

**DECLARATION OF
RESTRICTIONS**

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NANCY McCUNE
KNOX COUNTY RECORDER

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**DECLARATION OF RESTRICTIONS
for
DALEY COUNTRYSIDE SUBDIVISION,**

**a Subdivision of a part of Lots Numbered 2 and 3
of a Resubdivision of 1903 of the Northwest Quarter of Section Eleven (11),
Township Nine (9) North, Range Four (4) East of the Fourth Principal Meridian,
Knox County, Illinois**

This DECLARATION OF RESTRICTIONS is made this 1st day of October, 2001, by **VIVIAN M. DALEY**, presently of 1194 Nighthawk Court, Homestead, Florida 33035, the owner of and hereinafter designated as "Subdivider" of, the subdivision generally described as follows, to-wit:

Lots Numbered One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17) and Eighteen (18) of DALEY COUNTRYSIDE SUBDIVISION, a Subdivision of part of Lots Numbered Two (2) and Three (3) of a Resubdivision of 1903 of the Northwest Quarter of Section Eleven (11) in Salem Township, Township Nine (9) North, Range Four (4) East of the Fourth Principal Meridian, situated in the Village of Yates City, County of Knox and State of Illinois, pursuant to the Plat of the Survey thereof recorded in the Office of the Knox County, Illinois, Recorder on Oct. 1,, 2001, in Book 35 of Plats at Page 25;

Parcel Identification Number: 20-11-126-003;

Parcel Addresses: Williams Street, Union Street and Countryside Drive, Yates City, Illinois 61572;

which Subdivision is hereinafter referred to as "**DALEY COUNTRYSIDE SUBDIVISION.**"

All of the lots in the above described DALEY COUNTRYSIDE SUBDIVISION shall be SUBJECT TO the following covenants, conditions, restrictions and obligations and all persons, corporations,

All of the lots in the above described DALEY COUNTRYSIDE SUBDIVISION shall be SUBJECT TO the following covenants, conditions, restrictions and obligations and all persons, corporations, trusts and other entities who now hold or shall hereafter acquire any interest in any lot or part of DALEY COUNTRYSIDE SUBDIVISION shall be taken to agree and covenant with the others thereof and with their successors and assigns, to conform to and observe the covenants, conditions, restrictions and stipulations hereinafter as to the use thereof, the obligations created hereunder and as to the construction of residences and other appurtenances thereon, to-wit:

1. No lot shall be used for any purpose except for single-family residential purposes provided Lots Numbered Seven (7), Eight (8), Nine (9) and Ten (10) of the Subdivision may also be used for two-family residential (duplex) or multi-family purposes.
2. Any residence and other building or structure, erected wholly or partially on any lot, lots or part of lot or lots shall be governed by the following:
 - (a) The exterior thereof shall be erected from new materials;
 - (b) The floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than twelve hundred (1,200) square feet above ground and there shall be no basement houses or garage houses ("above ground" shall include floors not more than four (4) feet under the preexisting lot surface);
 - (c) No building or swimming pool shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing their location have been approved by Subdivider or her designated representative, and all swimming pools must be enclosed by a fence and must otherwise meet the County, State Board of Health and all Zoning requirements and restrictions;
 - (d) All outlets for sanitary sewerage waste shall be connected to the sanitary sewer system when available and shall otherwise conform to the requirements of the County and State Board of Health; and
 - (e) All electrical and telephone wires must be buried underground.
3. No building shall be located on any lot, nearer to the front line or the side street line, than the minimum building setback lines as shown on the plat of the Subdivision and as required by the Zoning Department having jurisdiction of zoning over the Subdivision.
4. No lot or combination of lots, shall be resubdivided for building purposes, in a fashion that would produce space for more residential units than the number of individual lots now provided for on said Plat.

