

1728568

SURVEYOR'S CERTIFICATE

I, DAVID R. LEHMAN, Illinois Professional Land Surveyor #2602 residing in Decatur, Macon County, Illinois, do hereby certify that, at the request of Jones Masonary Construction, Inc., I have surveyed the following-described real estate in accordance with the laws and statutes of the State of Illinois:

The East ½ of the Southwest ¼ of the Southwest ¼ of Section Thirty-five (35), Township Sixteen (16) North, Range Three (3) East of the 3rd P.M., except the East 200 feet of the South 218.05 feet thereof.

Warranty Deed, dated 6 September 2006, Book 3737, Page 242;
P.I.N. 09-13-35-300-005

Said tract being more particularly described as follows:

Beginning at a point, said point being an iron pin at the Southwest corner of the East ½ of the Southwest ¼ of the Southwest ¼ of Section Thirty-five (35), Township Sixteen (16) North, Range Three (3) East of the Third Principal Meridian; thence N. 00° 33' 20" E. (assumed), 1314.07 feet to a stone and corner post at the Northwest Corner of said East 1/2; thence S. 89° 21' 28" E., 665.57 feet to a stone at the Northeast Corner of said East 1/2; thence S. 00° 02' 57" W., 1042.72 feet on the East line of said East ½ to an iron pin; thence S. 90° 00' 00" W., 200.00 feet to an iron pin; thence S. 00° 14' 39" W., 218.28 feet to an iron pin on the South line of said section Thirty-five (35); thence N. 89° 27' 53" W., 476.42 feet to the point of beginning.

I have made a true and accurate survey, and divided the same into lots and streets hereinafter known as "WHISTLING MEADOWS SUBDIVISION" as shown on the attached plat made under my direction, which plat particularly describes and sets forth the lots. Bearings are based on an assumed North. No part of the property covered by this plat or subdivision is situated within 500 feet of a surface drain or watercourse serving a tributary area of 640 acres or more. The scale of the plat is indicated; all lengths and distances are marked on the plat in feet and decimal parts of feet. I have set iron pins (3/4" x 36") or concrete monuments at all lot corners as permanent monuments from which future surveys can be made. This professional service conforms to the current Illinois minimum standards for a boundary survey.

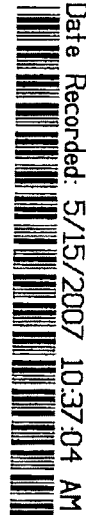
Dated this 13th day of March, 2007

TRIAD SURVEYING
DECATUR, ILLINOIS
184-003207



DAVID R. LEHMAN
Illinois Professional Land Surveyor #2602
Expires NOV 30, 2008

Date Recorded: 5/15/2007 10:37:04 AM



964
Macon Co., Illinois - S.S. by Mary A. Eaton, Recorder
Book: 1832 Page: 964
Receipt #: 6185
Pages Recorded: 11
RHSP Included: 5/15/2007: \$10.00
Recording Fee: \$89.00
Macon Co., Ill.

MACON COUNTY SUBDIVISION ORDINANCE OWNER'S DECLARATION

Jones Masonary Construction

BE IT KNOWN THAT _____, owner of the real estate described in the attached Surveyor's Certificate, situated in Macon County, Illinois, does hereby subdivide said tract of land, and does hereby make the attached plat of said subdivision for the purposes of the sale of lots therein by number as designated on said plat, and the undersigned does hereby designate the said Subdivision as Whistling Meadows Subdivision and the said Subdivision shall be known hereafter; and does hereby dedicate to the public to be used as pubic highways or streets and also for sewers, water mains, drainage facilities and public utility purposes, that portion of the above described premises shown on the plat as streets or right of way; and does hereby dedicate for drainage and public utility purposes the various easements so designated as "Easements for Drainage and Public Utilities"; hereby waiving in such portions so dedicated all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

The owners bind themselves, their successors, grantees and assigns as a covenant running with the land to compliance with all State and local laws, in effect from time to time, prohibiting discrimination or segregation by reason of race, religion, color, or national origin in the sale, lease, rental, use or occupation of the premises with such platted land or any part thereof, or the improvements thereon.

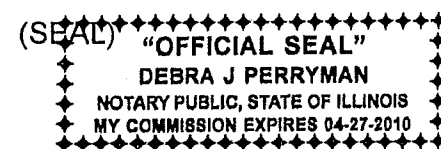
Owner's Signature: Michael R Jones Date: 4-4-07
Matthew Ahrendt 4-4-07

STATE OF ILLINOIS)
) SS.
COUNTY OF MACON)

The undersigned, a Notary Public in and for the above county and state, certifies that Mike Jones & Matt Ahrendt, personally known to me to be the same person whose name is subscribed to the foregoing instrument, before me this day and acknowledge that he signed, sealed, and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

