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KAREN A. STUKEL
WILL COUNTY RECORDER
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PUBLISHED IN PAMPHLET FORM FOR THE FOLLOWING:

ORDINANCE 20-060

TITLED:

APPROVING THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASMENTS AND RESTRICTIONS FOR AMERICANA ESTATES HOMEOWNERS ASSOCIATION

VILLAGE CLERK
VILLAGE OF BOLINGBROOK

P.I.N. #s: See attached list.

PREPARED BY & MAIL TO:

VILLAGE CLERK'S OFFICE
VILLAGE OF BOLINGBROOK
375 W. BRIARCLIFF RD.
BOLINGBROOK, IL 60440

ORDINANCE 20-060

AN ORDINANCE APPROVING THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASMENTS AND RESTRICTIONS FOR AMERICANA ESTATES HOMEOWNERS ASSOCIATION

WHEREAS, Section 6(a) of Article VII of the 1970 Constitution of the State of Illinois provides that any municipality which has a population of more than 25,000 is a home rule unit, and the Village of Bolingbrook, Will and DuPage counties, Illinois, with a population in excess of 25,000 is, therefore, a home rule unit and, pursuant to the provisions of said Section 6(a) of Article VII, may exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and to incur debt; and

WHEREAS, the Mayor and Board of Trustees have determined that approving the THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR AMERICANA HOMEOWNERS ASSOCIATION attached hereto as Exhibit 1 and made a part hereof is in the best interests of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF BOILINGBROOK, WILL AND DUPAGE COUNTIES, ILLINOIS, IN THE EXERCISE OF ITS HOME RULE POWERS, AS FOLLOWS:

SECTION ONE: The Mayor and Board of Trustees find as facts the recitals hereinabove set forth.

SECTION TWO: The THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR AMERICANA ESTATES HOMEOWNERS ASSOCIATION attached hereto as Exhibit 1 shall be, and is hereby approved, and the Mayor is hereby authorized and directed to execute and the Village Clerk is hereby authorized and directed to attest to said Third Amendment in substantially the form attached hereto as Exhibit 1, subject to attorney review and approval. The Village Clerk is further authorized and directed to record said Third Amendment with the Recorder of Deeds of Will County.

SECTION THREE: Any policy, resolution, ordinance of the Village that conflicts with the provisions of this ordinance or the agreements approved herein shall be and is hereby repealed to the extent of such conflict.

SECTION FOUR: This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 27th DAY OF OCTOBER, 2020.

AYES:	6	Zarate, Lawler, Watts, Carpanzano, Jaskiewicz, Mayor Basta
NAYS:	0	None
ABSENT:	0	None

APPROVED THIS 27th DAY OF OCTOBER, 2020.

MARY S. ALEXANDER-BASTA
MAYOR

ATTEST:

CAROL S. PENNING, CMC
VILLAGE CLERK

PUBLISHED BY THE VILLAGE CLERK, IN PAMPHLET FORM, BY AUTHORITY OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF BOLINGBROOK ON OCTOBER 28, 2020.

STATE OF ILLINOIS)
COUNTIES OF WILL) SS
AND DU PAGE)

I, Carol S. Penning, certify that I am the duly elected and acting Village Clerk of the Village of Bolingbrook, Will and DuPage Counties, Illinois.

I further certify that on October 27, 2020, the Corporate Authorities of such municipality passed and approved Ordinance 20-060 entitled:

APPROVING THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR AMERICANA ESTATES HOMEOWNERS ASSOCIATION

The pamphlet form of Ordinance 20-060 including the Ordinance and a cover sheet, thereof, was prepared on October 27, 2020. Copies of such Ordinance are available for public inspection upon request in the office of the Village Clerk.

DATED at Bolingbrook, Illinois, this 28th day of October, 2020.