5. No sign of any kind shall be displayed to public view on any lot, except professional signs not more than ten (10) square feet in area, advertising the property for sale or rent, or signs used to advertise the property during the construction and sale periods.
6. No oil or natural gas drilling, oil or natural gas development operations, oil or natural gas refining, quarrying or mining operations of any kind shall be permitted upon or in any lot nor shall oil or natural gas wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
7. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other domesticated household pets may be kept, provided that they are not kept, bred or maintained for any commercial use.
8. No lot shall be used or maintained as a dumping ground for rubbish or trash or garbage; and, no waste of any kind shall be kept thereupon except in sanitary containers which shall be kept clean and in a sanitary condition.
9. Each lot owner shall maintain his or her property in an attractive, tasteful and presentable condition. All weeds shall be cut and all landscaping shall be maintained in a presentable condition. No refuse, garbage, ashes, waste, debris or any offensive substance or material shall be kept or allowed to remain in the subdivision except temporarily in suitable containers.
10. No wallboard, sheet metal (this does not refer to aluminum, steel or other customarily used siding), tar paper or roofing paper shall be used for exterior wall covering or roofs.
11. No trailer, mobile home, basement, tent, shack, garage, barn or other outbuilding shall, at any time, be used as a residence, temporarily or permanently, nor shall there be any dwelling occupied until the exterior of said dwelling shall be completed.
12. The exterior of a dwelling must be completed within twelve (12) months after breaking ground for said dwelling.
13. No material excavated, by reason of building or other construction, shall be removed from the subdivision boundaries without the permission of Subdivider or her designated representative. No fills or embankments shall be made within the subdivision of materials other than earth, gravel or stone.
14. No enclosure or fence (excluding trees and shrubbery) shall be constructed along the approximate border line of any lot which would exceed five (5) feet in height or which would otherwise violate zoning laws of the County.
15. No shrubbery or trees on corner lots shall be permitted to grow of such size or density as unduly to obstruct the view of traffic.

16. All houses must be constructed by a qualified building contractor, approved by Subdivider or her designated representative.
17. The house must be completed within twenty-four (24) months from and after purchase of a lot, or Subdivider or her assignee or designated representative shall, at their option, have the right to purchase the lot back for its original selling price.
18. All front and side yards must be seeded or sodded upon completion of the house, season and weather permitting. All driveways must be paved from the street line to the garage within one year after the construction of the residence. Any public sidewalk built in front of any lot must be four (4) feet in width and one (1) foot from the property line or street right-of-way line.
19. Except as necessarily incidental to construction of the buildings and structures on the property, no new or used construction materials or supplies, junk, wrecked or unused machinery shall be kept or allowed to remain on the Subdivision premises, except inside the buildings. No inoperative vehicles or heavy duty commercial vehicles may be constantly parked in the Subdivision. Recreational vehicles, boats and trailers shall be garaged when not in use and totally concealed from view.
20. An Easement, as shown on the Plat of said Subdivision, is hereby reserved, for the use of the public utility companies, the Village of Yates City, Illinois, Subdivider, other lot owners and the general public, for drainage, sewer (storm and sanitary), water, electric, gas, cable television, and other utility purposes, to install, lay, construct, renew, operate and maintain drainage, water, sewer and gas pipes and lines, conduits, cables, poles and wires, either overhead or underground, with all necessary braces, guys, anchors and other appliances for the purpose of serving the Subdivision and adjoining property with gas, electric, telephone and cable service, including the right to use the streets where necessary, and to overhang all lots with aerial service wires to serve adjacent lots, together with the right to enter upon the lots at all times to install, lay, construct, renew, operate and maintain said water, sewer and gas pipes and lines, conduits, cables, poles, wires, braces, guys, anchors and other appliances, and to trim and keep trimmed any trees, shrubs or saplings that interfere with said public equipment. No permanent buildings or trees shall be placed on said Easement, but same may be used for gardens, shrubs and other purposes.

SPECIAL RESTRICTIONS
SEWER EJECTOR PUMPS AND PRIVATE SERVICE LINES

21. Sewer ejector (grinder) pumps and private service lines must conform to the following criteria:

(a) TYPICAL LAYOUT OF HOMEOWNER'S SYSTEM:

See the attached "EXHIBIT A" showing relative location of the pump, check valves, curb stop, etc.

(b) PUMP REQUIREMENTS:

- (i) If pumps are to be installed for individual buildings, a single pumping unit may be used. If grinder pumps are serving more than one building, duplex pumping units shall be required. In case of duplex pumps, the service connection and service line shall be upsized as required to meet the specific pumping situation. Use of duplex pumps shall be pre-approved by the Subdivider or her assignee or designated representative and by the Village of Yates City. All work required for alterations to the service connection in order to accommodate duplex pumps shall be previously installed at the homeowner's expense.
- (ii) Be able to grind and pump domestic sewage;
- (iii) Valve arrangements and connection shall be made so as to allow quick removal and replacement of equipment for maintenance purposes.
- (iv) Non-clogging pump and non-jamming grinder;
- (v) Integral anti-siphon valve; integral check valve;
- (vi) Able to pump against at least sixty (60) feet of total dynamic head ("TDH").

(c) TANK REQUIREMENTS:

- (i) Non-corroding material;
- (ii) Completely sealed tank;
- (iii) Self-scouring;
- (iv) Wet Well Capacity of at least one hundred fifty (150) gallons;
- (v) Anchored (ballasted) to prevent floating or other movement;
- (vi) All pump vaults shall be equipped with locking covers.

