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TRAILS ON SUNSET LAKE DEED RESTRICTIONS & COVENANTS

The undersigned, Weber Estates Investments, LLC, an Illinois Limited Liability Company, hereinafter referred to as "Owner", and Trails on Sunset Lake, LLC, an Illinois Limited Liability Company, hereinafter referred to as "Developer," hereby submit and subject the following to these Deed Restrictions and Covenants:

SEE EXHIBIT A ATTACHED HERETO

hereinafter referred to as "the property", or at times "the subdivision".

Owner and Developer reserve the right to add the following property to these Deed Restrictions & Covenants if and when Owner purchases the following property:

SEE EXHIBIT B ATTACHED HERETO

hereinafter the "add-on property".

The addition of the add-on property shall occur automatically upon title to the add-on property being vested in Owner or Developer.

Owner and Developer have proposed the development of the property in the manner depicted on the Trails on Sunset Lake Preliminary Plan, as prepared by The Farnsworth Group and as approved by the Town of Normal, Illinois.

These Deed Restrictions and Covenants are intended to restrict and encumber all of the property except the portions thereof depicted and described as:

Proposed Lot 85

5.3± acres fronting on Ft. Jesse Road

	Part of the add-on property
Proposed Lot 130	6.2± acres bounded by Airport Road, Shepard Road & Canyon Creek Road Part of the add-on property
Proposed Lot 129	5.1± acres bounded by Shepard Road and Canyon Creek Road Part of the add-on property

The portion of the property restricted and encumbered by these Deed Restrictions and covenants include:

Proposed Lots 1 – 38

Proposed Lots 86 – 128

And will when the add-on property is acquired, include Lots 47 – 84

(hereafter referred to as “Lots”)

Outlots 40 - 44, 45 & 46, 131, 132, 133, 134, 135, and will when the add-on property is acquired, include Outlots 136, 137, 138 and 139

(hereafter referred to as “Outlots”).

1. **PROPERTY USE** No use shall be made of said property except as is incidental to the occupancy thereof for residential purposes as permitted under the established zoning ordinances of the Town of Normal
2. **SETBACK LINES** The Town of Normal’s R-1B minimum lot square footage, building setback, front, side and rear yard requirements (lots 1 – 38 require 30’ front, 6’ sides and 35’ rear; lots 105 – 128, 25’ front, 5’ sides and 35’ rear; lots 86 – 104, 30’ front, 6’ sides, and 35’ rear) shall apply to the lots, notwithstanding the R-1A zoning.
3. **DEVELOPER APPROVAL** Each Lot Owner agrees to A.) present all building plans, including home and out building, if permitted, plans, specifications, colors, materials, plan to Developer, or its designated representatives, for approval prior to commencement of construction on any lot; B.) place no dirt from the excavation for the home on adjoining lots (violation of this item will place lot owner, builder and subcontractor in violation of the State of Illinois Erosion control Permit and subject to a Fifty thousand dollars (\$50,000) fine plus ten thousand dollars (\$10,000) per day if levied.; C.) finish grade, seed and straw any disturbed earth or vegetation on adjoining lots and complete exterior of home, including sodding or seeding of yard, within three (3) months of completion of construction; D) see to the removal of all building and construction debris from the property and adjoining lots, regularly and diligently during and after

construction; E.) Protect and maintain lot corner survey markers. Survey markers on lot lines and lot corners, if disturbed or lost shall be replaced by The Farnsworth Group and the cost will be paid by the Lot Owner. F) The Developer shall have a period of ten (10) days from receipt of written request from a lot owner in Trails on Sunset Lake to approve or disapprove the proposed construction plans for a specific lot. The decision of the Developer shall be final. Additional information or materials that the Developer may reasonably request shall be submitted to the Developer no later than thirty (30) days from the date of said request. As a result of said request for such additional information, the time for final construction plan approval shall be extended to a date thirty (30) days after the delivery of the requested additional documents or materials.