Carol S. Penning

Carol S. Penning, CMC
VILLAGE CLERK

20-060
Exhibit 1

THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR AMERICANA ESTATES HOMEOWNERS ASSOCIATION

WITNESSETH:

WHEREAS, the Village of Bolingbrook, Will and DuPage Counties, Illinois, an Illinois municipal corporation (hereinafter referred to as "Declarant" or "Village') recorded a declaration of Covenants, Conditions, Easements and Restrictions for American Estates Homeowners Association (hereinafter referred to as the "Association") with the Will County Recorder of Deeds, Will County, Illinois, as Document No. R 2004185406 on October 7, 2004 (hereinafter referred to as the "Declaration"); and

WHEREAS, the Declaration provides that McNaughton Realty, Inc., its successors and assigns is the "Developer" and has certain rights and obligations pursuant to the Declaration; and

WHEREAS, the rights and obligations of McNaughton Realty, Inc. as the Developer were conveyed via the Consultant Agreement dated September 28, 2004 between the Village and McNaughton Realty, Inc. (the "Agreement"); and

WHEREAS, the parties to the Consultant Agreement ceased to operate as if the Agreement were in full force and effect upon the death of its founder James McNaughton in 2010 (the "Terminating Event"); and

WHEREAS, upon the Terminating Event, the Declarant assumed responsibility for the Developer's control and authority with respect to the Architectural Review function as specified in Article 8 of the Declaration; and

WHEREAS, the Declarant hereby agrees that "Resident Owners" shall mean the Owners/ Members excluding the Village of Bolingbrook; and

WHEREAS, by Resolution dated June 10, 2019, the duly elected Board for the Association increased the size of the Board from three (3) persons to seven (7) persons; and the four (4) new duly elected board members are Resident Owners; and

WHEREAS, on or around January 1, 2020, the Declarant transferred its responsibility for Architectural Control to the duly elected Resident Owners serving on the Board for the Association; and

WHEREAS, the the Declarant desires to document this historical practice and provide clarity regarding Architectural Control; and

WHEREAS, pursuant to the terms and provisions of Article 8 of the Declaration providing the Declarant with the right to amend certain provisions of the Declaration affecting Architectural Control, the Declarant hereby amends the Declaration as follows:

1. The last sentence of Section 8.3 of the Declaration is hereby deleted in its entirety and replaced with the following. This Section regarding minimum size may be amended by the Declarant and the affirmative vote of fifty percent (50%) of the Resident Owners or upon an affirmative vote of ninety percent (90%) of the Owners.

2. Section 8.4 F. is hereby deleted in its entirety it being the intention of the Declarant that the Architectural Review Committee for the Association may approve any architectural style and exterior design as part of its authority as designated in Section 8.1.

3. The last two sentences of Section 8.4 of the Declaration is hereby deleted in its entirety and replaced with the following. This Section regarding construction standards may be amended by the Declarant and the affirmative vote of fifty percent (50%) of the Resident Owners or upon an affirmative vote of ninety percent (90%) of the Owners.

4. The last two sentences of Section 8.5 of the Declaration is hereby deleted in its entirety and replaced with the following. This Section regarding timely completion may be amended by the Declarant and the affirmative vote of fifty percent (50%) of the Resident Owners or upon an affirmative vote of ninety percent (90%) of the Owners.

5. The last two sentences of Section 8.6 of the Declaration is hereby deleted in its entirety and replaced with the following. This Section regarding maintenance during construction may be amended by the Declarant and the affirmative vote of fifty percent (50%) of the Resident Owners or upon an affirmative vote of ninety percent (90%) of the Owners.

IN WITNESS WHEREOF, the Declarant has caused its name to be signed to this document by its duly elected Officer this ____ day of September, 2020.

Its:

Attest:

Its:

STATE OF ILLINOIS

COUNTY OF WILL

BEFORE ME, the undersigned, a Notary Public, personally appeared Mary S. Alexander-Basta who executed the Third Amendment to the Declaration of Covenants, Conditions, Easements and Restrictions for the Americana Estates Homeowners Association as a free and voluntary act.

