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STATE OF ILLINOIS  
MADISON COUNTY  
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DEBRA D. NING-MENDOZA  
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### **FIFTH AMENDMENT TO COVENANTS AND RESTRICTIONS FOR DUNLAP LAKE SUBDIVISION**

**WHEREAS**, “Restrictions Governing Dunlap Lake Subdivision” were Recorded October 11, 1946 (Book 972 Page 435) and several amendments (Book 1361 Page 109; Book 2632 Page 550; Book 2803 Page 637; Book 3060 Page 569; Book 3241 Page 1486; Book 3406 Page 121; Book 3486 Page 1360; Book 3884 Page 861; Book 3502 Page 2062; and Book 3510 Page 1991) where thereafter made thereto and recorded (collectively, the “Initial Indenture”); and

**WHEREAS**, on August 17, 1998, the Initial Indenture was superseded by an amended and fully restated set of Restrictions (Book 4262 Page 1795), which were thereafter twice amended, in November, 2008, and October, 2009 (2010R33142 and 2010R33143), respectively (collectively, the “2nd Restrictions”); and

**WHEREAS**, thereafter a Third Amended and Restated Covenants and Restrictions for Dunlap Lake (2014R1334) was duly adopted to amend and fully restate the restrictions and covenants applicable to the Community to conform to the Illinois Common Interest Community Act (the “3rd Restrictions”); and

**WHEREAS**, thereafter a Fourth Amended Covenants and Restrictions for Dunlap Lake Subdivision (2014R1335) amended Article 11, Section 1 of the 3<sup>rd</sup> Restrictions (the “Fourth Amendment” and, collectively with the 3<sup>rd</sup> Restrictions, the “Current Restrictions”); and

**WHEREAS**, a further amendment to Article 11, Section 1 as set forth herein has now been duly adopted;

**NOW, THEREFORE**, the Current Restrictions are hereby modified and amended as follows:

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1. Article 11, Section 1 is hereby deleted, in its entirety, and the following is inserted, in its place:

**Section 1. Annual Assessments**

Subject to Article 5, above, the Board shall have the right to assess the Lot Owners, on each successive June 1st, such sum as the Board shall deem necessary for the upkeep and maintenance of the dam, lake, and other Association properties in the Community and for the expenses incurred in managing the Community; provided however, that the assessment as levied each year shall be and become a lien, without the filing of suit or legal procedure, upon such Lot, if such assessment shall not be paid within thirty (30) days after assessments are mailed. No assessment shall be made on any Lot not sold or conveyed by the original grantors of the subdivision or their heirs, executors, or administrators. The maximum annual assessment for 2021 shall be \$675.00 (\$56.25 per month) per Voting Lot. Thereafter, the maximum annual assessment shall be \$850.00 (\$70.83 per month) in 2022, \$1,025.00 (\$85.42 per month) in 2023, and \$1,200.00 (\$100.00 per month) in 2024 and subsequent years.

2. Except as expressly modified hereby, the provisions of the Current Restrictions shall remain in full force and effect.

3. This Fifth Amendment has been entered into and shall be construed in accordance with the laws of the State of Illinois.

DUNLAP LAKE SUBDIVISION, an Illinois  
not-for-profit corporation.

By: 

Name: MICHAEL WATTS

Title: PRESIDENT

By: 

Name: ANDREW REZNACK

Title: SECRETARY

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT MICHAEL WATTS, as the President of DUNLAP LAKE PROPERTY OWNERS ASSOCIATION, an Illinois not-for-profit corporation, being the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument pursuant to authority given by the Members of said Illinois not-for-profit corporation, as his own free and voluntary act and as the free and voluntary act of said Illinois limited liability company, for the uses and purposes therein set forth.

**CAMILLE MICHEL LANE**  
Official Seal  
Notary Public - State of Illinois  
My Commission Expires Nov 16, 2022

I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT ANDREW REZNACK, as the Secretary of DUNLAP LAKE PROPERTY OWNERS ASSOCIATION, an Illinois not-for-profit corporation, being the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument pursuant to authority given by the Members of said Illinois not-for-profit corporation, as their own free and voluntary act and as the free and voluntary act of said Illinois limited liability company, for the uses and purposes therein set forth.

**CAMILLE MICHEL LANE**  
Official Seal  
Notary Public - State of Illinois  
My Commission Expires Nov 16, 2022

EXHIBIT A  
LEGAL DESCRIPTION

DUNLAP LAKE SUBDIVISION

Situated in Part of Sections 12 & 13 Township 4 North Range 8 West and Sections 7 & 18 Township 4 North Range 7 West of the Third Principal Meridian as more fully shown by Plat thereof recorded in Plat Book 21 Page 72 and Plat Book 21, Pages 86 and 87, Madison County, Illinois.

**END OF DOCUMENT**

Prepared by / Return to  
Sue Schultz  
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