No residence, garage or out building, if permitted, shall be started, erected, placed, or altered on any lot until final written approval has been granted by the Developer. Conformity and harmony of the external design with the existing structures in Trails On Sunset Lake shall be considered. If Developer does not deny a properly made written request within the time frame stated above, approval by the Developer shall be deemed to have been given, provided, however, that no building or structure and no improvement, fixture or appurtenance in Trails On Sunset Lake shall be erected or installed if it violates any of the terms or provisions of these Restrictions.

Any Lot Owner desiring to obtain a construction plan approval shall place the request in writing and deliver said request to Developer. The following items shall be included in written request:

- A. A Site Plan, in scale, showing the lot in its entirety, together with the location of any existing or proposed buildings or structures or other proposed improvements, fixtures or appurtenances thereon. The Site Plan shall include, but shall not be limited to, Erosion Control Plan, a preliminary Landscape Plan showing location of existing or proposed driveways, and sidewalks. Said Erosion control Plan shall be signed by the Owner, Builder/Contractor and Landscaper before start of construction.
- B. Architectural drawings, elevations and illustrations for the proposed building structure, improvement, fixture, appurtenance or alteration shall be submitted. Samples of building materials to be used and colors of trim shall also be submitted.

In the approval of all plans, the Developer shall take into consideration preservation of the natural area of the lot, shall consider line of sight impact to nearby outlots, and shall examine the proposed plans of the lot owner submitted for approval as they relate to conservation of the balance of the lot not occupied by the footprint of the residence proposed to be built. The Developer may approve or disapprove the proposed conservation activities proposed by the lot owner and direct plans for improvement of the site and appropriate action as it relates to conservation of the natural elements of the lot and view to outlots.

4. **RESERVED.**
5. **LOT DRAINAGE, GRADING AND SILT CONTROL PLAN** Each lot owner shall submit a Drainage, Grading and Silt Control Plan (Erosion Control Plan) to the Developer for approval. Lot owners shall be responsible for directing their storm water drainage as to not create erosion on adjoining lots. Lot owners will notify Town of Normal in writing that grading is complete and ready for inspection. Town of Normal will inspect grading to confirm compliance at finish grade stage before landscape, seed and sod and will accept or reject work in writing. Sump pump drain lines and downspouts will not be allowed to discharge to the Outlots, adjoining lots or streets. The storm water from sump pumps must discharge in sump pump drain line where installed by Developer. Down spout water must not drain onto adjoining lots but rather in accordance with the overall subdivision drainage plan.

Silt Fences: Each lot owner shall install silt fences to prevent silt movement across the lot and to protect adjoining lots and outlots from any and all silt movement. Said Silt fences to be monitored after each rain by Lot Owner or contractor of Lot Owner to maintain and to protect the integrity of said silt fence. Any violation of this item will place lot owner, builder and subcontractor in violation of the State Of Illinois Erosion Control Permit and subject to a fifty thousand dollar (\$50,000) fine plus ten thousand dollars (\$10,000) per day if levied.

6. **SUMP PUMP DRAIN LINE EASEMENT** Sump Pump Drain Line Easements as shown on the Preliminary Plan and as dedicated on any Final Plat of the Trails on Sunset Lake property shall be for the purpose of laying, constructing, maintaining and repairing facilities for sump pump drainage pipe system across the referenced lots. The sump pump drainage pipe system in the easement shall be for the exclusive use of present and future homeowners sump pump discharge. No storm or gutter downspout water or surface drainage shall be allowed to enter the sump pump drainage pipe system. The cost to connect to and maintain said Drain Line shall be borne by the owners of each respective lot seeking connection thereto. No permanent buildings or improvements shall be constructed on the Sump Pump Drain Line Easement, provided, however, the surface land may be used for shrubbery or other lawn improvements which do not interfere with said Sump Pump Drain Line Easement. This easement grant includes the right of ingress and egress over the lots to and from the above noted easements for the purpose herein set forth. Said Sump Pump Drain Line Easement shall be binding upon the owners of the Lots, their respective heirs, executors, personal representatives, successors and assigns, as well as the owners of all other lots and their successors in interest benefiting therefrom, and shall run with the land.
7. **SUITABILITY TO BUILD** To the best of the Developer's knowledge all lots in the subdivision are suitable for single family home construction. Lot owners should consult with a structural engineer if they deem it necessary to determine if the site is suitable for the construction of the home.