IN WITNESS WHEREOF, I have signed my name and affixed by official notarial seal on October 30, 2020.

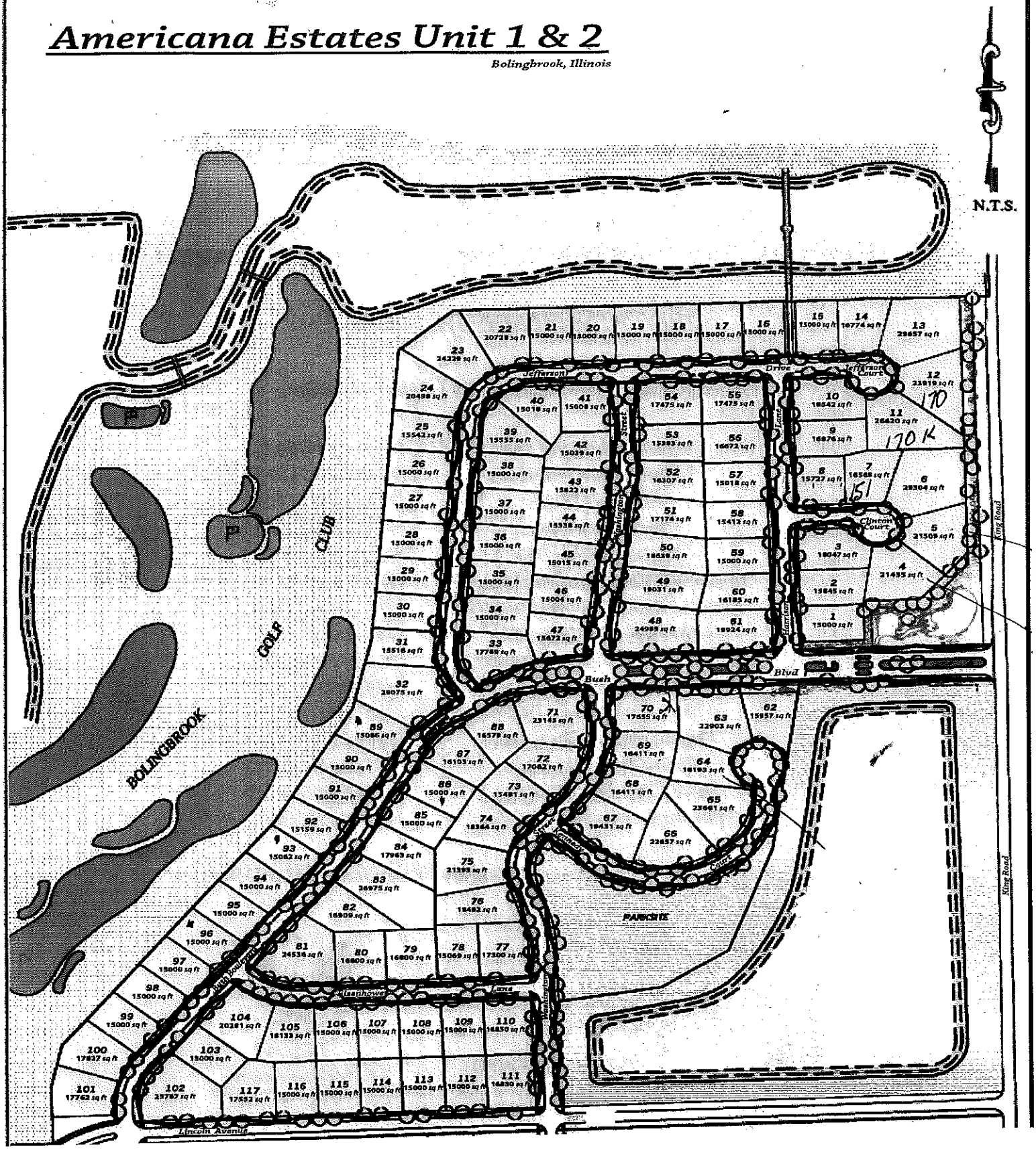
Notary Public

My commission expires: May 15, 2022

OFFICIAL SEAL
MARIA CRYSTAL TOVAR
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires May 15, 2022

