

## TITLE I: GENERAL PROVISIONS

Chapter

### 10. GOVERNANCE AMENDMENTS

## CHAPTER 10: GOVERNANCE

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Section

- 10.01 Hierarchy of Governing Documents
- 10.02 Federal Regulations
- 10.03 State Statutes
- 10.04 County/Township Regulations
- 10.05 Articles of Incorporation
- 10.06 Final Plat
- 10.07 Declaratory Statements of Covenants and Restrictions
- 10.08 Plan and Agreement of Merger

### § 10.01 HIERARCHY OF GOVERNING DOCUMENTS.

- (A) Federal Regulations;
- (B) State Statutes;
- (C) County/Township Regulations;
- (D) Articles of Incorporation, April 27, 1972;
- (E) Final Plat (Available at the LCA Administration Office or the Carroll County Courthouse);
- (F) Declaratory Statements of Covenants and Restrictions (C&Rs):
  - (1) Russwood - May 15, 1972
  - (2) Lake Carroll Holdings - August 17, 1984
  - (3) Patten - February 19, 1987
- (G) Plan and Agreement of Merger, July 15, 1989;
- (H) Lake Carroll By-Laws;
- (I) Court Order Approving Settlement Agreement;
- (J) Lake Carroll Rules and Regulations; and
- (K) Lake Carroll Building Rules and Regulations.

### § 10.02 FEDERAL REGULATIONS.

**Editor's note:**

*Federal regulations comprise the first item in the hierarchy of governing documents for the Lake Carroll Association.*

§ 10.03 STATE STATUTES.

Editor's note:

State of Illinois Statutes comprise the second item in the hierarchy of governing documents for the Lake Carroll Association.

§ 10.04 COUNTY/TOWNSHIP REGULATIONS.

Editor's note:

County and township regulations comprise the third item in the hierarchy of governing documents for the Lake Carroll Association.

§ 10.05 ARTICLES OF INCORPORATION.

ARTICLES OF INCORPORATION - April 27, 1972

Certificate Number 16979



On all the whom these presents shall come, Greeting:

Whereas, Articles of Incorporation duly signed and verified of LAKE CARROLL ASSOCIATION

have been filed in the Office of the Secretary of State on the 27th day of April, A. D. 1972, as provided by the GENERAL NOT FOR PROFIT CORPORATION ACT of Illinois, approved July 17, 1923, in force January 1, A. D. 1924;

Now Therefore, I, JOHN W. LEWIS, Secretary of State of the State of Illinois, by virtue of the powers vested in me by law, do hereby issue this Certificate of Incorporation and attach thereto a copy of the Articles of Incorporation of the aforesaid corporation.

In Testimony Whereof, I thereto set my hand and cause to be affixed the Great Seal of the State of Illinois. Done at the City of Springfield this 27th day of April, A. D. 1972, and of the Independence of the United States the one hundred and 96th

(SEAL)

John W. Lewis SECRETARY OF STATE

Filing fee \$25.00 **ARTICLES OF INCORPORATION  
UNDER THE  
GENERAL NOT FOR PROFIT CORPORATION ACT**

(These Articles Must Be Filed in Duplicate)

(Do Not Write In This Space)

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

Filing Fee: \_\_\_\_\_

Clerk: \_\_\_\_\_

To JOHN W. LEWIS, Secretary of State, Springfield, Illinois.

We, the undersigned. Not less than three

Name	Number	Street	Address City	State
Herbert C. Steinmetz, Jr.	403	West Galena Blvd.	Aurora, Illinois	60507
Ralph E. Lowe	403	West Galena Blvd.	Aurora, Illinois	60507
Gary L. Steadman	403	West Galena Blvd.	Aurora, Illinois	60507

Being natural persons of the age of twenty-one years or more and citizens of the United States, for the purpose of forming a corporation under the General Not for Profit Corporation Act of the State of Illinois, do hereby adopt the following Articles of Incorporation:

- The name of the corporation is: Lake Carroll Association
- The period of duration of the corporation is: perpetual

(Please state

“perpetual” or a definite number of years)

- The address of the initial Registered Office in the State of Illinois is: 403 West Galena Blvd., Street in the City of Aurora (60507) County of KANE and the name of the initial Registered Agent *at said*

(zip code)

*address is:* Gary L. Steadman

- The first Board of Directors shall be three (3) in number. Their names and addresses being as follows:

Name	Number	Street	Address City	State
C. Neal McGarvey	4921	Aldemarle Road	Charlotte, North Carolina	
Henry Skorga	4921	Aldemarle Road	Charlotte, North Carolina	
William Gibbs	4921	Aldemarle Road	Charlotte, North Carolina	

- The purpose or purposes for which the corporation is organized are: To promote and enhance the civic and social welfare and interests of the persons who may from time to time be the owners of real estate in Lake Carroll, a subdivision situated in Carroll County, Illinois, insofar as those interests relate to said ownership; to acquire by gift or purchase or otherwise, and hold in its corporate name, real and personal property; to construct, maintain, replace or otherwise deal with improvements of every kind whatsoever upon its land; to exercise all powers granted by law to not-for-profit corporations, and to do all lawful things and acts for the betterment of its members and promotion of their interests; to levy assessments and borrow money for the accomplishment of the foregoing purposes. Notwithstanding anything herein to the contrary, the corporation shall exercise only such powers as are in furtherance of the

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exempt purposes of organizations set forth in Section 501(c)(7) of the Internal Revenue Code and its Regulations as the same now exist or as they may be hereafter amended from time to time.

May 1, 1972

/s/ \_\_\_\_\_

John W. Lewis

Secretary of State

(NOTE: Any special provision authorized or permitted by statute to be contained in the Articles of Incorporation, may be inserted above.)

(INCORPORATORS MUST SIGN BELOW)

/s/ \_\_\_\_\_ }

}

/s/ \_\_\_\_\_ }

Incorporators

}

/s/ \_\_\_\_\_ }

**ACKNOWLEDGMENT**

STATE OF ILLINOIS, }

County of Kane }

I, Dena J. Gebnuer, a Notary Public do hereby certify that on the 18th day of April, 1972, Herbert C. Steinmetz, Jr., Ralph E. Lowe and Gary L Steadman personally appeared before me and being first duly sworn by me severally acknowledged that they signed the foregoing document in the respective capacities therein set forth and declared that the statements therein contained are true.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

PLACE (NOTARIAL SEAL) HERE

Notary Public

/s/ \_\_\_\_\_

**§ 10.06 FINAL PLAT.**

**Editor's note:**

*The final plat comprises the fifth item in the hierarchy of governing documents for the Lake Carroll Association. A copy of the final plat is available at the LCA Administration Office or Carroll County Courthouse.*

**§ 10.07 DECLARATORY STATEMENTS OF COVENANTS AND RESTRICTIONS.**

(A) *Russwood.* All Supplementals and Amendments are secondary to the original Russwood Declaration of Restrictive Covenants dated 5-15-1972, which is at the top of the following list.

5-15-1972	<u>Sections 1, 2, 3, 4, 5, 12, 13, 16, 20, &amp; 30</u>	Russwood declaration of restrictive covenants.
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5-15-1972	<a href="#">Sections 1, 2, 3, 4, 5, 12, 13, 16, 20, &amp; 30</a>	<b>Russwood declaration of restrictive covenants.</b>
<a href="#">12-6-2015</a>		Supplemental declaration of restrictive covenants; Lake Carroll.
5-25-1972	<a href="#">Section 1</a>	Supplemental declaration of restrictive covenants; Captains Cove.
6-15-1972	<a href="#">Section 1</a>	Amended supplemental declaration of restrictive covenants; Captains Cove.
12-6-2015	<a href="#">Section 1</a>	Second supplemental declaration of restrictive covenants; Captains Cove.
5-25-1972	<a href="#">Section 2</a>	Supplemental declaration of restrictive covenants; Park View.
6-15-1972	<a href="#">Section 2</a>	Amended supplemental declaration of restrictive covenants; Park View.
6-8-1972	<a href="#">Section 3</a>	Supplemental declaration of restrictive covenants; Fawn Ridge.
12-6-2015	<a href="#">Section 3</a>	Second supplemental declaration of restrictive covenants; Fawn Ridge.
6-8-1972	<a href="#">Section 4</a>	Supplemental declaration of restrictive covenants; Driftwood Point.
10-2-1972	<a href="#">Section 5</a>	Supplemental declaration of restrictive covenants; Heathcliff.
3-26-1973	<a href="#">Section 12</a>	Supplemental declaration of restrictive covenants; Briarwood.
6-8-1973	<a href="#">Section 12</a>	Amended supplemental declaration of restrictive covenants; Briarwood.
5-9-1973	<a href="#">Section 13</a>	Supplemental declaration of restrictive covenants; Quail Hollow.
6-8-1973	<a href="#">Section 13</a>	Amended supplemental declaration of restrictive covenants; Quail Hollow.
8-9-1973	<a href="#">Section 16</a>	Supplemental declaration of restrictive covenants; Stonehedge.
3-26-1973	<a href="#">Section 20</a>	Supplemental declaration of restrictive covenants; Fox Run.
9-14-1973	<a href="#">Section 30</a>	Supplemental declaration of restrictive covenants; Brookside.
5-15-1972	<a href="#">Sections 1, 2, 3, 4, 5, 12, 13, 16, 20, &amp; 30</a>	Russwood declaration of restrictive covenants.