(d) LEVEL-SENSING CONTROLS:

- (i) Non-fouling type;
- (ii) High level warning alarm;
- (iii) An alarm system shall be provided in homes where grinder units are installed in the basement to alert the homeowner in case of pump malfunction. A visual alarm system shall be provided for those pumping units installed in a separate pumping vault outside of the home.

(e) VALVES AND PIPING:

- (i) Rated for one hundred sixty pounds per square inch (160 psi) minimum pressure;
- (ii) Non-corrodible;
- (iii) Tracer wire connection to main locator system for ease of locating non-metallic pipe; twelve (12) gauge solid copper wire, insulated, run in trench along service pipe; minimum allowable tracer wire connection shall be made with wire nuts wrapped with waterproof tape; bring tracer wire up at curb stop box as a detector connection point;
- (iv) Full ported ball valve type stops;
- (v) One and one quarter inch (1 1/4") diameter outlet pipe size unless otherwise allowed by Subdivider and Village of Yates City;
- (vi) Where non-metallic pressure sewer service piping (*i.e.* polyvinyl chloride (PVC)) is used, the sewer line should be clearly marked to prevent possible future cross-connections with water service lines.

GENERAL PROVISIONS

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them, for a period of twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years, unless an instrument signed by a majority of the then owners has been recorded, agreeing to change said covenants in whole or in part.

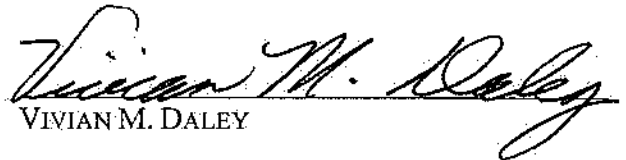
Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants, either to restrain violation or to recover damages. Such action may be begun by any other person or persons, owning any real property situated in said Subdivision.

Notwithstanding any other provisions herein contained, Subdivider reserves the right, as long as she shall own at least a majority of the lots in said Subdivision, to modify or annul any of the above Restrictions, by a written instrument or instruments, to be recorded in the County Recorder's Office of Knox County, Illinois; provided, however, that such modification or annulment shall not work a substantial detriment to the value of the remaining or other lots in said Subdivision.

Invalidation of any one of these covenants by Judgment or Court Order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, the Undersigned has hereunto executed this Declaration, this 18th day of October, 2001.

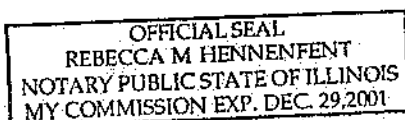
SUBDIVIDER:

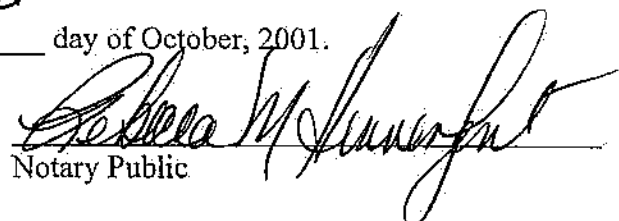

VIVIAN M. DALEY

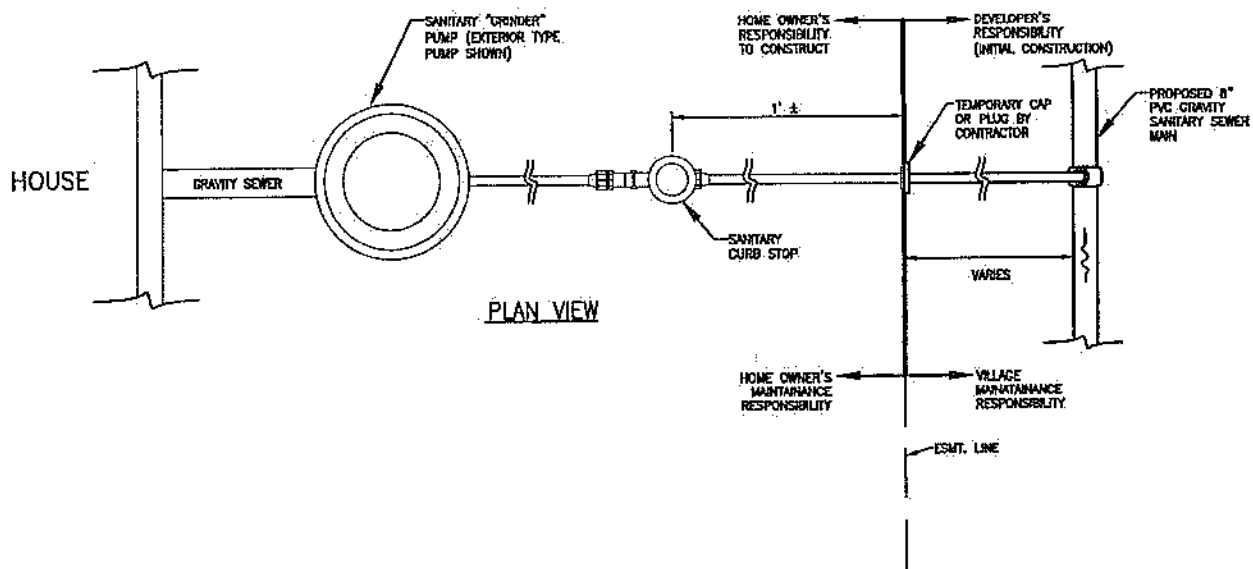
STATE OF ILLINOIS)
) SS.
COUNTY OF KNOX)

