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State of Illinois SS I Hearsby
Macon County That This Instrument Was Filed Per
Record At 10:40 am

JUN - 9 1995

Recorded in Book 1832 Page 524
Edwin J. Tangney Jr.
Fee 64.00 pd Recorder

PLAT & SURVEY

Russell A. Goodwin

Mary L. Goodwin

RUSTLING WATERS III
FIRST ADDITION
SURVEYOR'S CERTIFICATE

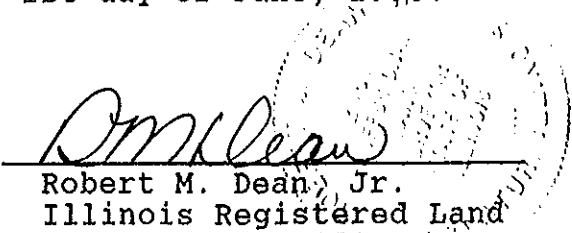
STATE OF ILLINOIS)
) SS
COUNTY OF MACON)

I, Robert M. Dean, Jr., Registered Illinois Land Surveyor No. 2951, do hereby certify that I have caused a survey to be made and a plat to be drawn under my direct supervision of the following described property situated in Macon County, Illinois:

Beginning at a point on the West Right-of-Way County Highway 57 said point being located 30 feet West and 1641.11 feet South of the Northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) of Section 1, Township 15 North, Range 3 East of the Third Principal Meridian; Thence S89°-43'59"W (assumed bearing) 1337.96 feet; thence N32°-43'-46"W 33.18 feet; thence N53°-31'-02"W 266.66 feet; thence N89°-16'-12"W 392.95 feet to a point on west line East one half (E $\frac{1}{2}$), West one half (W $\frac{1}{2}$) Southwest One Quarter (SW $\frac{1}{4}$) of said Section 1; thence N00°-00'-08"E along said west line 1471.97 feet; thence S88°-21'-54"E 663.72 feet; thence S00°-16'-02"E 278.55 feet; thence S45°-16'-02"E 82.70 feet; thence S44°-43'-59"W 237.23 feet; thence S45°-16'-02"E 295 feet; thence N44°-43'-59"E 98.77 feet; thence N79°-45'-18"E 168.68 feet; thence N89°-43'-59"E 600 feet; thence S00°-16'-02"E 60 feet; thence N89°-43'-59"E 359.91 feet to a point on the west Right-of-Way Line of County Highway 57; thence S00°-04'-52"E along said west Right-of-Way Line 970.00 feet to the place of beginning.

I further certify that I have divided the above described property into twenty-two lots as shown on the attached plat, and that I have caused permanent monuments (iron pins) to be located at all lot corners from which future survey may be made.

Signed and sealed at Decatur, Illinois this 1st day of June, 1995.


Robert M. Dean, Jr.
Illinois Registered Land
Surveyor No. 2951

OWNERS' DECLARATION

BE IT KNOWN THAT RUSSELL A. GOODWIN, MARY L. GOODWIN, being the Owners of the premises described in the foregoing Surveyor's Certificate, do hereby subdivide said tract of land and designate said Subdivision as "RUSTLING WATERS III" in accordance with the attached plat thereof, for the purpose of the sale of lot or lots with reference to this description, and do hereby dedicate to the public to be used as public highways and also for drainage, sewer, watermains and public utilities those portions of the tract of land shown on said Plat as streets and easements and do hereby dedicate to the public for public utility purposes, those areas designated on said Plat for public utility purposes, hereby waiving in such portions so dedicated all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

The following covenants and restrictions in their entirety shall apply to each and every lot in the Subdivision:

1. All lots in said addition shall be used for residential purposes only and shall be known as residential lots. No lot shall be Re-Subdivided without prior approval of all Governing Agencies and Utility Companies. Final approval must be made by the Architectural Control Committee established pursuant to Paragraph 16 hereof.

2. No structure shall be erected, altered, placed or permitted to remain on any residential lot other than (1) detached single family residence, not to exceed two and one-half stories in height and an attached private garage for not more than three (3) cars. Each residence shall have at least a two (2) car attached or unattached garage. Each lot shall be allowed one (1) outbuilding at such location, Lots 1, 2, 3, & 4 will be allowed one additional outbuilding facility for accommodating up to four (4) horses, dimension and design as shall be approved by the Architectural Control Committee established pursuant to Paragraph 16 hereof. Said residence shall provide a suitable driveway of at least 20 feet in width composed of concrete, asphalt, brick, cobblestone or such other material as may be approved by the Architectural Control Committee established pursuant to Paragraph 16 hereof.