8. **COMMENCEMENT OF CONSTRUCTION** Any individual or entity purchasing a lot in the subdivision must commence construction of residence within twenty four (24) months after conveyance of title unless a written extension is granted by the Developer. If the Developer grants such extension, the Developer may demand sidewalk installation and reimbursement of any utility deposits which remain unrefunded due to failure to hook up a residence on said lot, with the right to any future refund for said lot to be due to the lot owner.

9. **SQUARE FOOTAGE REQUIREMENTS** Homes built in the subdivision shall have the following minimum square feet of living area exclusive of garage, breezeway, porch, decks, attics, and basements;
 1. Lots 12 – 25 (Lake Lots)
 - a. One Level – Two thousand six hundred (2,600) square feet above ground.
 - b. Multiple Levels – Three thousand (3,000) square feet above ground with the first floor area not being less than one thousand eight hundred (1,800) square feet.
 2. Lots 1 – 11 and 26 – 39
 - a. One Level – Two thousand two hundred (2,200) square feet above ground.
 - b. Multiple Levels – Two thousand six hundred (2,600) square feet above ground.

10. **EXTERIORS**
 - A. Lots 12 – 25,
 - i. Each home shall have a minimum of thirty three percent (33%) brick, stone or synthetic type stone or stucco. Any siding on the front of the structure shall be simulated shake. All vinyl siding must have a minimum thickness of .042". The Developer shall have sole discretion for the review and approval of building plans and specifications, including calculation of exterior material percentages. Concrete blocks, cinder blocks, or poured foundation walls may not be exposed at the front, side or rear elevations of the exterior walls, except for a maximum of six inches (6") of foundation which may be exposed above the ground line.
 - B. Lots 1 – 11 and 26 – 38
 - i. Each home shall have a minimum of twenty five percent (25%) brick, stone or synthetic type stone or stucco. The balance of the exterior shall be approved by the Developer prior to the start of construction. Any siding on the front of the structure to be, at least, simulated shake. All vinyl siding must have a minimum thickness of .042". The Developer shall have sole discretion for the review and approval of building plans and specifications, including calculation of exterior material percentages. Concrete blocks, cinder blocks, or poured foundation walls may not be exposed at the front, side or rear elevations of the exterior walls, except for a maximum of six inches (6") of foundation which may be exposed above the ground line.

11. **CONSTRUCTION MATERIALS** Only new materials, except for brick and certain tile roof materials are to be used in the construction of the home. Except as necessarily

incidental to the construction of the buildings and structures on the property, no new or used construction materials or supplies, junk, wrecked or unused machinery and the like, shall be kept or allowed to remain within the subdivision boundaries.

12. **GARAGES** All garages must be attached to and be an integral part of the residence, shall conform to the main structure in character and design and shall be constructed for not less than two (2) passenger cars unless approved prior to construction by Developer.
13. **ROOFING** Roof pitch shall be a minimum of 8/12 for all ranch style homes and 8/12 on a multi-level home. Roofing materials shall be architectural style shingles, shakes, slate or tile. Three tab standard shingles will not be approved.
14. **FIREPLACES** Fireplace enclosures shall be constructed of brick, stone, synthetic type stone, synthetic type stucco or materials having the appearance of synthetic type stucco.
15. **SIDEWALKS** Each Owner agrees to have installed, at his own cost, within two years of purchase of a lot or within one (1) year of completion of construction of homes on eighty percent (80%) of the lots in the Subdivision or at the time of construction of the residence, whichever is sooner, a sidewalk along the entire street frontage (front and side, if any) of the lot in accordance with the provisions of the Town of Normal.
16. **DRIVEWAYS** All driveway openings at the curb shall be no greater than the width of the driveway plus a one foot (1') flare on each side. The back of the concrete curb shall be cut away to provide for aforesaid driveway opening. In no case shall the curb and gutter be broken away and reinstalled. The driveway approach from the back of the curb to the property line shall be in concrete. From the property line to the residence, the driveway may be of concrete, pavers, bricks or asphalt as provided for in the plans and specifications submitted to the Developer. In no event shall any driveway be installed until such time as the Developer has approved the proposed location for said driveway.

