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RECORDED
DU PAGE COUNTY

1975 JAN 28 PM 4 00

R75-4509

George V. [unclear]

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all

DECLARATION OF INCLUSION
SUMMERLAKES HOMEOWNERS ASSOCIATION

This Declaration of Inclusion made on the date herein-
after set forth by CONTINENTAL HOMES OF CHICAGO, INC., an
Illinois corporation, hereinafter referred to as "Declarant";

WITNESSETH

WHEREAS, Declarant is the owner of, or has an interest
in certain real property located in the City of Warrenville,
DuPage County, State of Illinois, which property is legally
described in Exhibit A attached hereto and made part hereof;
and

WHEREAS, Declarant has previously caused to be recorded
a certain "Declaration of Covenants, Conditions and Restric-
tions for SUMMERLAKES HOMEOWNERS ASSOCIATION", which Declara-
tion was recorded in the Office of the Recorder of Deeds, Du
Page County, Illinois on 1-28-75 ad Docu-
ment No. R75-4508; and

WHEREAS, pursuant to the terms of said Declaration,
Declarant reserves the right to subject any or all of the
property legally described on Exhibit A to the terms and
conditions of said Declaration,

NOW, THEREFORE, Declarant hereby submits the property
legally described on Exhibit B attached hereto and made part
hereof, to said Declaration and hereby expressly makes the

CHARGE - DU PAGE CO. DIVN. 525527 R75-4509/rd

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Maint To:

THIS INSTRUMENT PREPARED
BY Douglas Shaw
FOR TAUBSIG, WEXLER & HAY
180 NORTH LA SALLE STREET
CHICAGO, ILLINOIS 60601

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209/84

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aforsaid property subject to all of the terms and conditions contained in said document.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal this 28th day of January, 1975.



CONTINENTAL HOMES OF CHICAGO, INC.

BY [Signature]
President

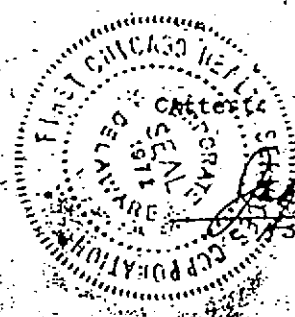
Attest:

[Signature]
DAVID L. SHAW, Asst. Sec.

The undersigned, FIRST CHICAGO REALTY SERVICES CORPORATION, being the Mortgagee of Record of the real property described in Exhibit B, pursuant to Document No. R 74-33989 recorded on July 8, 1974 in the office of the Recorder of Deeds, DuPage County, Illinois, hereby consents to and joins in the foregoing Declaration of Inclusion.

FIRST CHICAGO REALTY SERVICES CORPORATION

BY [Signature]
The President



[Signature]
Secretary

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

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I, Joan Ristau, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Royal R. Faubion, personally known to me to be the President of CONTINENTAL HOMES OF CHICAGO, INC., an Illinois Corporation, and David L. Shaw, personally known to me to be the Asst. Secretary of said corporation, 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 President and Asst. Secretary, they signed and delivered said instrument as the corporate seal of said corporation to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 28th day of

January, 1976

Joan Ristau
Notary Public

My Commission Expires: 1/12/76

STATE OF ILLINOIS)
) SS:
COUNTY OF C O O K)

I, Joan M. Kuwak, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT William F. Pyle, personally known to me to be the Mr. Pyle President of First Chicago Realty Services Corp., an Illinois Corporation, and John J. Sushy, Asst. Sec., 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 Mr. Pyle President and Asst. Sec. Secretary, they signed and delivered said instrument as Mr. Pyle President and Asst. Sec. Secretary of said corporation, and caused the corporate seal to be affixed thereto, pursuant to authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 27th day of

January, 1976

Joan M. Kuwak
Notary Public

My Commission Expires: 6/22/76

EXHIBIT A

Additional Property:

Those parts of Sections 27, 28, 33 & 34, all in Township 39 North, Range 9, East of the Third Principal Meridian described as follows:

Beginning at the Northeast corner of Lot 9 of Robert Bartlett's Green Acres being a subdivision in the East 1/2 of Section 33 and in the West 1/2 of Section 34, Township 39 North, Range 9, East of the Third Principal Meridian, (as per plat thereof recorded October 23, 1943 as Document No. 454584); Thence S. 87°-26' W. along the North line of Bartlett's Green Acres, aforesaid, a distance of 1457.10 feet (1458.30 ft. recorded) to the Northwest corner of Lot 1 in said subdivision; Thence N. 9°-52'-30" E. a distance of 1286.70 feet; Thence S. 89°-42'-00" W. a distance of 356.23 feet to the Easterly line of Elgin-Joliet and Eastern R.R. Co. R. O. W.; Thence N. 1°-50'-00" E. along said Easterly line, a distance of 4070.02 feet; Thence S. 88°-04'-00" E. a distance of 1079.62 feet to the NE corner of Lot 13 in Commissioners Partition Plat of the Israel Mather Estate, as recorded in Circuit Court Chancery of Du Page County, Illinois, March 14, 1867 in Book 5, Page 214, Thence S. 1°-42'-00" W., along the East line of said Lot 13, a distance of 348.04 feet (348.50 feet recorded) to the Southwest corner of Lot 3 in Unger Farm Assessment Plat, recorded November 16, 1943 as Doc. No. 455882, being also the Northwest corner of Lot 10 in said Commissioners Partition Plat of the Israel Mather Estate; Thence N. 88°-03'-30" E., along the North line of said Lot 10, being also the South line of Lot 3 in Unger Farm Assessment Plat aforesaid a distance of 1578.52 feet (1578.50 feet recorded) to the centerline of Illinois Rte. 59 as laid out and dedicated for Public Highway per Doc. No. R71-24124; Thence S. 7°-07'-00" E., along aforesaid centerline, a distance of 456.85 feet, to the North line of Robert Bartlett's Riverside, being a subdivision of part of Lot 15 of the Commissioner's Partition Plat of the Israel Mather Estate, Record 5, Page 214, Circuit Court, in Sections 27 and 28, Township 39 North, Range 9, East of the Third Principal Meridian, as per plat thereof recorded April 26, 1948 as Doc. No. 543778; Thence S. 87°-39'-30" W.; along said North line a distance of 945.08 feet (945.24 feet recorded) to the Northwest corner of said subdivision; Thence S. 1°-16'-54" E., along the West line of said Robert Bartlett's Riverside, a distance of 2193.16 feet (33.14 Chains Recorded) to the centerline of Batavia Road (S.A. Rte. 32), as dedicated for Public Street per Doc. No. 679449 recorded April 15, 1953; Thence S. 68°-03'-00" E. along said centerline, a distance of 880.99 feet to the Northwest corner of Pattermann's 2nd Assessment Plat, recorded March 19, 1958, as Document No. 873881, Thence S. 0°-15'-30" W., along the Westerly line of said Pattermann's 2nd Assessment Plat, a distance of 780.56 feet (780.64 feet recorded) to the Southwest corner thereof, being on the North line of Lot 1 in John T. Kuhn's Assessment Plat, as per plat thereof recorded August 17, 1966 as Doc. No. R66-32478; Thence N. 82°-54'-40" W., along said North line, a distance of 271.56 feet.

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to the Northwest corner thereof; Thence S. 05°-52'-00" W., along The West line of said Lot 1, a distance of 304.95 feet, (305.00 feet recorded) to the Southwest corner of said Lot 1; Thence S. 82°-54'-40" E., along the South line of said Lot 1, a distance of 712.40 feet to the centerline of Illinois, Rte. 59, as laid out and dedicated for Public Highway per Doc. No. R71-24124; Thence Southerly along the centerline aforesaid, being an arc of a circle, convex to the East, having a radius of 3819.71 feet, the chord thereof having a bearing S. 9°-39'-34" W., and a length of 200.94 feet an arc distance of 200.96 feet to a point of tangency; Thence S. 11°-10'-00" W., and continuing along said centerline, a distance of 2053.84 feet to the North line extended East of Lot 34 of Robert Bartlett's Green Acres aforesaid; Thence N. 83°-30'-00" W., along a North line of said subdivision, a distance of 1309.17 feet (1310.49 feet recorded) to an angle in said North line; Thence N. 87°-43'-00" W. and continuing along said North line, a distance of 49.50 feet to an Easterly line of said subdivision; Thence N. 9°-33'-30" E., along said Easterly line, a distance of 1295.40 feet (1295.58 feet recorded) to the Place of Beginning; Containing 310.2522 acres, more or less.