(B) *Lake Carroll Holdings. (Russwood Covenants and Restrictions upheld by LCH as their base to their additional Declarations and Easements). All Supplementals and Amendments are secondary to the original Russwood Declaration of Restrictive Covenants dated 5-15-1972, which is at the top of the following list.*

<b>Date</b>	<b>Section</b>	<b>Description</b>
5-15-1972	<a href="#">Sections 17 &amp; 18</a>	Russwood declaration of restrictive covenants.
12-6-2015		Supplemental declaration of restrictive covenants; Lake Carroll.

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<b>Date</b>	<b>Section</b>	<b>Description</b>
8-17-1984	<a href="#">Section 17</a>	Declaration of easements and declaration of restrictive covenants; Lakeview Heights.
4-13-1987	<a href="#">Section 17</a>	Declaration of easements; Lakeview Heights.
12-6-2015	<a href="#">Section 17</a>	Supplemental declaration of restrictive covenants; Lakeview Heights.
4-13-1987	<a href="#">Section 18</a>	Declaration of easements and declaration of restrictive covenants; Valleyview Heights.
5-29-1987	<a href="#">Section 18</a>	Amendment to declaration of easements and declaration of restrictive covenants; Valleyview Heights

(C) *Patten. All Supplementals and Amendments are secondary to the original Patten Declaration of Covenants and Restrictions dated 2-19-1987, which is at the top of the following list.*

<b>Date</b>	<b>Section</b>	<b>Description</b>
2-19-1987	<a href="#">Sections 15, 19, 26, 27, 28, 29, 31</a>	Patten declaration of covenants and restrictions to run with the land.
11-4-1987	<a href="#">Section 15</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Prairie Hills Heights.
12-6-2015	<a href="#">Section 15</a>	Second supplemental declaration of restrictive covenants; Deer Run on Lake Carroll; Prairie Hill Heights.
11-4-1987	<a href="#">Section 19</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Timber Ridge Estates.
12-6-2015	<a href="#">Section 19</a>	Second supplemental declaration of restrictive covenants; Deer Run on Lake Carroll; Timber Ridge Estates.
2-19-1987	<a href="#">Section 21</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll.
12-6-2015	<a href="#">Section 21</a>	Second supplemental declaration of restrictive covenants; Deer Run on Lake Carroll; Marina Point.
8-11-1990	<a href="#">Section 22</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Lakewood Manor.
11-23-1987	<a href="#">Section 23</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Broadview Estates.
12-6-2015	<a href="#">Section 23</a>	Second supplemental declaration of restrictive covenants; Deer Run on Lake Carroll; Broadview Estates.
11-23-1987	<a href="#">Section 24</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Saddlewood Point.
4-3-1989	<a href="#">Section 24</a>	Second supplemental declaration of covenants; Deer Run on Lake Carroll;

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Date	Section	Description
12-6-2015	<a href="#">Section 24</a>	Ranchette Lots 113 through 141. Third supplemental declaration of restrictive covenants; Deer Run on Lake Carroll; Saddlewood Point.
12-7-1987	<a href="#">Section 25</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Homewood Hills.
7-8-1987	<a href="#">Section 26</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Norwood Meadows.
7-8-1987	<a href="#">Section 27</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Ridgeview Estates.
5-26-1987	<a href="#">Section 28</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll.
--	<a href="#">Section 29</a>	Supplemental declaration was not filed, but Section 29 is recorded on the final plat.
6-22-1989	<a href="#">Section 31</a>	Supplemental declaration of covenants; Deer Run on Lake Carroll; Fairway Estates.

**§ 10.08 PLAN AND AGREEMENT OF MERGER.**

File Number 5001-497-5



**Whereas,** ARTICLES OF MERGER OF LAKE CARROLL ASSOCIATION INCORPORATED UNDER THE LAWS OF THE STATE OF ILLINOIS HAVE BEEN FILED IN THE OFFICE OF THE SECRETARY OF STATE AS PROVIDED BY THE GENERAL NOT FOR PROFIT CORPORATION ACT OF ILLINOIS, IN FORCE JANUARY 1, A.D. 1987.

