANTS, RESTRICTIONS, AND EASEMENTS  
OF  
Lots 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308,  
1309, 1310, 1311, 1312, 1313, and 1314  
in  
ROBESON MEADOWS SUBDIVISION NO. 3A

Pursuant to paragraph 7, of Covenants, Restrictions, and Easements dated March 15, 1988 and recorded March 25, 1988 in book 1572 at page 474 as document 88R05087 in the Recorders Office of Champaign County, Illinois, and at the annual meeting of Heathwood Court Homeowner's Association November 1, 1998, the following amendments to said Covenants, Restrictions and Easements were adopted by the unanimous vote either in person or by proxy of each of the owners of the lots designated above and contained in the Robeson Meadows Subdivision No. 3A and said Covenants, Restrictions and Easements are hereby amended to read as follows:

5. Association and Administration.

d. Meetings: The first annual meeting of the voting members shall be held thirty days after the sale of 75 percent of all lots (lots 1301 - 1314, inclusive), or three (3) years after the recording of these covenants, restrictions, and easements, whichever is earlier. One more than half (8) of the lots must be represented by a voting member, or a duly constituted proxy, in order for a quorum to exist at any annual meeting or special meeting of voting members. Special meetings may be called at any time for the purpose of conducting matters which require the approval of the voting members.

f. Board of Managers:

(i) At each annual meeting, the voting members shall, by a majority of the total votes present at such meeting, elect a Board of Managers for the forthcoming year consisting of five persons. Three members of the Board of Managers shall constitute a quorum. Members of the Board shall serve, without compensation, for a term of one year. Vacancies in the Board may be filled by unanimous vote of the remaining members thereof. Except as otherwise provided in this agreement, the Association


shall be managed by the Board of Directors and the Board shall act by a majority vote of those present at its meetings when a quorum exists. Meetings of the Board may be called, held, and conducted in accordance with such regulations as the Board may adopt.


h. Assessments - Maintenance Fund:

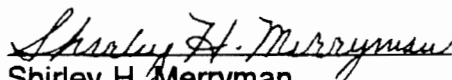
(i) Each year on or before December 1, or at such other time as the Board may select, the Board shall estimate the total amount necessary to pay the costs of service and supplies which will be required during the ensuing calendar year for the rendering of all services, together with a reasonable amount considered by the Board to be necessary for a reserve for contingencies, and shall notify each owner in writing as of the amount of such estimate, with reasonable itemization thereof. Said "estimated cash requirement" shall be assessed to the owners of all lots pro rata. On or before January 1 of the ensuing year, and on or before the first of each and every month of said year, each owner shall be obligated to pay to the Board or as it may direct, one-twelfth of the assessment made pursuant to this paragraph. On or before the date of the annual meeting of each calendar year, the Board shall supply to all owners an itemized accounting for the maintenance expenses for the preceding calendar year actually incurred and paid, together with a tabulation of the amounts collected pursuant to the estimates provided, and showing the net amount over or short of the actual expenditures plus reserves. Any amount accumulated in excess of the amount required for actual expenses and reserves shall be credited according to each owner's pro rata ownership to the next monthly installments due from owners under the current year's estimate, until exhausted, and any net shortage shall be added according to each owner's pro rata ownership due in the succeeding six months after rendering of the accounting.

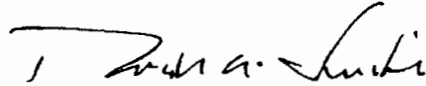
7. Amendment. The provisions of this agreement may be changed, modified, amended, or rescinded by an instrument in writing setting forth such change, modification, amendment, or rescission, signed and acknowledged by not less than 3/4 (three fourths) of the lot owners voting in person or by proxy. The change, modification, amendment, or rescission shall be effective upon recordation of such instrument in the office of the Recorder of Deeds of Champaign County, Illinois.

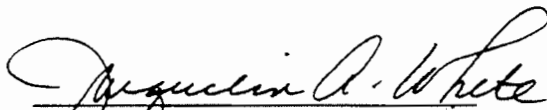
We, the members of the Board, do here certify that we acknowledge receipt of the above changes to the Covenants, Restrictions, and Easements of Robeson Meadows Subdivision 3A, and further certify and acknowledge that said amendments were adopted by the Board and by the unanimous vote of each of the owners of said lots.

  
Ivan W. Davis

  
Albert Fuson

  
Shirley H. Merryman

  
Ralph A. Smith

  
Jacquelin White

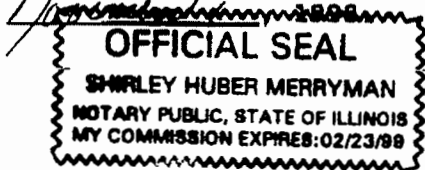
Dated this First day of November, 1998

98R35115

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CHAMPAIGN )

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify, that Coranthal Lewis and \_\_\_\_\_, personally known to me to be the same persons whose names appear 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.