I, the Undersigned, a Notary Public in and for said County and State aforesaid, do hereby CERTIFY that VIVIAN M. DALEY, an unmarried person, who is 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 she signed and delivered the said instrument as her free and voluntary act, for the uses and purposes therein set forth.

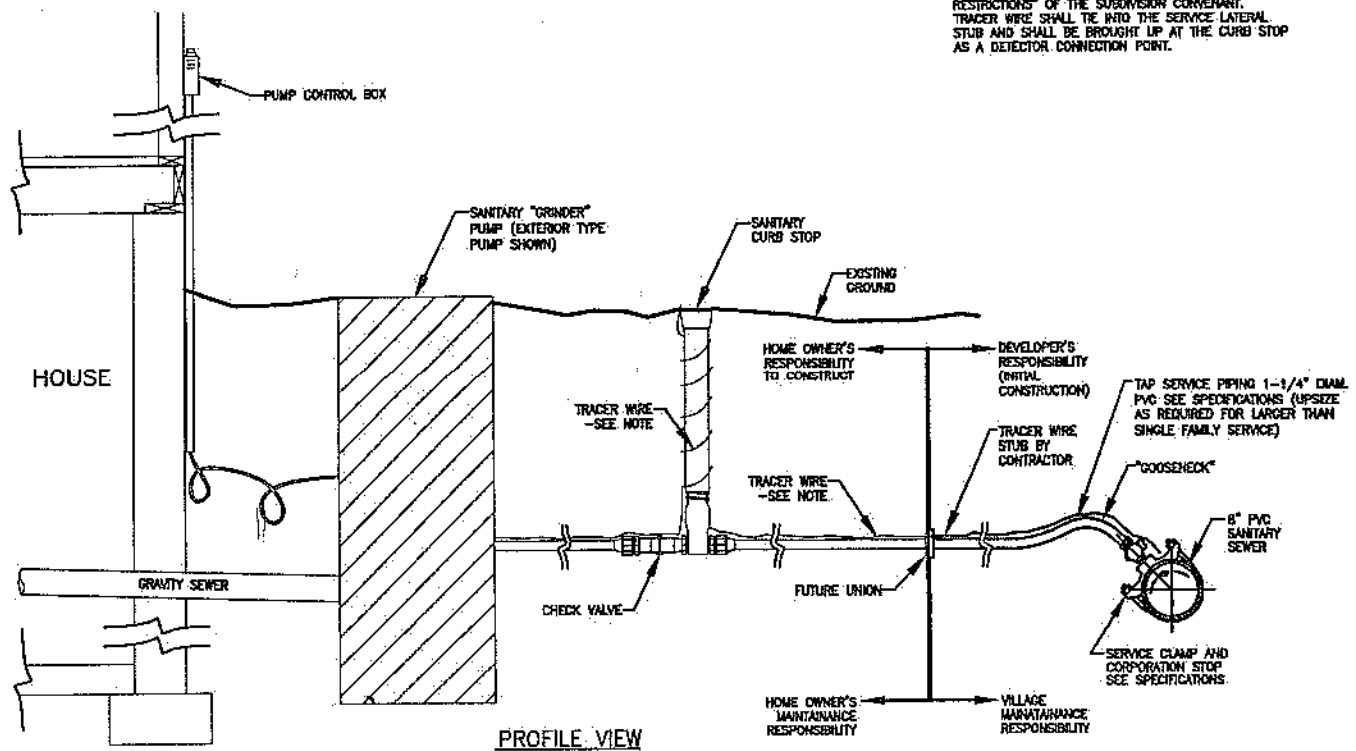
Given under my hand and Notarial Seal, this 18th day of October, 2001.




Notary Public



NOTE:
HOMEDOWNER SHALL INSTALL TRACER WIRE ON PRIVATE LINES IN ACCORDANCE WITH THE "SPECIAL RESTRICTIONS" OF THE SUBDIVISION COVENANT. TRACER WIRE SHALL BE BROUGHT UP AT THE CURB STOP AS A DETECTOR CONNECTION POINT.



TYPICAL SANITARY SERVICE DETAIL