SUBSCRIBED AND SWORN TO before me this 4th day of April 2007

Notary Public: Debra Perryman



OWNERS' DECLARATION

BE IT KNOWN, that JONES MASONARY CONSTRUCTION COMPANY, an Illinois Corporation, owners of lots 1 thru 25 of Whistling Meadows as described in the forgoing Certificate of Surveyor, does hereby subdivide said tract of land and designate the said subdivision as Whistling Meadows, all as shown on the plat thereof for the purposes of sale of lots with reference to the description and number of the several lots as designated on said plat. There is hereby dedicated to Macon County and the public to be used as and for streets that portion of the said described premises shown on the plat as streets. There is created an easement appurtenant to each lot of said subdivision for the purposes of installation, use, maintenance, repair and replacement of utilities, including water, sewer, gas, electricity and telephone; with the right to use reasonable working space adjacent to said easement and ways of access thereto such as are needed during construction, repair or maintenance of such facilities. No trees, shrubbery, fences, swimming pools (above or below ground), decks, permanent structures or materials shall be placed upon or permitted to remain upon and within said easements which may cause damage or interfere with the installation, operation or maintenance of utilities. The depth of any dirt cover over any underground utility shall not be reduced.

There is hereby waived all rights under and by virtue of the exemption laws of the State of Illinois in said dedicated areas.

The use of lots 1 thru 25 in said subdivision is restricted as follows:

1. LAND USE AND BUILDING TYPES: No building shall be erected, altered, placed or permitted to remain on any lot unless said building is approved by the Architectural Control Committee.

2. ARCHITECTURAL CONTROL: No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plot plan showing the location of the structures have been approved by the Architectural Control Committee as to quality of workmanship and material, harmony of exterior design with proposed and existing structures, and as to location with respect to adjoining properties, topography, trees, shrubs and finish grade elevation. Exterior structures including installation or replacement of mailboxes, basketball hoops, swing sets, and similar sports and play equipment, clothesline, garbage cans, wood piles, swimming pools, gazebos or playhouses, window air conditioning units or fans; hot tubs, solar panels, antennas, satellite dishes, exterior lighting visible from the street, hedges, walls, dog runs, animal pens or fences (fences may only come up the back edge of the house), of any kind may not be placed or altered upon the lots unless approved by the Architectural Control Committee as hereinafter provided.

3. DWELLING TYPE, QUALITY AND SIZE: No residential dwelling of a ground floor area of less than Eighteen Hundred (1800) square feet, if one (1) story; and of less than One Thousand Two Hundred (1200) square feet, if two (2) stories, exclusive

of open porches and attached garages. All construction shall be of new materials and of quality workmanship and shall be completed within one (1) year after issuance of a building permit.

4. EASEMENT: Easements for installation and maintenance of utilities and drainage facilities are reserved as shown in the recorded plat. In addition to the drainage facilities as shown on the map, there are various tile drains which lie below the surface. The owners hereby reserve an easement for the benefit of those persons now or who may be in the future connected to these tiles. The purchase of any lot in this subdivision shall have the duty to maintain existing drainage system at their own expense and lot owners of this addition shall allow necessary maintenance to be done on their property as required by any persons of the property now hooked on to these tiles.

5. BUILDING LOCATION: No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the recorded Plat. No principal building shall be located nearer than ten (10) feet to an interior lot line, no accessory building shall (200 square feet or under) be located any closer than ten (10) feet to an interior lot line.

6. NUISANCE: No obnoxious or offensive activity shall be carried upon any lot, nor shall anything be done thereon which may be or become annoyances or nuisance to the neighborhood. The owners of each lot are responsible for maintaining their lot in a proper condition, controlling grass, weeds and erosion. To the extent provided by law, Jones Masonary construction Co. and or Macon County may mow uncontrolled grasses and weeds and place a lien on the property for the payment of such service. A decision by the Architectural Control Committee that the vegetation on a lot is not being controlled and notice to the owner in writing given at least five (5) days before such service is performed shall be deemed sufficient notice.

7. TEMPORARY STRUCTURES: No structure of a temporary character, trailer, basement, tent, shack, garage, or other building shall be used on any lot at any time as a residence, either temporarily or permanently.

8. SIGNS: No signs of any kind shall be displayed to the public view on a lot except one (1) professional sign of not more than four (4) square feet, one (1) sign of not more than six (6) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during a reasonable construction and sales period.

9. LIVESTOCK AND POULTRY: No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided they are not kept, bred, or maintained for any commercial purpose.

10. GARBAGE AND REFUSE DISPOSAL: No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste nor shall same be kept except in sanitary containers. All incinerators or other equipment for storage or disposal of such material shall be kept in a clean and sanitary condition.

11. **SOD, DIRT, ROCKS:** No sod, dirt or rocks shall be taken out of the subdivision as long as there is good use for this material for filling in any part of the subdivision. The Architectural Control Committee shall designate a place or places within the subdivision for dumping of such material as long as it is so needed.

12. **CONCRETE SIDEWALK:** There will be a four (4) foot wide sidewalk extending from property line to property line eleven (11) feet from back of curb to front of sidewalk following the contour of the road. The sidewalk will be four (4) inches above the elevation of the curb. There will be $\frac{1}{4}$ of an inch of slope from the back to the front of the sidewalk (towards the road).