Given under my hand and Notarial Seal this 1st day of November, 1998.

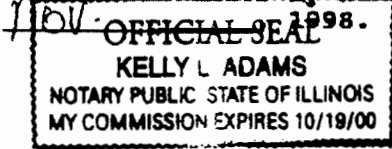


Shirley Huber Merryman  
Notary Public

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CHAMPAIGN )

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify, that Shirley D. Merryman and \_\_\_\_\_, personally known to me to be the same persons whose names appear 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.

Given under my hand and Notarial Seal this 1st day of November, 1998.



Kelly L. Adams  
Notary Public

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CHAMPAIGN )

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify, that Jacqueline A. White and \_\_\_\_\_, personally known to me to be the same persons whose names appear 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.

Given under my hand and Notarial Seal this 1st day of November, 1998.



Shirley Huber Merryman  
Notary Public

98R35115

STATE OF ILLINOIS )  
 )  
COUNTY OF CHAMPAIGN ) SS

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify, that Albert Johnson and \_\_\_\_\_, personally known to me to be the same persons whose names appear 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.

Given under my hand and Notarial Seal this 1st day of November, 1998.

OFFICIAL SEAL  
SHIRLEY HUBER MERRYMAN  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 02/23/99  
STATE OF ILLINOIS )  
COUNTY OF CHAMPAIGN )

Shirley Huber Merryman  
Notary Public

SS

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify, that Ralph A. Smith and \_\_\_\_\_, personally known to me to be the same persons whose names appear 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.

Given under my hand and Notarial Seal this 1st day of November, 1998.

OFFICIAL SEAL  
SHIRLEY HUBER MERRYMAN  
NOTARY PUBLIC, STATE OF ILLINOIS  
MY COMMISSION EXPIRES: 02/23/99  
STATE OF ILLINOIS )  
COUNTY OF CHAMPAIGN )

Shirley Huber Merryman  
Notary Public

SS

I, the undersigned, a Notary Public in and for said County and State aforesaid, do hereby certify, that \_\_\_\_\_ and \_\_\_\_\_, personally known to me to be the same persons whose names appear 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.

Given under my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

\_\_\_\_\_  
Notary Public

A F F I D A V I T

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CHAMPAIGN )

Ivan W. Davis, having been first duly sworn, deposes on oath and says as follows:

1. He is the President of Heathwood Court Homeowner's Association an Association of the owners of Lots 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, and 1314 in Robeson Meadows Subdivision No. 3A in Champaign County, Illinois. As such he is an officer of the Board of said Association.

2. He certifies that on the 5th day of November, 1998 he caused to be mailed by certified mail addressed to each mortgagee having bonafide liens of record against any duplex units in said subdivision a copy of the Amendments to Covenants, Restrictions, and Easements attached hereto.

Further affiant saith not.

Dated this 17<sup>th</sup> day of November, 1998.

Ivan W. Davis  
Ivan W. Davis

SUBSCRIBED AND SWORN TO before me this 17<sup>th</sup> day of November, 1998.

Susan Knuth  
Notary Public







2000R15432

RECORDED ON

07-11-2000 2:30:32

CHAMPAIGN COUNTY  
RECORDER  
BARBARA A. FRASCA

REC. FEE: 20.00

REV FEE:

PAGES: 9

PLAT ACT: 0

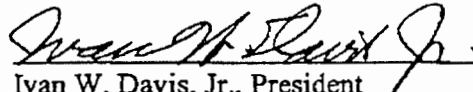
AMENDMENTS TO COVENANTS, RESTRICTIONS AND EASEMENTS  
TYPE OF DOCUMENT

Return to:  
Prepared by:  
David C. Thies  
Webber & Thies, P.C.  
202 Lincoln Square  
Urbana, IL 61801

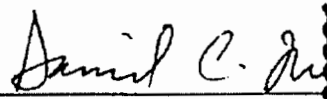
**AMENDMENT TO COVENANTS, RESTRICTIONS AND EASEMENTS OF LOTS  
1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313 AND 1314  
IN ROBESON MEADOWS SUBDIVISION NO. 3A**

Ivan W. Davis, Jr. hereby states that he is the President of the Heathwood Court Homeowners Association. In such capacity, he hereby states that attached hereto and dated July 9, 2000 is a statement of action taken by in excess of 75% of owners of the lots stated above. The effect of the said action is to amend the covenants, restrictions and easements dated March 15, 1988 and recorded March 25, 1988 in Book 1572 at Page 474 as document 88R05087, as amended by document dated November 1, 1998 and recorded November 17, 1998 as document 98R35115, each recorded in the office of the Recorder of Deeds of Champaign County, Illinois. This action was taken pursuant to paragraph seven of the said covenants, restrictions and easements as amended.

