



PHYLLIS K. WALTERS  
RECORDER-MCHENRY COUNTY, IL

2012R0058868

12/10/2012 12:54PM PAGES 8

RECORDING FEE 29.00

GIS FEE 15.00

RHSPS HOUSING FEE 10.00

**AMENDMENT TO THE  
DECLARATION FOR  
HARVEST RUN PHASE  
3 HOMEOWNERS  
ASSOCIATION**

For Use by Recorder's Office Only

This document is recorded for the purpose of amending the Declaration (hereafter the "Declaration") for the Harvest Run Phase 3 Homeowners Association (hereafter the "Association"), which Declaration was recorded on December 1, 2000 as Document Number 2000R0065881 in the Office of the Recorder of Deeds of McHenry County, Illinois, and covers the property (hereafter the "Property") legally described in Exhibit "A," which is attached hereto and made a part hereof.

This Amendment is adopted pursuant to the provisions of Section 10.02 of Article Ten of the aforesaid Declaration. Said section provides that the Declaration may be amended by the affirmative vote of Voting Members representing at least 75% of the total votes and recorded in the Office of the Recorder of Deeds of McHenry County.

**RECITALS**

WHEREAS, by the Declaration recorded in the Office of the Recorder of Deeds of McHenry County, Illinois, the Property has been subjected to the easements, restrictions and covenants contained therein; and

WHEREAS, the Board and the Owners desire to amend the Declaration in order to provide for the orderly operation of the Property; and

This document prepared by and after  
recording to be returned to:

Robert P. Nesbit, Esq.  
Kovitz Shifrin Nesbit  
750 Lake Cook Road, Suite 380  
Buffalo Grove, IL 60089 - 847. 777. 7241

WHEREAS, the following amendment  
has been approved by at least 75% of the  
Owners and the written petitions/ballots are  
attached hereto and made a part hereof.

(MT) CURT P REHBERG & ASSOC  
64 E CRYSTAL LAKE AVE  
CRYSTAL LAKE, IL  
60014



NOW, THEREFORE, the Declaration for the Harvest Run Phase 3 Homeowners Association is hereby amended in accordance with the text which follows (additions in text are indicated by a double underline, deletions by ~~strike-outs~~):

1. Section 8.09 of Article Eight of the Declaration shall be amended as follows:

8.09. FENCES. Subject to the provisions of Section 9.06 and the issuance of a permit by and compliance by the Owner with the applicable rules and regulations of the City of Crystal Lake, a fence may be installed by an Owner on his Lot, provided that any fence so installed shall be of wood and the color must be approved by the Board of Directors prior to installation. The style and height of a permitted fence is specified below: ~~the type, style, color and height specified on Exhibit C attached hereto.~~

<u>Style</u>	<u>Height</u>
Board on board (flat top, arched or scalloped)	6 foot maximum
Picket (flat top, arched or scalloped)	6 foot maximum
Solid (flat top, arched or scalloped)	6 foot maximum

2. Section 8.14 of Article Eight of the Declaration shall be amended as follows:

8.14. OUTBUILDINGS. Outbuildings are subject to the provisions of Section 9.06 of the Declaration. Sheds must be wood or vinyl sided with a maximum size of ten feet by twelve feet (10' x 12') with an eight foot (8') wall maximum. The roof pitch must match the pitch of the home. The color scheme may either match the home or may be of a natural wood tone. Plastic or rubber formed storage structures may not be larger than 100 cubic feet and must adhere to Village guidelines. Not more than one animal house shall be constructed on each lot which is designed and intended to be improved with a single family home; provided that any such animal house shall be constructed adjacent to the residence and shall not be visible from the street. No structure of a temporary character, trailer, tent, shack, shed, garage, barn or other outbuilding shall be used as a residence or for any other purpose, either temporarily or permanently. Construction of any such outbuilding is subject to the restrictions set forth herein and receipt by Owner of a permit from the City of Crystal Lake.

3. This Amendment shall be effective upon recordation in the Office of the Recorder of Deeds of McHenry County, Illinois.

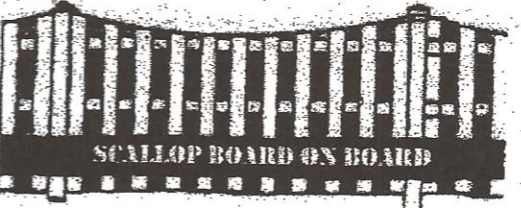
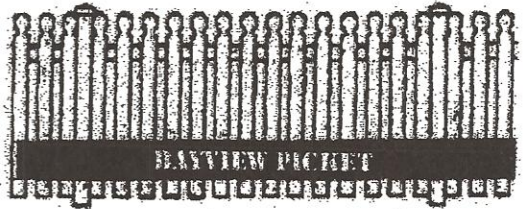
4. Except to the extent expressly set forth hereinabove, the remaining provisions of the Declaration shall continue in effect without change.

