

Prepared By:  
Michael E. Webster, Esq.  
Webster & Schelli, P.C.  
1730 Park Street, Suite 220  
Naperville, Illinois 60563

After Recording Return to:  
Michael E. Webster, Esq.  
Webster & Schelli, P.C.  
1730 Park Street, Suite 220  
Naperville, Illinois 60563

**FIRST AMENDMENT TO  
NINOVAN LAKE ESTATE, LLC  
DECLARATION  
OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS**

For Recorder's Use

This **FIRST AMENDMENT** is made and entered into by a greater than three quarters majority vote of the members of the NINOVAN HOMEOWNERS ASSOCIATION.

**RECITALS**

A. A Declaration of Covenants, Conditions, Restrictions and Easements for Ninovan Lake Estates Homeowners Association, Inc. (the "Declaration") was recorded in the office of the Recorder of Deeds for Grundy County, Illinois on May 7, 2002 as Document No. 402674.

B. That in accordance the Declaration of Covenants, Conditions, Restrictions and Easements for Ninovan Lake Estates Homeowners Association, Inc. a favorable vote from more than seven-five percent (75%) of the voting membership to approve an amendment to ARTICLE IX, Section 9.02 and Section 9.05.

**Therefore, the Declarant, for the purposes above set forth, hereby amends the Declaration as follows:**

1. That ARTICLE IX, Section 9.02, be deleted in its entirety and replaced with the following:

**"Section 9.02.** The Lots shall be used primarily for residential purposes provided; however, that an Owner may conduct his or her occupation in the residence provided that the following conditions are met:

a. No commercial activities open to the public shall be permitted;

b. Only the owner of the residence and any resident thereof shall be permitted to conduct the home occupation;

- c. Except for meetings with the resident, employees may not conduct regular business at the home.
- d. No signs shall be permitted in connection with any home based business;
- e. All ordinances and regulations of the appropriate governmental authority shall be complied with.

Such use is expressly declared customarily incidental to the principal residential use and not in violation of said restrictions.

- 2. That ARTICLE IX, Section 9.05, be deleted in its entirety and replaced with the following:

**“Section 9.05.** Each Dwelling Unit constructed on the various Lots shall meet the following minimum specifications:

**(a) Non-lake Lots:**

- i. Ranch homes shall have at least 1800 square feet of living space.
- ii. Two-story homes shall have at least 2200 square feet of living space with at least 1200 on the first floor.
- iii. First floor front elevations shall have some brick, stone, cedar, EIFS (i.e. "dryvit") or other approved material. Mortarless brick is expressly not permitted.
- iv. Vinyl siding is permitted on gables and dormers only.
- v. Driveways and parking areas must be constructed of a hard dust free surface material (concrete or brick).

**(b) Lots on Lake Ninovan:**

- i. Ranch homes shall have at least 2000 square feet of living space.
- ii. Two-story homes shall have at least 2600 square feet of living space with at least 1450 on the first floor.
- iii. First floor front elevations shall have some brick, stone, cedar, EIFS (i.e. "dryvit") or other approved material. Mortarless brick is expressly not permitted.
- iv. Vinyl siding is permitted on gables and dormers only.
- v. Driveways and parking areas must be constructed of a hard dust free surface material (concrete or brick).

**IN WITNESS WHEREOF**, the Declarant has caused this instrument to be executed this \_\_\_\_\_ day of September, 2006.

**DECLARANT: THE BOARD OF DIRECTORS OF  
NINOVAN LAKE ESTATES HOMEOWNERS  
ASSOCIATION, INC.**

By: \_\_\_\_\_  
Michael F. Mass, Its President

**STATE OF ILLINOIS**        )  
  )       **SS.**  
**COUNTY OF \_\_\_\_\_**        )

I, a Notary Public in and for said County in the State aforesaid, do hereby certify Michael F. Mass, President of the Ninovan Lake Estates Homeowners Association, Inc. personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Manager, appeared before me this day in person and acknowledged that he signed and delivered such instrument as his own free and voluntary act and as the free and voluntary act of said association, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this \_\_\_\_ day of \_\_\_\_\_, 2006.

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

My Commission expires:\_\_\_\_\_