Dated this 10 day of July, 2000.

  
Ivan W. Davis, Jr., President  
Heathwood Court Homeowners Association

Subscribed and Sworn to by me  
this 10 day of July, 2000.

  
Notary Public

"OFFICIAL SEAL"  
David C. Thies  
Notary Public, State of Illinois  
My Commission Expires 1/29/04

PREPARED BY:  
DAVID C. THIES  
WEBBER & THIES, P.C.  
202 LINCOLN SQUARE  
URBANA, IL 61801

## HEATHWOOD COURT HOMEOWNERS ASSOCIATION

July 9, 2000

At a special meeting of the Heathwood Court Homeowners Association duly called for the specific purpose of amending the Covenants, Restrictions, and Easements, the following addition was approved by the owners whose signatures or proxies are part of this document:

Section 6. Heathwood Court was established with the expectation that home owners would be the sole occupants of their dwellings. Unit owner(s) shall not lease the unit or any part thereof.


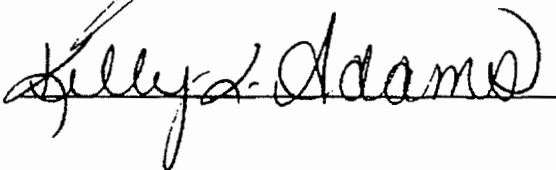
Owners	Address
<u>Mini Cozad Nygren</u>	2901
<u>Shirley H. Maryman</u>	2902
<u>Jean M. Laird Jr. Nancy L. Davis</u>	2903
<u>Ines C. Keller, by</u> <u>Jean M. Laird Jr. pursuant to Proxy</u>	2904
<u>Ron C. Guenther, by</u> <u>Jean M. Laird Jr. pursuant to Proxy</u>	2905
<u>Donald R. Dorn / Maria Dorn</u>	2906
<u>Albert Swan, by</u> <u>Jean M. Laird Jr. pursuant to Proxy</u>	2907
<u>Alvin Swan</u>	2908
<u>Ron A. Van L.</u>	2909
<u>John &amp; Kelly Adams by</u> <u>Jean M. Laird Jr. pursuant to Proxy</u>	2910
<u>[Signature]</u>	2911
<u>Paul &amp; Kathryn Magelli by</u> <u>Jean M. Laird Jr. pursuant to Proxy</u>	2912
<u>_____</u>	2913
<u>_____</u>	2914

PROXY

HEATHWOOD COURT HOMEOWNERS ASSOCIATION

The undersigned hereby appoint Ivan WS. Davis, Jr., Shirley Merryman, or \_\_\_\_\_, proxy of the undersigned with power of substitution, who may act at the Special Meeting of Heathwood Court Homeowners Association to be held on Sunday, July 9, 2000 and any adjournments thereof with respect to all items to which the undersigned would be entitled to vote, as fully as the undersigned could vote if personally present. This Proxy may be revoked by the execution of a Proxy bearing a subsequent date, or by written notice to the president, or by the presence of the homeowners(s) at the meeting as to any proposition upon which the undersigned votes in person.

WITNESS my (our) signature(s) this 8 day of July, 2000.

  
\_\_\_\_\_  
  
\_\_\_\_\_

PROXY

HEATHWOOD COURT HOMEOWNERS ASSOCIATION

The undersigned hereby appoint Ivan WS. Davis, Jr., Shirley Merryman, or \_\_\_\_\_, proxy of the undersigned with power of substitution, who may act at the Special Meeting of Heathwood Court Homeowners Association to be held on Sunday, July 9, 2000 and any adjournments thereof with respect to all items to which the undersigned would be entitled to vote, as fully as the undersigned could vote if personally present. This Proxy may be revoked by the execution of a Proxy bearing a subsequent date, or by written notice to the president, or by the presence of the homeowners(s) at the meeting as to any proposition upon which the undersigned votes in person.

WITNESS my (our) signature(s) this 8 day of July, 2000.