**EXHIBIT A****LEGAL DESCRIPTION**

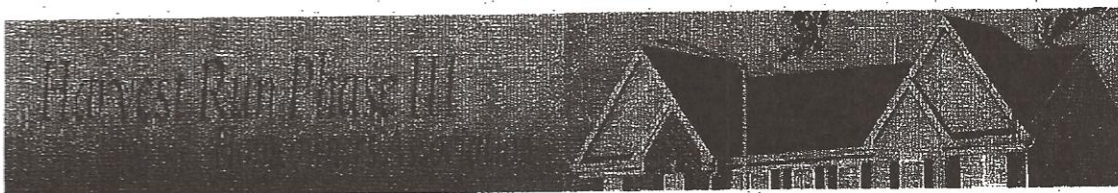
All lots and outlots in Harvest Run - Unit 3 ("Harvest Run Unit 3") being a subdivision of part of the East half of the Northwest Quarter and the Southwest Quarter of Section 12, Township 43 North, Range 7 East of the Third Principal Meridian, in the City of Crystal Lake, McHenry County, Illinois, pursuant to a Plat thereof recorded in McHenry County, Illinois, Document No. 1999R0070956.



# EXHIBIT 'C'







## FENCE VOTING BALLOT

For those homeowners that have lived at Harvest Run Phase 3 since mid 2003, you may recall that a vote was taken at that time to allow between only wooden fences or wooden and PVC fences. Per the declaration 75% of the homeowners voted for wooden only. Since 2003 the products offered for fence material have changed in style and quality, which is the reason for this voting ballot.

### Below is the current rule.

8.09 **FENCES.** Subject to the provisions of Section 9.06 and the issuance of a permit by and compliance by the Owner with the applicable rules and regulations of the City of Crystal Lake, a fence may be installed by an Owner on his Lot, provided that any fence so installed shall be of wood and the color must be approved by the Board of Directors prior to installation. The style and height of a permitted fence is specified below:

<u>Style</u>	<u>Height</u>
Board on board (flat top, arched or scalloped)	6 foot maximum
Picket (flat top, arched or scalloped)	6-foot maximum
Solid (flat top, arched or scalloped)	6 foot maximum
%%%%%%%%%	%%%%%%%%%

### The HRP3 Board of Directors is proposing the following amendment. Please refer to the back of this ballot for descriptions and pictures that related to this change.

8.10 **FENCES.** Subject to the provisions of Section 9.06 and the issuance of a permit by and compliance by the Owner with the applicable rules and regulations of the City of Crystal Lake, a fence may be installed by an Owner on his Lot, provided that any fence so installed shall be of wood or Vinyl/PVC material with wood grain look and the color must be approved by the Board of Directors prior to installation. The style and height of a permitted fence is specified below:

<u>Style</u>	<u>Height</u>
Board on board (flat top, arched or scalloped)	6 foot maximum
Picket (flat top, arched or scalloped)	6-foot maximum
Solid (flat top, arched or scalloped)	6 foot maximum
%%%%%%%%%	%%%%%%%%%

Please identify below your vote to either keep the fence rule the same or to change the rule as identified above. **Please return ballot to CMS by 5/9/11, the Annual Election Meeting.**

☐ **No Change – Wood Only**

☐ **Change – Wood or PVC**

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_

Complete Management Solutions/Lynda Potas  
P.O. Box 2545/1280 High Plaine Drive/Crystal Lake, IL 60014  
(815) 814-7088 – Fax (815) 459-5711 – cmspotas@comcast.net  
www.HarvestRun.org - HarvestRunPhase3@yahoo.com



