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**THIRD AMENDMENT TO CERTIFICATE OF PLATTING AND
CERTIFICATE OF RESTRICTIONS AND COVENANTS
OF
PRAIRIE VIEW SUBDIVISION**

WHEREAS, the undersigned are the current owners of seventy percent (70%), or more, of the subdivided lots of the real estate described below; and,

WHEREAS, the following described real estate is covered by a certain Certificate of Platting and Certificate of Restrictions and Covenants recorded as Plat #382-A in Book 3342, Page 134-150 in the Effingham County Recorder's Office, a certain Amendment to Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision recorded August 24, 2018, in Book 3378, Page 234-239 in the Effingham County Recorder's Office, and a certain Second Amendment to Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision recorded February 11, 2020, in Book 3533, Page 203-212-239 in the Effingham County Recorder's Office (hereinafter collectively referred to as "Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision"), to-wit:

The East Half (E $\frac{1}{2}$) of the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-Four (24), Township Eight (8) North, Range Six (6) East of the Third Principal Meridian, Effingham County, Illinois being more particularly described as follows:

Beginning at an existing iron pin monumenting the Northwest corner (NW/c) of the East Half (E $\frac{1}{2}$) of the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-Four (24), Township Eight (8) North, Range Six (6) East of the Third Principal Meridian in Effingham County, Illinois;

Thence S 88° 55' 51" East 653.70 feet to an iron pin set at the Northeast Corner (NE/c) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Twenty-Four (24);

Thence S 00° 22' 29" West 2673.14 feet to an existing iron pin monumenting the Southeast Corner (SE/c) of said Section Twenty-Four (24);

Thence N 88° 13' 48" West 658.33 feet to an iron pin set at the Southwest Corner (SW/c) of the East Half (E½) of the East Half (E½) of the Southeast Quarter (SE¼) of said Section Twenty Four (24);

Thence N 00° 28' 15" East 2665.03 feet to the Point of Beginning, containing 40.19 acres.

(hereinafter referred to as the "Prairie View Subdivision"); and,

WHEREAS, the undersigned, being not less than seventy percent (70%) of the owners of the subdivided lots of Prairie View Subdivision, agree to amend certain provisions of the Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision, as previously amended, as stated below.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions stated herein, the undersigned do hereby agree to amend the Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision as follows:

1. Paragraph 2 of the Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision is hereby amended as follows:

"2. **Off Street Parking and Driveways:** Off street parking shall be required in sufficient amount to allow a person owning a subdivided lot of the Premises to park any and all motor vehicles reasonably anticipated to be regularly parked on such part of the Premises. A person owning a subdivided lot of the Premises shall provide, at a minimum, one private driveway off of the public street to that person's property for purposes of serving the single-family residential structure on such subdivided lot. Any private driveway that serves the single-family residential structure shall, at a minimum, be constructed of concrete, asphalt or brick materials to support vehicular traffic, be a minimum width of twenty feet (20') and include a minimum attached two (2) car garage. Furthermore, any secondary driveway shall be constructed of concrete, asphalt or brick materials to support vehicular traffic a minimum width of ten feet (10'). Furthermore, a person owning a subdivided lot of the Premises that has been developed with an

accessory building (as defined below) that includes any type of entrance door for vehicles (i.e. detached garage) may provide a secondary driveway to serve such accessory building, and such driveway serving an accessory building shall, at a minimum, be constructed of concrete, asphalt or brick materials to support vehicular traffic, and be a minimum width of ten feet (10').

2. Paragraph 8 of the Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision is hereby amended as follows:

8. **Use of the Property:** The Premises shall be used only for:

A. Single-Family Residential purposes.

B. Accessory Buildings and Portable Buildings: A person owning a subdivided lot of the Premises must construct a single-family residential structure and may also construct a maximum of one (1) accessory building (as defined below) OR one (1) portable building (as defined below).

i.) For purposes of this Certificate, the term accessory building shall include an unattached garage, shed building, or other similar structure. Such accessory building shall not exceed one-thousand two hundred (1,200) square feet in size. All accessory buildings constructed on the Premises shall be approved by the Architectural Committee, as provided herein, prior to the beginning of construction. No accessory building shall be larger than one story in height, excluding a basement, if any. An accessory building shall not be constructed of asbestos siding, ribbed sheet siding, roll roofing, roll siding, tar paper, tin or iron

sheeting, concrete block, nor with second-hand or used materials. Any other metal siding not listed herein requires prior approval of the Architectural Committee. The accessory building shall conform aesthetically with the exterior construction of the single-family residential structure. Foundations for an accessory building shall be poured concrete constructed on the Premises. Any accessory building that includes any type of entrance door for vehicles (i.e. detached garage) may be served with a driveway as required under Paragraph 2 of this Certificate. An accessory building shall not be used for living, sleeping, housekeeping, or residential purposes. Furthermore, an accessory building shall not be used for the conduct of commercial purposes, business purposes, home occupation, or storage for a home occupation or other commercial use.