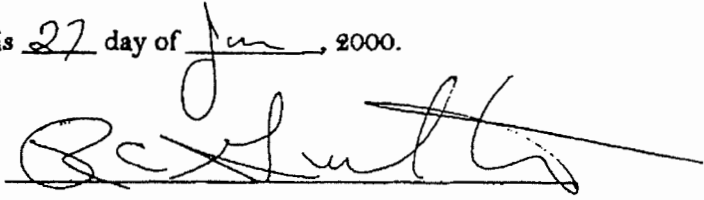
Ivan C Keller  
\_\_\_\_\_  
\_\_\_\_\_

PROXY

HEATHWOOD COURT HOMEOWNERS ASSOCIATION

The undersigned hereby appoint Ivan WS. Davis Jr., Shirley Merryman, or \_\_\_\_\_, proxy of the undersigned with power of substitution, who may act at the Special Meeting of Heathwood Court Homeowners Association to be held on Sunday, July 9, 2000 and any adjournments thereof with respect to all items to which the undersigned would be entitled to vote, as fully as the undersigned could vote if personally present. This Proxy may be revoked by the execution of a Proxy bearing a subsequent date, or by written notice to the president, or by the presence of the homeowners(s) at the meeting as to any proposition upon which the undersigned votes in person.

WITNESS my (our) signature(s) this 27 day of Jan, 2000.



\_\_\_\_\_

PROXY

HEATHWOOD COURT HOMEOWNERS ASSOCIATION

The undersigned hereby appoint Ivan WS. Davis, Jr., Shirley Merryman, or \_\_\_\_\_, proxy of the undersigned with power of substitution, who may act at the Special Meeting of Heathwood Court Homeowners Association to be held on Sunday, July 9, 2000 and any adjournments thereof with respect to all items to which the undersigned would be entitled to vote, as fully as the undersigned could vote if personally present. This Proxy may be revoked by the execution of a Proxy bearing a subsequent date, or by written notice to the president, or by the presence of the homeowners(s) at the meeting as to any proposition upon which the undersigned votes in person.

WITNESS my (our) signature(s) this 26 day of June, 2000.

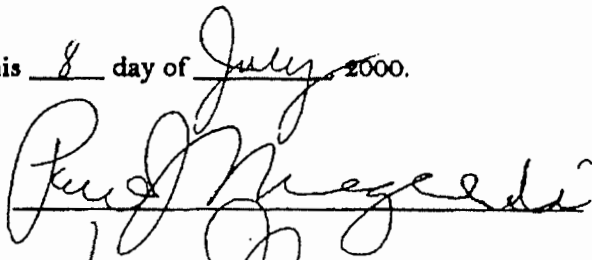
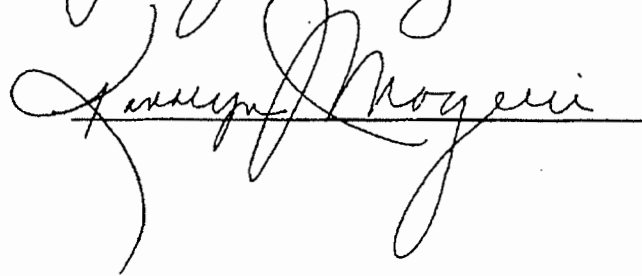
\_\_\_\_\_  
A. Furson  
\_\_\_\_\_

**PROXY**

**HEATHWOOD COURT HOMEOWNERS ASSOCIATION**

The undersigned hereby appoint Ivan WS. Davis, Jr., Shirley Merryman, or \_\_\_\_\_, proxy of the undersigned with power of substitution, who may act at the Special Meeting of Heathwood Court Homeowners Association to be held on Sunday, July 9, 2000 and any adjournments thereof with respect to all items to which the undersigned would be entitled to vote, as fully as the undersigned could vote if personally present. This Proxy may be revoked by the execution of a Proxy bearing a subsequent date, or by written notice to the president, or by the presence of the homeowners(s) at the meeting as to any proposition upon which the undersigned votes in person.

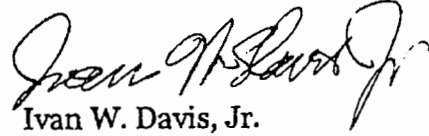
WITNESS my (our) signature(s) this 8 day of July, 2000.

  
\_\_\_\_\_  
  
\_\_\_\_\_

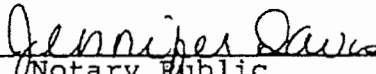


**Certificate of Mailing**

I certify that on June 26, 2000 I delivered to each mail box or mailed by United States mail the Notice of Special Meeting of the Heathwood Court Homeowners Association to be held on Sunday, July 9, 2000 to all owners of residences on Heathwood Court.

  
Ivan W. Davis, Jr.

Subscribed and Sworn to before me  
this 10th day of July, 2000.

  
\_\_\_\_\_  
Notary Public



After recording please return to:  
Ivan W. Davis, Jr.  
2903 Heathwood Court  
Champaign, IL 61821