# Exhibit A

## HRP3 Fence Ballot Results

10/26/2011

<u>LAST NAME</u>	<u>ADDRESS</u>	<u>WOOD ONLY</u>	<u>WOOD &amp; PVC</u>
Adams	776 Crabapple Drive		1
Aguilar/Montezuma	1109 Autumn Drive		1
Anichini	1076 Autumn Drive		1
Antonogiovanni	779 Crabapple Drive		
Auvenshine	821 Crabapple Drive		1
Bachar	866 Crabapple Drive		1
Beig	1264 High Plaine Drive		
Baran	1127 Autumn drive		1
Bartlett	845 Crabapple Drive		1
Beam	848 Crabapple Drive		1
Bengtson	1151 Autumn Drive		1
Bertalon	1085 Autumn Drive		1
Bogda	1091 Autumn Drive	1	
Bolda	833 Crabapple Drive		1
Butler	1103 Autumn Drive		1
Cochrane	1148 Autumn Drive		1
Cox, Jr.	857 Crabapple Drive		1
Crohn	1157 Autumn Drive		1
Dallman Jr.	1097 Autumn Drive		1
Falco	1163 Autumn Drive		1
Foster	863 Crabapple Drive		1
Francis	1136 Autumn Drive		1
Gabiga	1160 Autumn Drive		
Gritton	1061 Autumn Drive		1
Grochocki	1073 Autumn Drive	1	
Gronberg	785 Crabapple Drive		1
Guinsato	1272 High Plaine Drive		1
Haffey	1115 Autumn Drive		1
Hansen	1046 Autumn Drive		1
Hartman	824 Crabapple Drive	1	
Haupt	1166 Autumn Drive		1
Havlik	1275 High Plaine Drive		1
Hendrickson	851 Crabapple Drive		1
Janis	1142 Autumn Drive		1
Kakish/Gnheim	1134 Autumn Drive		
Kang	1148 Autumn Drive		
Kelley	1243 High Plaine Drive	1	
Kennedy	872 Crabapple Drive		1
Kesseler	1139 Autumn Drive		1
Koell	770 Crabapple Drive		
Konecki	842 Crabapple Drive		1
Krochmal	818 Crabapple Drive		1
Lieb	1055 Autumn Drive		1
Mann	860 Crabapple Drive		1
Mathes	1251 High Plaine Drive	1	

## HRP3 Fence Ballot Results

10/26/2011

<u>LAST NAME</u>	<u>ADDRESS</u>	<u>WOOD ONLY</u>	<u>WOOD &amp; PVC</u>
Mendoza	1124 Autumn Drive		1
Metropulos	836 Crabapple Drive		1
Motluck	1106 Autumn Drive		1
Murphy	1256 High Plaine Drive		1
Norris	1248 High Plaine Drive		1
O'Brien	869 Crabapple Drive		1
Palakodeti	1064 Autumn Drive		1
Perkins	1133 Autumn Drive		
Pinion	827 Crabapple Drive		1
Potas	1280 High Plaine Drive		1
Rauh	815 Crabapple Drive		1
Reilly	1240 High Plaine Drive	1	
Revnew	1079 Autumn Drive		1
Richardson/Love-Richardson	1067 Autumn Drive	1	
Rogue	803 Crabapple Drive		
Salvador	773 Crabapple Drive		1
Saviano	1070 Autumn Drive		1
Schmidt	1259 High Plaine Drive		
Schurter	1058 Autumn Drive		1
Skrandzius	1052 Autumn Drive		1
Su/Ling	1121 Autumn Drive		1
Tripoli	791 Crabapple Drive		1
Whittington	1267 High Plaine Drive		1
Wrbaneck	809 Crabapple Drive		1
Wrzosek	830 Crabapple Drive		
Zachary	854 Crabapple Drive	1	
Zautcke	1130 Autumn Drive		1
	TOTALS	8	54
		11.11%	75.00%
			86.11%



STATE OF ILLINOIS     )  
                                  )  
COUNTY OF MCHENRY    )     S.S.

WE, the undersigned, members of the Board of Directors of Harvest Run Phase III, an Illinois not-for-profit Association, having its principal place of business in McHenry County, Illinois, do hereby certify as follows:

1. Attached hereto and made a part hereof as Exhibit A is a document entitled, "HRP3 Fence Ballot Results".
2. We certify that we are the members of the Board of Directors for the Association, and that the foregoing Amendment is a true and correct copy of the Amendment that was placed before the membership of the Association for vote on October 12, 2011, and that said Amendment was placed for a vote for the Association membership in accordance with Paragraph 10.02 of the Declaration for Harvest Run Phase III, recorded on December 1, 2012 as Document Number 2000R0065881.
3. That after submitting the same for vote, the Association membership did approve the Amendment with a vote of 54 to 8, and that the vote total resulted in an approval at the rate of 86.11% of membership. The terms and provisions of Paragraph 10.02 of the Amendment require approval by at least 75% of membership, and that the Amendment was properly passed.

Matt Bolde  
MAT BOLDA

Nick Falco  
NICK FALCO

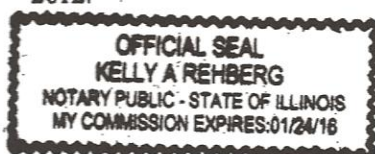
Jim Hendrickson  
JIM HENDRICKSON

Rick Cox, Jr.  
RICK COX, JR.

Patrick J. O'Brien  
PATRICK O'BRIEN

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that the above, appeared before me this day in person and acknowledged that they signed, sealed and delivered said instrument as their free and voluntary act, and as the free and voluntary act of the Declarant for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 22<sup>nd</sup> day of March, 2012.



Kelly A. Rehberg  
NOTARY PUBLIC