Lot Owners agree to install a temporary rock driveway during the construction of their home to prevent any soil (dirt) from tracking onto public streets. If soil does reach the public streets, lot owner shall have it removed prior to the end of that day or noncompliance may place lot owner, builder and subcontractor in violation of the State of Illinois Erosion Control Permit and subject to a fifty thousand dollar (\$50,000) fine plus ten thousand dollars (\$10,000) per day if levied.

17. **OFF-STREET PARKING** Each Lot Owner, at the time of construction shall provide a minimum of three (3) paved with asphalt or concrete spacing off street parking spaces exclusive of garage stalls. Said three (3) off street parking spaces may consist of the driveway to the house and/or any area in addition to the drive. No over night parking will be allowed on the street in front of the home nor will there be allowed any parking in said street for an extended amount of time.
18. **EXCAVATION DIRT** All materials excavated from any lot shall be removed from the subdivision unless permission is otherwise granted in writing by the Developer. Lot

Owner and/or excavator shall place no dirt from the excavation for the home on the adjoining lots. Dirt placed on adjoining lots or disturbed on adjoining lots is a violation of the erosion control permit and violators will be subject to State of Illinois Environmental Agency fines.

19. **TANK/RECEPTACLES** No tanks or other receptacles for storage of liquid or gas fuel shall be permitted to be installed or maintained in the subdivision boundaries.
20. **MAILBOXES** Mailboxes shall conform with the character, color and design established by the Developer. The Developer has adopted a uniform mail box and post design requirements, in conformity with the requirements specified by the U.S. Postal Service. Owner shall pay for mailbox, post and installation.
21. **FENCES & ENCLOSURES** All fences and privacy screens, shall be constructed solely of wood, wrought iron, aluminum or earth-tone vinyl , except for nails, bolts, and other hardware unless approved in writing by the Developer. Chain link fences will not be approved. Retaining walls, animal enclosures, outbuildings, swimming pools, and tennis court fencing may be of other materials as approved by the Developer. No fence can be built in front of the front yard . Request must be submitted to Developer with site plan, showing property lines, set backs, location of home and fencing, existing and planned, color, etc. Developer shall take into consideration preservation of the natural area of the lot, sight views to the outlots, and shall examine the proposed plans of the lot owner submitted for approval as they relate to conservation of the balance of the lot. Lots adjoining the lake must be enclosed by black simulated iron fencing.
22. **LANDSCAPING** A Preliminary Landscaping Plan must be approved by Developer. Each lot owner is required to plant a minimum of four (4) trees within 120 days of occupancy, and the trees must be at least 2” in diameter and of approved species. Landscaping of lot must occur within 90 days of certificate of occupancy. All lot owners must sod the front and seed the sides and rear, at a minimum, unless Developer agrees otherwise.
23. **CLOTHESLINES** No permanent or temporary clothesline or posts or other fixture for hanging clothes outside of the primary residence shall be constructed or maintained.
24. **GARBAGE RECEPTACLES** No receptacle used for the purpose of garbage storage shall be stored outside of a lot owner’s home or garage. The only exception to this restriction is on the scheduled day of garbage pick up. Garbage containers must be purchased from the Town of Normal for automated pick-up.
25. **POOLS** Swimming pools will be allowed provided prior written approval has been secured from the Developer. No above ground pools shall be permitted. Any swimming pool must comply with any of the Town of Normal ordinances or building codes.