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Also:

That part of the East half of 100 foot right-of-way of Illinois Route 59, as laid out and recorded by Document No. R71-24124, bounded in the North by the North line extended East of Lot 10 in Commissioners Partition Plat of the Israel Mather Estate (as recorded in Circuit Court Chancery of Du Page County, Illinois, in Book 5, page 214), being also the South line extended East of Lot 3 in Unger Farm Assessment Plat, recorded November 16, 1943 as Document No. 455882, and bounded in the South by the South line extended East of Lot 10 aforesaid, being also the North line of Robert Bartlett's Riverside, being a Subdivision of part of Lot 15 of the Commissioner's Partition Plat of the Israel Mather Estate, Record 5, page 214, Circuit Court, in Sections 27 and 28, Township 39 North, Range 9, East of the Third Principal Meridian, as per Plat thereof recorded April 26, 1948 as Document No. 543778; containing 0.5242 acre, more or less.

Also

Branch Avenue, as dedicated for public street in Robert Bartlett's Riverside, being a Subdivision of part of Lot 15 of the Commissioner's Partition Plat of the Israel Mather Estate, Record 5, page 214, Circuit Court, in Sections 27 and 28, Township 39 North, Range 9, East of the Third Principal Meridian, as per Plat thereof recorded April 26, 1948 as Document No. 543778;

and also,

That part of 100 foot right-of-way of Illinois Route 59, as laid out and recorded by Document No. R71-24124, lying North of the South line extended East of Branch Avenue aforesaid and South of the North line of Robert Bartlett's Riverside aforesaid, containing 0.7553 acre, more or less.

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EXHIBIT A (cont'd)

Also:

That part of the Northeastly 1/2 of 100 foot R. O. W. of Batavia Road as dedicated for Public Street in Robert Bartlett's Riverside, being a subdivision of part of Lot 15 of the Commissioner's Partition Plat of the Israel Mather Estate, Record 5, Page 214, Circuit Court, in Sections 27 and 28, Township 39 North, Range 9, East of the Third Principal Meridian, as per Plat thereof recorded April 26, 1948 as Doc. No. 543778; lying Northwestly of a line drawn at right angles to the Northeastly R. O. W. line of Batavia Road aforesaid, from the Northeast corner of Patterman's 2nd Assessment Plat, as per Plat thereof recorded March 19, 1958, as Doc. No. 873881 (said line intersecting the centerline of said Batavia Road 880.99 feet S. 68°-03'-00" E., from the Southwest corner of Robert Bartlett's Riverside aforesaid); containing 1.0236 acres more or less;

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Also:

That part of the East 1/2 of 100-foot R. O. W. of Illinois Rte. 59 as laid out and recorded by Doc. No. R71-24124 lying North of the North line extended East of Lot 34 in Robert Bartlett's Green Acres, being a subdivision in the East 1/2 of Section 33 and in the West 1/2 of Section 34, Township 39 North, Range 9, East of the Third Principal Meridian, as per Plat thereof recorded October 23, 1943, as Document No. 454884 and Southerly of the South line extended East of Lot 1 in John T. Kuhn's Assessment Plat recorded August 17, 1966 as Doc. No. R66-32478, containing 2.5878 acres more or less; all in Du Page County, Illinois.

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EXHIBIT B

Initial Development Area:

Lots 45 through 60, both inclusive, in Hurlingham Unit One, being a Subdivision of parts of Section 27, 28 and 34, all in Township 39 North, Range 9, East of the Third Principal Meridian, in DuPage County, Illinois,

also:

Lots 104 through 137, both inclusive, and Outlot 3, in Hurlingham Unit Two, being a Subdivision of parts of the S.W. 1/4 of Section 27, and the S.E. 1/4 of Section 28, both in Township 39 North, Range 9, East of the Third Principal Meridian, in DuPage County, Illinois,

also:

Lots 186 through 202, both inclusive, Lots 206 through 210, both inclusive, and Outlot 4, in Hurlingham Unit Three, being a Subdivision of the E. 1/2 of Section 28, Township 39 North, Range 9, East of the Third Principal Meridian, in DuPage County, Illinois.

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