13. **ARCHITECTURAL CONTROL COMMITTEE:**

- (A) The Architectural Control Committee is composed of Matthew L. Ahrendt and Michael R. Jones.
- (B) A majority of the Committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representative, shall be entitled to any compensation for services performed pursuant to this covenant. At any time the then record owners of two-thirds (2/3) of the lots shall have the power through a duly recorded written instrument to change the membership of the Committee or to withdraw from the Committee or restore to it any or all of its powers and duties.
- (C) The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee or its designated representative fails to approve or disapprove within thirty (30) days after plans and specifications have been submitted to it, or in the event no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

DATED this 14 day of FEBRUARY, 2007.

JONES MASONARY CONSTRUCTION
COMPANY., An Illinois Corporation,

BY Michael R. Jones
Michael R. Jones, President

Matthew L. Ahrendt
Matthew L. Ahrendt, Treasurer

SCHOOL DISTRICT CERTIFICATE

STATE OF ILLINOIS)
(SS
COUNTY OF MACON)

This is to certify that, to the best of our knowledge, the property described in the Surveyor's Certificate, which will be known as "WHISTLING MEADOWS SUBDIVISION" is located within the boundaries of Mount Zion School District, Macon County, Illinois.

Dated this 4th day of April, 2007.

Michael R Jones
JONES MASONARY CONSTRUCTION INC.
Michael Jones, Owner

Matthew Ahrendt
JONES MASONARY CONSTRUCTION INC.
Matthew Ahrendt, Owner

STATE OF ILLINOIS)
(SS
COUNTY OF MACON)

The undersigned, a Notary Public in and for the above county and state, certifies that Mike Jones and Matthew Ahrendt, personally known to me to be the same person whose name is subscribed to the foregoing instrument, before me this day and acknowledge that they signed, sealed, and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

SUBSCRIBED AND SWORN TO before me this 4th day of April 2007.

Notary Public Debra J Perryman

(SEAL) *****
"OFFICIAL SEAL"
DEBRA J PERRYMAN
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 04-27-2010

**MACON COUNTY SUBDIVISION ORDINANCE
HEALTH DEPARTMENT APPROVAL**

STATE OF ILLINOIS)
) SS.
COUNTY OF MACON)

MACON COUNTY HEALTH DEPARTMENT

We, being the Macon County, Illinois, Health Department do hereby certify that the attached Plat of Whistling Meadows Sub (Name of Subdivision) has been examined by us and that the subdividers' plans and specifications comply with this Department's rules and regulations governing subdivisions for Macon County, Illinois.

DATED this 4th day of April, 2007.

Charles Tribout
Macon County Health Department

**MACON COUNTY SUBDIVISION ORDINANCE
TOWNSHIP HIGHWAY COMMISSIONER APPROVAL**

STATE OF ILLINOIS)
) SS.
COUNTY OF MACON)

APPROVAL OF TOWNSHIP HIGHWAY COMMISSIONER

I, being the Township Highway Commissioner of Long Creek Township, hereby
approve the Plat of Whistling Meadows Sub (Name of Subdivision) with respect to
roadway access.

DATED this 9 day of April, 2007.

R. Dean Rhodes
Highway Commissioner

**MACON COUNTY SUBDIVISION ORDINANCE
COUNTY ENGINEER APPROVAL**

STATE OF ILLINOIS)
) SS:
COUNTY OF MACON)

I, Bruce Byrd, being the County Engineer for Macon County, Illinois, do hereby certify that the attached Plat of Whistling Meadows Sub has been examined by me and that the subdividers' plans and specifications comply with the rules and regulations governing subdivisions for Macon County, Illinois.

DATED this 9th day of APRIL, 2007.


County Engineer for Macon County, Illinois

TAX CERTIFICATE

STATE OF ILLINOIS)
(SS
COUNTY OF MACON)

I, Stephen M. Bean, County Clerk in and for the County and State aforesaid, do hereby certify that I find no redeemable tax, tax sales or unpaid forfeited taxes against any of the real estate described in the foregoing Plat of "WHISTLING MEADOWS SUBDIVISION" (Permanent Index Number 09-13-35-300-005).

IN WITNESS WHEREOF, I have hereunto set my and official seal, this 13th day of March, 2007.

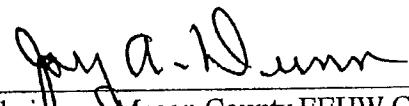
Stephen M. Bean
County Clerk

APPROVAL OF MACON COUNTY ENVIRONMENTAL,
EDUCATION, HEALTH, AND WELFARE COMMITTEE

STATE OF ILLINOIS)
(SS
COUNTY OF MACON)

This is to certify that the attached Plat of "WHISTLING MEADOWS SUBDIVISION" and accompanying certificates were submitted to the Environmental, Education, Health and Welfare Committee and was approved by said committee.

Dated this th 15 day of May, 2007.



Chairman, Macon County EEHW Committee