*Now Therefore, I, Jim Edgar, Secretary of State of the State of Illinois, by virtue of the powers vested in me by law, do hereby issue this certificate and attach hereto a copy of the Application of the aforesaid corporation.*

**In Testimony Whereof,** I do set my hand and cause to be affixed the Great Seal of the State of Illinois, at the City of Springfield, this 31ST day of JULY, A.D. 89, and of the Independence of the United States the two hundred and 14TH.

*Jim Edgar*  
SECRETARY OF STATE

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NP 111.25 (Rev. Jan., 1987)

Jim Edgar

File # 5001-497-5

Submit in Duplicate

Remit payment in check or Money Order, payable to "Secretary of State".

DO NOT SEND CASH!

Filing Fee \$25.00

Secretary of State of Illinois

This Space for Use By Secretary of State	
Date	7/31/89
Filing Fee \$	2500
Clerk	HC

ARTICLES OF MERGER OR CONSOLIDATION

under the

General Not for Profit Corporation Act

Pursuant to the provisions of "The General Not for Profit Corporation Act of 1986" the undersigned corporations hereby adopt the following Articles of Merger or Consolidation. (Strike applicable word.)

1. The names of the corporation proposing to merge, and the State or County of their incorporation, are:

Name of Corporation	State or County of Incorporation
Lake Carroll Association	Illinois 5001-197-5
Deer Run Association	Illinois 5449-779-2

2. The laws of the State or County under which each corporation is incorporated permit such merger or consolidation.

3. The name of the surviving corporation is Lake Carroll Association and it shall be governed by the laws of Illinois

4. The plan of merger is as follows: See attached Exhibit A (If space is insufficient, attach additional pages size 8-1/2 x 11)

5. The plan of merger was approved, (a) as to each corporation not organized in Illinois, in compliance with the laws of the state under which it is organized, and (b) as to each Illinois corporation, as follows:

(Please indicate the manner by which the plan was approved by inserting the comparable letter in the box following each corporate name.)

A. By the affirmative vote of the directors in office, at a meeting the of the board of directors. (§ 111.15)

B. By written consent, signed by all the directors in office, in compliance with Section 108.45 of this Act. (§ 108.45 & § 111.15)

C. At a meeting of members by the affirmative vote of members having not less than the minimum number of votes necessary to adopt the plan, as provided by this Act, the articles of incorporation or the bylaws. (§ 111.20)

D. By written consent, signed by members having not less than the minimum number of votes necessary to adopt the plan, as provided by this Act, the articles of incorporation or the bylaws, in compliance with Section 107.10 of this Act. (§ 107.10 & § 111.20)

NAME OF CORPORATION	MANNER
Lake Carroll Association	C.
Deer Run Association	C.





6. (Not applicable if surviving or new corporation is an Illinois corporation)  
It is agreed that, upon and after the issuance of a certificate of merger or consolidation by the Secretary of State of the State of Illinois:

a. The surviving or new corporation be served with process in this State in any proceeding for the enforcement of any proceeding for the enforcement of any obligation of any domestic corporation which is party to such merger or consolidation.

b. The Secretary of State of the State of Illinois shall be and hereby is irrevocably appointed as the agent of the surviving or new corporation to accept service of process in any such proceeding.

(Not applicable)

The undersigned corporation has caused these article to be signed by its duly authorized officers, each of whom affirm, under penalties of perjury, that the facts stated herein are true.

Dated 7-19, 1989

attested by *William E. Ebenezer*  
(Signature of Secretary or Assistant Secretary)

William Ebenezer - Secretary  
(Type or Print Name and Title)

Dated 7-19, 1989

attested by *Mary L. McMurphy*  
(Signature of Secretary or Assistant Secretary)

MARY L. McMURPHY SECRETARY  
(Type or Print Name and Title)

Dated \_\_\_\_\_, 19 \_\_\_\_\_

attested by \_\_\_\_\_  
(Signature of Secretary or Assistant Secretary)

\_\_\_\_\_  
(Type or Print Name and Title)

Lake Carroll Association

(Exact Name of Corporation)

by *Charles Kopecky*  
(Signature of President or Vice President)

Charles Kopecky - President  
(Type or Print Name and Title)

Deer Run Association

(Exact Name of Corporation)

by *Rick Gaul*  
(Signature of President or Vice President)