3. In the case of a one (1) story structure, the ground floor area of any residence, exclusive of porches, garages, breezeways and utility rooms shall not be less than 2,400 square feet and in the case of a multi-story residence, the total living area on the ground floor, exclusive of porches, garages, breezeways and utility room, shall be not less than 2,000 square feet and the total square footage shall not be less than 3,000 square feet.

4. All materials used in construction and erection of a residence as herein specified shall be of new materials. The exterior of all buildings shall be of new materials with no asphalt, composition, or asbestos siding. No roofs of any buildings may be constructed of rolled roofing. If wood is used on the exterior of any residence, it shall be immediately painted or stained, unless such wood is specifically designed to remain untreated.

5. No building or any part hereof shall be located nearer to the front lot line than the building set back lines shown on the recorded plat. Side and rear lot lines shall be in accordance with the Macon County Rules and Regulations Governing Subdivisions.

6. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No residential lot shall be used for repairs or storage of used cars. No businesses, including but not restricted to, insurance, real estate or beauty shop businesses shall be conducted on the premises.

7. No sign of any kind shall be displayed to the public view on any lot, except one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise property during the construction and sale period.

8. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of any temporary character be used as a residence. No part of these premises shall be used to store junk either temporarily or permanently. No boats, campers, or trailers shall be parked on the premises unless said boat, camper, or trailer are completely inside a garage or other approved storage facility.

9. No cows, horses, pigs, sheep, goats, chickens, geese or ducks, or any other animals of any kind shall be raised, bred or kept on lots 5 thru 34, a maximum of four (4) horses will be allowed on Lots 1, 2, 3, & 4, except that dogs, cats or birds, not exceeding four in number, which are household pets may be kept provided they are not kept, bred or maintained for commercial purposes.

10. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lots, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted for use in boring for oil or natural gas or be erected, maintained or permitted on any lot.

11. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers and shall be removed from the premises by a licensed sanitary collector.

12. Burning will not be permitted within areas designated as Public right of way.

13. All lots shall be kept mowed to its extremities except for gardens or other growths.

14. No cars, trucks or other vehicles shall be parked on the streets for a period of time in excess of 12 hours nor shall any car, truck or any vehicle or attachment or appendage to the previous description of vehicles be parked or allowed to remain on the driveway or lawn for a period of time in excess of 24 hours.

15. A perpetual easement is hereby created over, under and across the area marked "easement for public utilities" as an easement appurtenant to each lot for the installation, use, maintenance, repair, and replacement of public utilities, including sewer, water, gas, electricity, telephone and telegraph; with the right to use reasonable working space adjacent to said utility easement, as needed during construction, repair or maintenance of said facilities.

16. All utilities serving this subdivision shall be installed underground, including utilities elsewhere on the lots in said subdivision.

17. No residence or outbuilding shall be erected, placed or altered on any residence lot until building plans, specifications and plot plans, showing the locations of the said building, have been approved in writing by a Architectural Control Committee composed of RUSSELL A. GOODWIN and MARY L. GOODWIN or their authorized representative, for conformity and harmony of exterior design with existing structures in the subdivision, and as to location of the residence with regard to property and building set back line and no contractor or construction firm shall be employed to contract any residence or other improvement without the approval of the committee.

18. Sanitation facilities must be in accordance with local Health Department regulations. No septic tank or sewage treatment effluent will be allowed to discharge in any area which would allow down stream collection or flow to any existing or proposed roadway drainage ditches.

The committee's approval or disapproval as required in these covenants shall be in writing. No liability of any sort shall extend to the Architectural Control Committee as a result of their approval of said plan.

If the committee or authorized representative thereof fails to approve or disapprove such design and location within thirty (30) days after the said plans and specifications have been submitted, to it or if no suit to enjoin the erection of such residence or the making of such alterations have been commenced prior to the completion thereof, such approval will not be required.

Said committee or authorized representative thereof, shall act without compensation. Said committee shall act and serve until the subdivision is completely sold or if not sold, said Committee shall act until January 1, 1999, at which time the then recorded owners of a majority of the lots which are subject to the covenants herein set forth, may designate in writing duly recorded on the land records, their authorized representative who thereafter shall have the powers subject to the same limits as were previously designated herein to the aforesaid committee.

These covenants are to run with the land, and shall be binding on all parties and all persons claiming under them until January 1, 1999, at which time said covenants shall be automatically extended for successive period of five (5) years unless by vote of a majority of the then owners of the lots, it is agreed to change said covenants in whole or in part.

If the parties hereto, or any of them or their heirs, assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or equity against the persons or persons violating or attempting to violate any such covenant and either to prevent him or them from doing, or to recover damages or other dues for such violation.