- ii.) Portable Buildings: For purposes of this Certificate, the term portable building shall include a structure without any foundation or footings that can be removed at any time. Such portable building shall not exceed four hundred fifty (450) square feet in size. All portable buildings placed, constructed, or installed on the Premises shall be approved by the Village of Teutopolis Building Official, prior to the beginning of placement, construction or installation. All portable buildings

placed, constructed, or installed on the Premises shall be of new construction and used portable buildings shall not be placed, constructed, or installed on the Premises. Metal and/or plastic portable buildings are also prohibited and shall not be placed, constructed, or installed on the Premises. All roofing on a portable building shall be at least three tab asphalt, fiberglass, metal, or cedar. Portable buildings shall be placed, constructed, or installed on a rock surface, concrete pad, or masonry blocks or concrete blocks. The portable building shall conform aesthetically with the exterior construction of the single-family residential structure. A portable building placed, constructed, or installed on any subdivided lot of the Premises shall be located in the rear yard of such lot and further located within the inside back corners of the single-family residential structure. A portable building shall not be used for living, sleeping, housekeeping, or residential purposes. Furthermore, a portable building shall not be used for the conduct of commercial purposes, business purposes, home occupation, or storage for a home occupation or other commercial use.

- C. The Premises shall not be used for commercial or business purposes, except a home occupation business not to exceed 400 square feet within any residence. There shall be no perceptible noises, odor, smoke, electrical interferences or vibrations emanating from such home business.

- D. Any and all boats, tractors, lawnmowers, lawn care equipment, wagons, trailers, campers, motor homes, snowmobiles, motorcycles, and all other recreational vehicles shall be stored in an enclosed garage, accessory building, or portable building built to the standards as stated herein.
- E. No oil drilling, oil development operations, oil refining, quarrying, soil stripping, or mining operations of any kind shall be permitted upon or in any lot, and no oil well, tanks, tunnels, mineral excavations or shafts shall be permitted upon or in any lot. No person, firm or corporation shall strip, excavate, or otherwise remove soil for sale or for use other than on the Premises from which the same shall be taken, except in connection with the construction or alternation of a building on such Premises and excavation or grading incidental thereto.”

5. All other provisions of said Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision shall remain in full force and effect and consented by all owners as stated in the Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision dated October 18, 2017, filed for record on October 23, 2017, in Book 3342, Page 134-150, in the Effingham County Recorder's Office, the Amendment to Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision recorded August 24, 2018, in Book 3378, Page 234-239, in the Effingham County Recorder's Office, and the Second Amendment to Certificate of Platting and Certificate of Restrictions and Covenants of Prairie View Subdivision recorded February 11, 2020, in Book 3533, Page 203-212-239 in the Effingham County Recorder's Office.

6. The representations made in the prefatory portion of this Third Amendment to Certificate of Platting and Certificate of Restrictions and Covenants are hereby adopted and agreed to by the undersigned.

[EXECUTED ON THE FOLLOWING PAGES]

WHEREFORE, this Third Amendment to Certificate of Platting and Certificate of Restrictions and Covenants is executed this 31st day of January, 2022.

Owner of Lots 1, 61, 20, 21, 22, 23, 24, 27, 28, 29, 39, 41, 42, 43, 47, 50, 51, 52, 53, 55, 56, 57, 58, and 59

VILLAGE OF TEUTOPOLIS, ILLINOIS, a municipal corporation

By: David Repking
David Repking, Village President

ATTEST:

Amy J. Vahling
Amy Vahling, Village Clerk

STATE OF ILLINOIS)
) SS:
COUNTY OF EFFINGHAM)

I, the undersigned, a Notary Public, in and for said County and State aforesaid, do hereby certify that David Repking, personally known to me to be the Village President of the Village of Teutopolis, Illinois, a municipal corporation, and Amy Vahling, personally known to me to be the Clerk of said municipality, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Village President and Clerk, they signed and delivered the said instrument as Village President and Clerk of said municipality, and caused the corporate seal of said corporation to be affixed thereto, as their free and voluntary act, and as the free and voluntary act and deed of said municipal corporation for the uses and purposes therein set forth.

Given under my hand and notarial seal this 31st day of January, 2022.

Ellen Jane Summers
Notary Public