Americana Estates Unit 1 & 2

Bolingbrook, Illinois



AMERICANA ESTATES LOT INFO

ALL ADDRESSES LISTED ON PAGES 1-3 ARE LOCATED IN BOLINGBROOK, IL

	PIN#	Street#	Street Name	Lot#
1	01-25-401-047	1172	Harrison Ln.	1
2	01-25-401-046	1168	Harrison Ln.	2
3	01-25-401-045	1164	Harrison Ln.	3
4	01-25-401-044	5	Clinton Ct.	4
5	01-25-401-043	4	Clinton Ct.	5
6	01-25-401-042	3	Clinton Ct.	6
7	01-25-401-041	2	Clinton Ct.	7
8	01-25-401-040	1	Clinton Ct.	8
9	01-25-401-039	1150	Harrison Ln.	9
10	01-25-401-037	1146	Harrison Ln.	10
11	01-25-401-038	5	Jefferson Ct.	11
12	01-25-401-036	4	Jefferson Ct.	12
13	01-25-401-035	3	Jefferson Ct.	13
14	01-25-401-034	2	Jefferson Ct.	14
15	01-25-401-033	1	Jefferson Ct.	15
16	01-25-401-031	1107	Jefferson Dr.	16
17	01-25-401-030	1111	Jefferson Dr.	17
18	01-25-401-029	1115	Jefferson Dr.	18
19	01-25-401-028	1119	Jefferson Dr.	19
20	01-25-401-027	1123	Jefferson Dr.	20
21	01-25-401-026	1127	Jefferson Dr.	21
22	01-25-401-025	1131	Jefferson Dr.	22
23	01-25-401-001	1135	Jefferson Dr.	23
24	01-25-401-002	1139	Jefferson Or.	24
25	01-25-401-003	1143	Jefferson Dr.	25
26	01-25-401-004	1147	Jefferson Dr.	26
27	01-25-401-005	1151	Jefferson Dr.	27
28	01-25-401-006	1155	Jefferson Dr.	28
29	01-25-401-007	1159	Jefferson Dr.	29
30	01-25-401-008	1163	Jefferson Dr.	30
31	01-25-401-009	1167	Jefferson Dr.	31
32	01-25-401-010	1171	Jefferson Dr.	32
33	01-25-402-008	1170	Jefferson Dr.	33
34	01-25-402-007	1166	Jefferson Dr.	34
35	01-25-402-006	1162	Jefferson Dr.	35
36	01-25-402-005	1158	Jefferson Dr.	36
37	01-25-402-004	1154	Jefferson Dr.	37
38	01-25-402-003	1150	Jefferson Dr.	38
39	01-25-402-002	1146	Jefferson Dr.	39
40	01-25-402-001	1142	Jefferson Dr.	40
41	01-25-402-009	1138	Jefferson Dr.	41