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

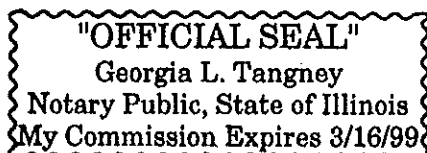
IN WITNESS WHEREOF, RUSSELL A. GOODWIN and MARY L. GOODWIN has caused their names to be signed to these presents this 5th day of June, 1995.

Russell A. Goodwin

Mary L. Goodwin

STATE OF ILLINOIS)
) SS
COUNTY OF MACON)

This instrument was acknowledge before me this 5th day of June, 1995.



Georgia L. Tangney
Notary Public

TAX CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF MACON)

I, Stephen M. Bean, County Clerk in and for the said County and State of aforesaid, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments of unpaid current special assessments against the tract of land described in the foregoing Plat and Surveyor's Certificate and known as "RUSTLING WATERS III".

IN WITNESS WHEREOF, I have set my hand and official seal this

5th day of June, 1995

12-17-15-400-005,007

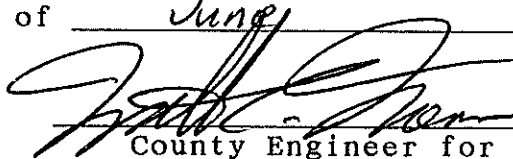
Stephen M. Bean
County Clerk

APPROVAL OF THE COUNTY ENGINEER

STATE OF ILLINOIS)
) SS
COUNTY OF MACON)

I, being the County Engineer for Macon County, Illinois, do hereby certify that the attached Plat of "RUSTLING WATERS III" has been examined by me and that the subdivider's plans and specifications comply with the rules and regulations governing subdivisions for Macon County.

Dated this 5th day of June, 1925.


County Engineer for Macon County

CERTIFICATION BY MACON COUNTY
HEALTH DEPARTMENT

STATE OF ILLINOIS)
)
COUNTY OF MACON)

I, being the Administrator of the Macon County Health Department, do hereby certify that the attached final plat of the RUSTLING WATERS III First Addition has been examined by me and that the subdivider's plans and specifications comply with the rules and regulations governing subdivisions for Macon County with respect to sewage disposal systems.

Dated this 23rd day of May, 1995.

Director of
Charles Tibbels *Environmental Health*
Administrator, Macon County
Health Department

CERTIFICATION BY MT. ZION TOWNSHIP
HIGHWAY COMMISSIONER

STATE OF ILLINOIS)
)
COUNTY OF MACON)

I, being the Mt. Zion Township Highway Commissioner for Macon County, Illinois, hereby certify that the attached final plat of the RUSTLING WATERS III First Addition has been examined by me, and I hereby approve the subdivider's plans and specifications with respect to roadway and drainage improvements and roadway access, and I also approve the posting of an irrevocable Letter of Credit and bond for the construction of roadway and drainage improvements.

Dated this 5th day of June, 1995.

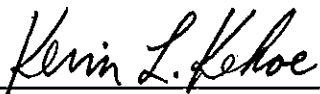
Jack I Phillips
Jack Phillips, Mt. Zion Township
Highway Commissioner

APPROVAL OF THE
MACON COUNTY BOARD

STATE OF ILLINOIS)
COUNTY OF MACON)

This is to certify that the attached final plat of RUSTLING WATERS III First Addition with accompanying certificates of the County Clerk, Township Highway Commissioner, County Engineer, and County Health Department, was submitted to the Macon County Board and was by the Board duly approved.

Dated this 8th day of June, 1995.



Kevin Kehoe, Chairman
Macon County Board



1695474

BK 3656 PG 520

STATE OF ILLINOIS
MACON COUNTY SS
RECORDED AT

I HEREBY CERTIFY THAT
THIS INSTRUMENT WAS
FILED

2005 NOV -7 A 11: 01

NOV - 7 2005

Rental Housing Support
Program Fund surcharge: \$10.00

FEE 40.00 pd

Mary A. East
RECORDED

DESIGNATION OF MEMBERS OF
ARCHITECTURAL CONTROL COMMITTEE
RUSTLING WATERS III FIRST ADDITION

This Designation of Members of Architectural Control Committee is made this
3rd day of November, 2005.

