

*THIS INSTRUMENT PREPARED  
BY AND SHOULD BE RETURNED  
TO:*

*Brian Meltzer  
MELTZER, PURTILL & STELLE LLC  
1515 East Woodfield Road, Suite 250  
Schaumburg, Illinois 60173-5431*

KATHLEEN V. CARRIER, RECORDER  
DUPAGE COUNTY ILLINOIS  
04/15/2022 08:10 AM  
RHSP

DOCUMENT # R2022-038076

ABOVE SPACE FOR RECORDER'S USE ONLY

### **SPECIAL AMENDMENT NO. 3 TO DECLARATION FOR LEXINGTON TRACE TOWNHOMES**

This Special Amendment to Declaration ("Special Amendment") is made and entered into as of the 1<sup>st</sup> day of April, 2022, by Lexington Trace LLC, an Illinois limited liability company ("Declarant").

#### RECITALS

Declarant Recorded the Declaration for Lexington Trace with the DuPage County Recorder of Deeds on May 21, 2019, as Document No. R2019-039283 (the "Declaration").

In Section 10.01 of the Declaration, Declarant reserved the right and power to Record a Special Amendment to the Declaration to, among other things, correct errors, omissions, ambiguities and/or inconsistencies in the Declaration, or any Exhibit thereto, and to bring the Declaration into compliance with applicable laws, ordinances and/or governmental regulations.

Declarant exercised the rights and powers reserved in Section 10.01 of the Declaration by Recording Special Amendment No. 1 to the Declaration on September 3, 2019, as Document R2019-076341, and Special Amendment No. 2 to the Declaration on September 22, 2020, as Document No. R2020-107214.

Declarant desires, once again, to exercise the rights and powers reserved in Section 10.01 of the Declaration to amend Exhibit A to include additional real estate.

NOW, THEREFORE, for the reasons set forth above, Declarant does hereby amend the Declaration as follows:

1. Terms. All terms used herein, if not otherwise defined herein, shall have the meanings set forth in the Declaration.

2. Amendment of Exhibit A. Exhibit A to the Declaration is hereby amended and restated to be as set forth in the First Amended and Restated Exhibit A hereto.

3. Covenants to Run With Land. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this Special Amendment, shall run with and bind the Premises.

4. Continuation. As expressly hereby amended, the Declaration shall continue in full force and effect in accordance with its terms.

*[Signature page follows]*

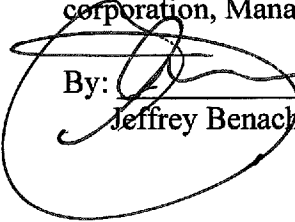
IN WITNESS WHEREOF, Declarant has executed this Special Amendment on the date first written above.

**DECLARANT:**

LEXINGTON TRACE LLC, an Illinois limited liability company

By: Lexington Homes L.L.C., an Illinois limited liability company, Manager

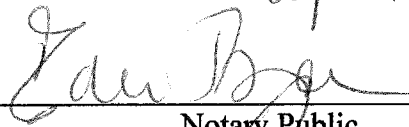
By: Lexington Homes Illinois Inc., an Illinois corporation, Manager

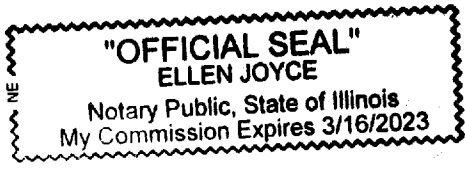
By:  \_\_\_\_\_  
Jeffrey Benach, Authorized Signatory

STATE OF Illinois  
COUNTY OF Cook SS

I, Ellen Joyce, a Notary Public in and for said County and State, do hereby certify that Jeffrey Benach, authorized signatory for Lexington Homes Illinois Inc., which is the manager of Lexington Homes L.L.C., which is the manager of Lexington Trace LLC, an Illinois limited liability company (the "Company"), appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his free and voluntary act, and as the free and voluntary act of the Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 18<sup>th</sup> day of April, 2022.

 \_\_\_\_\_  
Notary Public



**FIRST AMENDED AND RESTATED EXHIBIT A TO  
DECLARATION FOR LEXINGTON TRACE TOWNHOMES**

The Development Area

ALL LOTS AND OUTLOTS IN LEXINGTON TRACE, BEING A SUBDIVISION OF LOTS 42, 43, 44, 45, 56, 57, 58, 59, 61 AND 62 IN ROBERT BARTLETT'S GREEN ACRES, BEING A SUBDIVISION IN THE EAST HALF OF SECTION 33 AND THE WEST HALF OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN (ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 20, 1943, AS DOCUMENT 454884, IN DUPAGE COUNTY ILLINOIS), PURSUANT TO THE PLAT THEREOF RECORDED ON MAY 21, 2019 AS DOCUMENT R2019-039282;

AND ALSO:

LOTS 46 AND 47 IN ROBERT BARTLETT'S GREEN ACRES, BEING A SUBDIVISION IN THE EAST 1/2 OF SECTION 33 AND THE WEST 1/2 OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 20, 1943 AS DOCUMENT 454884, IN DUPAGE COUNTY, ILLINOIS.

PIN Nos: 04-33-401-004 and 04-33-401-005

Commonly known as: 30W221 Butterfield Road, Warrenville, IL 60563

AND ALSO:

LOT 60 IN ROBERT BARTLETT'S GREEN ACRES BEING A SUBDIVISION IN THE EAST 1/2 OF SECTION 33 AND THE WEST 1/2 OF SECTION 34, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 20, 1943 AS DOCUMENT 454884, IN DUPAGE COUNTY, ILLINOIS;

Pins and Addresses  
(see following page)

<u>Lot</u>	<u>PIN</u>	<u>Address</u>
1	04-33-408-009	Barkley Ave., Naperville, IL 60563
2	04-33-408-008	Barkley Ave., Naperville, IL 60563
3	04-33-408-002	Brayman Ct., Naperville, IL 60563
4	04-33-408-003	Brayman Ct., Naperville, IL 60563
5	04-33-408-004	Brayman Ct., Naperville, IL 60563
6	04-33-408-005	Brayman Ct., Naperville, IL 60563
7	04-33-408-006	Brayman Ct., Naperville, IL 60563
8	04-33-408-007	Brayman Ct., Naperville, IL 60563
9	04-33-406-003	Brayman Ct., Naperville, IL 60563
10	04-33-406-002	Brayman Ct., Naperville, IL 60563
11	04-33-401-038	Lambe Lane, Naperville, IL 60563
12	04-33-401-039	Lambe Lane, Naperville, IL 60563
13	04-33-401-040	Lambe Lane, Naperville, IL 60563
14	04-33-401-041	Lambe Lane, Naperville, IL 60563
15	04-33-407-004	Lambe Lane, Naperville, IL 60563
16	04-33-407-003	Lambe Lane, Naperville, IL 60563
17	04-33-407-002	Lambe Lane, Naperville, IL 60563
18	04-33-407-001	Lambe Lane, Naperville, IL 60563
19	04-33-407-005	Barkley Ave., Naperville, IL 60563
20	04-33-407-006	Barkley Ave., Naperville, IL 60563
21	04-33-407-007	Barkley Ave., Naperville, IL 60563
Outlot A	04-33-401-037	Barkley Ave., Naperville, IL 60563
Outlot B	04-33-407-008	Barkley Ave., Naperville, IL 60563
Outlot C	04-33-408-001	Brayman Ct., Naperville, IL 60563
Outlot E	04-33-406-001	Barkley Ave., Naperville, IL 60563
Outlot F	04-33-401-036	Barkley Ave., Naperville, IL 60563