AMERICANA ESTATES LOT INFO				
	PIN #	Street #	Street Name	Lot #
42	01-25-402-010	1151	Washington St.	42
43	01-25-402-011	1155	Washington St.	43
44	01-25-402-012	1159	Washington St.	44
45	01-25-402-013	1163	Washington St.	45
46	01-25-402-014	1167	Washington St.	46
47	01-25-402-015	1171	Washington St.	47
48	01-25-403-007	1170	Washington St.	48
49	01-25-403-006	1166	Washington St.	49
50	01-25-403-005	1162	Washington St.	50
51	01-25-403-004	1158	Washington St.	51
52	01-25-403-003	1154	Washington St.	52
53	01-25-403-002	1150	Washington St.	53
54	01-25-403-001	1146	Washington St.	54
55	01-25-403-008	1147	Harrison Ln.	55
56	01-25-403-009	1151	Harrison Ln.	56
57	01-25-403-010	1155	Harrison Ln.	57
58	01-25-403-011	1159	Harrison Ln.	58
59	01-25-403-012	1163	Harrison Ln.	59
60	01-25-403-013	1167	Harrison Ln.	60
61	01-25-403-014	1171	Harrison Ln.	61
62	01-25-405-004	5	Kennedy Ct.	62
63	01-25-405-003	4	Kennedy Ct.	63
64	01-25-405-006	3	Kennedy Ct.	64
65	01-25-405-008	2	Kennedy Ct.	65
66	01-25-405-010	1	Kennedy Ct.	66
67	01-25-405-009	1200	Washington St.	67
68	01-25-405-007	1196	Washington St.	68
69	01-25-405-005	1190	Washington St.	69
70	01-25-405-001	1188	Bush Blvd	70
71	01-25-405-001	1188	Washington St.	70
72	01-25-404-001	1192	Bush Blvd.	71
73	01-25-404-012	1201	Washington St.	72
74	01-25-404-013	1205	Washington St.	73
75	01-25-404-014	1209	Washington St.	74
76	01-25-404-015	1213	Washington St.	75
77	01-25-404-016	1217	Washington St.	76
78	01-25-404-018	1900	Eisenhower Ln.	77
79	01-25-404-017	1904	Eisenhower Ln.	78
80	01-25-404-011	1908	Eisenhower Ln.	79
81	01-25-404-010	1912	Eisenhower Ln.	80
82	01-25-404-009	1916	Eisenhower Ln.	81

AMERICANA ESTATES LOT INFO				
	PIN #	Street #	Street Name	Lot #
83	01-25-404-008	1220	Bush Blvd.	82
84	01-25-404-007	1216	Bush Blvd.	83
85	01-25-404-006	1212	Bush Blvd.	84
86	01-25-404-005	1208	Bush Blvd.	85
87	01-25-404-004	1204	Bush Blvd.	86
88	01-25-404-003	1200	Bush Blvd.	87
89	01-25-404-002	1196	Bush Blvd.	88
90	01-25-401-011	1201	Bush Blvd.	89
91	01-25-401-012	1205	Bush Blvd.	90
92	01-25-401-013	1209	Bush Blvd.	91
93	01-25-401-014	1213	Bush Blvd.	92
94	01-25-401-015	1217	Bush Blvd.	93
95	01-25-401-016	1221	Bush Blvd.	94
96	01-25-401-017	1225	Bush Blvd.	95
97	01-25-401-018	1229	Bush Blvd.	96
98	01-25-401-019	1233	Bush Blvd.	97
99	01-25-401-020	1237	Bush Blvd.	99
100	01-25-401-021	1241	Bush Blvd	99
101	01-25-401-022	1245	Bush Blvd.	100
102	01-25-401-023	1249	Bush Blvd.	101
103	01-25-406-009	1250	Bush Blvd.	102
104	01-25-406-001	1925	Eisenhower Ln.	104
105	01-25-406-002	1921	Eisenhower Ln.	105
106	01-25-406-003	1917	Eisenhower Ln.	106
107	01-25-406-004	1913	Eisenhower Ln.	107
108	01-25-406-005	1909	Eisenhower Ln.	108
109	01-25-406-006	1905	Eisenhower Ln.	109
110	01-25-406-007	1901	Eisenhower Ln.	110
111	01-25-408-016	1900	Lincoln Ave.	111
112	01-25-408-015	1904	Lincoln Ave.	112
113	01-25-406-014	1908	Lincoln Ave.	113
114	01-25-406-013	1912	Lincoln Ave.	114
115	01-25-406-012	1916	Lincoln Ave.	115
116	01-25-406-011	1920	Lincoln Ave.	116
117	01-25-406-010	1924	Lincoln Ave.	117