WITNESSETH:

WHEREAS, the Owner's Declaration for Rustling Waters III First Addition
(Subdivision) recorded June 5, 1995 in Book 1832 Page 524 as Document No. 1412067
of the Records in the Recorder's Office of Macon County, Illinois, provides in part, in
paragraph 17 thereof, as follows:

17. ...A Architectural Control Committee composed of RUSSELL A.
GOODWIN and MARY L. GOODWIN or their authorized representative, and;

WHEREAS, Paragraph 18 of the Owner's Declaration provides in part as
follows:

18. ...Said committee or authorized representatives thereof, shall act without
compensation. Said committee shall act and serve until the subdivision is completely
sold or if not sold, said committee shall act until January 1, 1999, at which time the
then recorded owners of a majority of lots which are subject to the covenants herein set
forth, may designate in writing duly recorded on the land records, their authorized
representative who thereafter shall have the power subject to the same limits as were
previously designated herein to the aforesaid committee, and

WHEREAS, MARY L. GOODWIN, Trustee of the MARY L. GOODWIN Trust, owns the following lots in the Subdivision:

Lots 9, 10, 12, 14, 15, 16, 17, 18, 19, 20, 21 and 22, and;

WHEREAS, the ownership of the remaining lots in the Subdivision is as follows:

Lot 1 is owned by STEVEN J. FINN;

Lot 2 is owned by TODD NEWELL and DEBBIE NEWELL;

Lot 3 is owned by DANIEL P. ALLEN and BONNIE V. ALLEN;

Lot 4 is owned by WILLIAM H. MANLEY and ANGELA F. MANLEY;

Lot 5 is owned by AGINCOURT, a Trust dated June 6, 1997, TERRY R. CUSTER and FLOYD WISE, Trustees;

Lot 6 is owned by MARK T. ELLIS and KAREN J. ELLIS;

Lot 7 is owned by RODGER KOESTER and KATHLEEN KOESTER;

Lot 8 is owned by LAVELLE D. HUNT and TRACIE J. HUNT;

Lot 11 is owned by RANDY FEHRENBACHER and PAT FEHRENBACHER;

and

Lot 13 is owned by DAVID A. FATHAUER and NORMA L. BUCKLES FATHAUER.

NOW, THEREFORE, the following is placed on public record as required by Paragraph 18 of the Owner's Declaration:

1. That MARY L. GOODWIN, Trustee of the MARY L. GOODWIN Trust, as the current owner of a majority of the lots which are subject to the covenants of the Owner's Declaration, and RUSSELL A. GOODWIN and MARY L. GOODWIN, owners of a majority of the lots subject to the Owner's Declaration on

January 1, 1999, hereby appoint RUSSELL A. GOODWIN, MARY L. GOODWIN, RANDY FEHRENBACHER and DANIEL P. ALLEN as members of the Architectural Control Committee to serve until such time as they resign or are replaced.

2. That RUSSELL A. GOODWIN, MARY L. GOODWIN, RANDY FEHRENBACHER and DANIEL P. ALLEN, by their execution of this Agreement below, accept appointment to the Architectural Control Committee and agree to serve until such time as they resign or are replaced.

3. That the Owner's Declaration as originally filed shall remain in full force and effect except as amended by this instrument.

IN WITNESS WHEREOF, MARY L. GOODWIN, Trustee of the MARY L. GOODWIN Trust, RUSSELL A. GOODWIN, MARY L. GOODWIN, RANDY FEHRENBACHER, and DANIEL P. ALLEN have set their hands this 3RD day of NOVEMBER, 2005.

MARY L. GOODWIN, Trustee of the
MARY L. GOODWIN Trust

Mary L. Goodwin, Trustee
MARY L. GOODWIN, Trustee

Russell A. Goodwin
RUSSELL A. GOODWIN

Mary L. Goodwin
MARY L. GOODWIN

Randy L. Fehrenbacher
RANDY L. FEHRENBACHER

Daniel P. Allen
DANIEL P. ALLEN

STATE OF ILLINOIS }
 } ss.
 COUNTY OF MACON }

I, the undersigned, a Notary Public in and for said county and state aforesaid, do hereby certify that RUSSELL A. GOODWIN, MARY L. GOODWIN, RANDY FEHRENBACHER and DANIEL P. ALLEN, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this date and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act for the uses and purposes therein set forth.

Given under my hand and Notarial seal this 3rd day of Nov., 2005.



Stacy Welch
 NOTARY PUBLIC

STATE OF ILLINOIS }
 } ss.
 COUNTY OF MACON }

I, the undersigned, a Notary Public in and for said county and state aforesaid, do hereby certify that MARY L. GOODWIN, Trustee of the MARY L. GOODWIN Trust, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this date and acknowledged that she signed, sealed and delivered said instrument as her free and voluntary act and as the free and voluntary act of the MARY L. GOODWIN Trust for the uses and purposes therein set forth.

Given under my hand and Notarial seal this 3rd day of Nov., 2005.



Stacy Welch
 NOTARY PUBLIC

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 Thom Mo.