

Tallgrass

00-36825

**DECLARATION OF COVENANTS AND RESTRICTIONS**  
Peoria, County

FILED  
PEORIA COUNTY  
STATE OF ILLINOIS

17 Nov 00 13 45

This Document Prepared By and Return To:  
Sandra J. Birdsall  
Birdsall & Flaherty, LLC  
211 Fulton Street, Suite 602  
Peoria, IL 61602

*C. Williams*  
RECORDER OF DEEDS

*Referencing  
Condos &  
Duplexes  
in Condos*

*30.2*

**DECLARATION OF COVENANTS AND RESTRICTIONS**  
**A PART OF PARCEL E**

THIS DECLARATION OF COVENANTS AND RESTRICTIONS is made this 18th day of October, 2000, by Weaver/Cullinan Residential, LLC, the owner and developer (hereinafter "Developer") of the real estate which is described below and hereinafter referred to as "the Subdivision."

Lots 308 and 309 of WeaverRidge Subdivision, Section 5, Peoria, Illinois, according to the plat thereof recorded on the 17 day of November, 2000, as Document No. 0030817, also being a tract of land being a part of Sections 23 and 24, Township 9 North, Range 7, also being a part of Parcel E of WeaverRidge Subdivision, as recorded in Plat Book 6, pages 11 thru 20, in the Peoria County Recorder's Office, Peoria County, Illinois.

A part of Tax ID # 13-23-476-004.

The Subdivision with all improvements now and hereinafter erected shall be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, easements, privileges and liens set forth which shall be binding upon all parties acquiring any title, right, or interest therein and which shall run with the land and inure to the benefit of Developer, all lot owners, and their heirs, successors and assigns, and the Association as provided therein.

1. Application of Restrictions. All persons, corporations, trusts, or other entities that now hold or shall hereafter acquire any interest in any part of the Subdivision shall be taken to agree to comply with the covenants, conditions, restrictions, and stipulations contained herein as to the use of the Subdivision and the construction of residences and improvements therein as set forth.

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2. Property Use. The "Subdivision" shall be used solely for condominiums, duplexes, townhouses, and single family dwelling units and other similar type of owner-occupied units. No portion of the Subdivision shall be used for apartment buildings or other structures designed for rental. Nothing contained herein shall prevent individual unit or lot owners from renting their own property. No portion of the Subdivision shall be used for any commercial, manufacturing, professional, religious or other business purpose, including in-home businesses which would be permitted under the City of Peoria Zoning Ordinances.

3. Lot 308 of the Subdivision shall have no more than 64 dwelling units constructed on the lot. If subdivided later into smaller parcels, the total units of all parcels which comprise what is now Lot 308 shall be restricted to a total of 64 units.

4. Lot 309 of the Subdivision shall have a maximum of 99 units constructed on the lot. If subdivided later into smaller parcels, the total units of all parcels which comprise what is now Lot 309 shall be restricted to a total of 99 units.

5. All dwelling units constructed in the Subdivision shall have a maximum height of three stories above a walkout basement.


6. The provisions of Paragraphs 1, 2, 3, 4 and 5 of this Declaration shall inure to the benefit of and may be enforced by the WeaverRidge Master Homeowners' Association.

7. If the Developer submits each lot in the Subdivision to the Declaration of Covenants for the Master Homeowners' Association, Developer shall elect two representatives for Lot 308 and two representatives for Lot 309 to represent the owners of all property within each lot on the Board of the Master Association.

IN WITNESS WHEREOF, the undersigned has hereby placed its seal this 30 day of October, 2000.

WEAVER/CULLINAN RESIDENTIAL,  
LLC

By: Cullinan Properties, Ltd.

By:   
Michael C. Owens

Its: Vice President of Investments

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STATE OF ILLINOIS     )  
                                  )  
COUNTY OF PEORIA     )     ss.

I, Teresa Hudspeth, a Notary Public in said County, in the State aforesaid, do hereby certify that MICHAEL C. OWENS is personally known to me to be the Vice President of Investments of Cullinan Properties, Ltd. and whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledge that he signed as such and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

Dated this 20<sup>th</sup> day of October, 2000.

Teresa Hudspeth  
Notary Public



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