

TAZEWELL COUNTY

This Document Prepared by:

Sandra J. Birdsall
Hasselberg, Williams, Grebe,
Snodgrass & Birdsall
124 SW Adams, Suite 360
Peoria, Illinois 61602

After Recording Mail to:

Sandra J. Birdsall
Hasselberg, Williams, Grebe,
Snodgrass & Birdsall
124 SW Adams, Suite 360
Peoria, Illinois 61602

Document No. 06-16237 filed for record in Recorder's Office
of Tazewell County, Illinois 7-18-06 at 11:46 O'Clock A.M.
Robert A. Lutz, Recorder of Deeds

**AMENDMENT TO DECLARATION OF RESTRICTIONS
FOR HARBOR POINTE SUBDIVISION AND
HARBOR POINTE CONDOMINIUMS**

This Amendment to Declaration is entered into the 14th day of July, 2006 and amends the Declaration and amendments entered into January 3, 1996 and recorded as Document No. 96-02753, December 13, 1996 and recorded as Document No. 96-25021 and October 21, 1999 and recorded as Document No. 99-26934 (collectively "Original Declarations").

The Amendment affects all of the property described in Exhibit A attached hereto and made a part hereof. Except as specifically amended herein all other terms and conditions of the Original Declarations remain in full force and effect.

Article VIII – Animals. Paragraph 7 is hereby amended as follows: Delete the first sentence in its entirety and substitute the following:

7. "Animals. No animals, livestock, fowl or poultry of any kind shall be raised, bred, or kept in any Lot, Unit, or Outlots except household pets as follows: Each Lot Owner shall be permitted no more than two (2) dogs, two (2) cats, or one (1) of each, subject to rules and regulations adopted by the Association.

The remainder of the paragraph shall remain as previously stated."

Article V – Maintenance, Repairs and Replacements is hereby amended as follows:

To paragraph 4, add: "The Association shall not be responsible for maintaining the roofs of enclosed porches and shall not be responsible for damage to enclosed porch interiors or furnishings. Except for repairs covered by insurance maintained by the Association, the Association shall not be responsible for exterior repairs needed because of damage caused by events covered by homeowner's insurance (i.e. damage due to hail, winds,

EXHIBIT A

Parcel One:

Lots 1 through 30 and Outlot 44 of HARBOR POINTE RESIDENCES at Eastport Marina, East Peoria, Illinois, according to the plat thereof recorded January 2, 1996 in Plat Book "MM", pages 195-199, as Document No. 9600001, being a resubdivision of Lot 1 in Eastport Marina Subdivision in the City of East Peoria, Illinois, being a part of the Southeast Quarter of Section 22, Township 26 North, Range 4 West of the Third Principal Meridian, according to the plat thereof recorded in Plat Book "MM", pages 191 and 192, situated in TAZEWELL COUNTY, ILLINOIS.

ALSO the PRIVATE RIGHT OF WAY adjoining Lots 1 through 30 aforesaid.

Part of Tax I.D. No. 01-22-400-004

Parcel Two:

Unit 41-D, Garage Unit 41-D, Unit 41-E, Garage Unit 41-E, Unit 42-D, Garage Unit 42-D, Unit 42-E, Garage Unit 42-E, Unit 43-D, Garage Unit 43-D, Unit 43-E, Garage Unit 43-E, Unit 44-D, Garage Unit 44-D, Unit 44-E, Garage Unit 44-E, Unit 45-D, Garage Unit 45-D, Unit 45-E, Garage Unit 45-E, Unit 46-D, Garage Unit 46-D, Unit 46-E, Garage Unit 46-E, Unit 47-D, Garage Unit 47-D, Unit 47-E, Garage Unit 47-E, Unit 48-D, Garage Unit 48-D, Unit 48-E, Garage Unit 48-E of HARBOR POINTE CONDOMINIUMS at Eastport Marina, East Peoria, Illinois, per plat recorded on December 6, 1996 as Document No. 96-24449 in Plat Book NN, pages 149 through 156 with the Tazewell County Recorder of Deeds, Tazewell County, Illinois.

Part of Tax I.D. Nos. 01-22-400-019 and 01-22-400-018

Parcel Three:

Lots 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71 and 72 of the third addition to HARBOR POINTE RESIDENCES at Eastport Marina, East Peoria, Illinois, according to the plat thereof recorded in Tazewell County on October 26, 1999 as Document No. 9926932 in Plat Book "QQ", pages 121-124.

Part of Tax I.D. Nos. 01-01-22-400-018 and 01-01-22-400-019

EXHIBIT B

Affidavit of Thomas Menold

Thomas Menold, being duly sworn on oath states that the following statements are true and correct:

1. He is the President of the Harbor Pointe Homeowners Association.
2. The Association circulated the amendment to which this Affidavit is attached to all Owners of Record.
3. A majority of the Members of the Association approved the Amendment.
4. Copies of this Amendment were mailed by certified mail to all mortgagees of record at least ten days prior to the execution of this Affidavit.

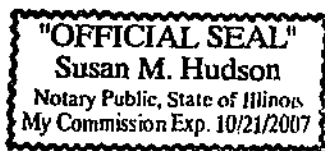
Date: July 14, 2006

By: [Signature]
Thomas Menold

Attest: Joseph S. Cutt
Secretary

STATE OF ILLINOIS)
) SS
COUNTY OF TAZEWELL)

The undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Thomas Menold and Joseph S. Cutt, personally known to me to be the President and Secretary of Harbor Pointe Homeowners Association, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such President and Secretary, appeared before me this day in person and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act as such President and Secretary and as the free and voluntary act of Harbor Pointe Homeowners Association for the uses and purposes therein set forth; and on their oath stated that they were duly authorized to execute such instrument. Given under my hand and Notarial Seal this 14th day of July, 2006.



Susan M. Hudson
Notary Public