RICK GAUL, PRES.  
(Type or Print Name and Title)

\_\_\_\_\_  
(Exact Name of Corporation)

by \_\_\_\_\_  
(Signature of President or Vice President)

\_\_\_\_\_  
(Type or Print Name and Title)

Duplicate Original  
One Of Two (2)

PLAN AND AGREEMENT OF MERGER BETWEEN  
LAKE CARROLL ASSOCIATION AND  
DEER RUN ASSOCIATION

This Plan and Agreement of Merger, made this 15th day of July, 1989, by and between LAKE CARROLL ASSOCIATION, an Illinois not-for-profit corporation (Lake Carroll) and DEER RUN ASSOCIATION, an Illinois not-for-profit corporation (Deer Run), said corporations being hereinafter sometimes referred to jointly as "constituent corporations."

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WITNESSETH:

WHEREAS, Lake Carroll is a corporation, organized existing under the laws of the State of Illinois, its Articles of Incorporation having been filed in the office of the Secretary of State of Illinois and a Certificate of Incorporation having been recorded in the office of the Recorder of Deeds of Kane County, Illinois, and subsequently refiled in Carroll County, Illinois; and

WHEREAS, Deer Run is a corporation organized and existing under the laws of the State of Illinois, its Articles of Incorporation having been filed in the office of the Secretary of State of Illinois and a Certificate of Incorporation having been recorded in the office of the Recorder of Deeds of Carroll County, Illinois, and

WHEREAS, the board of directors of each of the constituent corporations deems it advisable that Deer Run be merged into Lake Carroll on the terms and conditions hereinafter set forth, and in accordance with the applicable provisions of the General Not for Profit Corporation Act of 1986 of the State of Illinois, which permits such mergers.

NOW, THEREFORE, in consideration of the premises and of the agreements, covenants and conditions hereinafter set forth, Lake Carroll and Deer Run, by their respective boards of directors, hereby agree each with the other as follows:

### ARTICLE I

Lake Carroll and Deer Run shall be merged into a single corporation, in accordance with the provisions of the General Not for Profit Corporation Act of 1986 of the State of Illinois by Deer Run merging into Lake Carroll and Lake Carroll shall be the surviving corporation of the merger.

### ARTICLE II

Upon the merger becoming effective: (1) the constituent corporations shall be a single corporation under the name of Lake Carroll Association, the surviving corporation; (2) the separate existence of Deer Run shall cease, except to the extent provided for by the laws of the State of Illinois in the case of a corporation after its merger to another corporation; (3) the surviving corporation shall thereupon possess all the rights, privileges, immunities and franchises of each of the constituent corporations, and all property, real, personal and mixed, and debts due on whatever account, and all choses in action, and every other interest belonging to or due to each of the constituent corporations shall be deemed to be transferred to and vested in Lake Carroll as the surviving corporation, without further act or deed; and the title to any real estate, or any interest therein, vested in any of the constituent corporations shall not revert to or be in any way impaired by reason of the merger but shall vest in the surviving corporation; (4) the surviving corporation shall thenceforth be responsible and liable for all of the liabilities and obligations of each of the constituent corporations, including, without limitation, the completion, or the performance of representations made by Patten Corporation of Lake Carroll in that report dated April 28, 1989 (and any amendments to said report thereafter), required to be given to purchasers of sub-developed land at the Lake Carroll complex. Any claim existing or action or proceeding pending by or against any of the constituent corporations may be prosecuted to judgment by the surviving corporation as if the merger had not taken place, or the surviving corporation may be substituted in place of the constituent corporations. Neither the rights of creditors nor any liens upon the property of any of the constituent corporations shall be impaired by the merger; (5) the Articles of Incorporation and bylaws of Lake Carroll, as existing and constituted immediately prior to the effective date of the merger shall be the Articles of Incorporation and bylaws of the surviving corporation except as said bylaws may be

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amended hereby; (6) for all accounting purposes, the effective date of the merger shall be deemed to be noon on the 15th day of July, 1989.

### ARTICLE III

The surviving corporation shall pay all expenses of carrying this Plan and Agreement of Merger into effect and accomplishing the merger provided for herein. The surviving corporation shall not be required to pay any legal fees or other costs of Deer Run without its prior written consent.

### ARTICLE IV

The assets and liabilities of Deer Run, at the effective date of the merger, shall be taken on the books of the surviving corporation at the amounts at which they, respectively, shall, on such date be carried on the books of Deer Run. Deer Run, by the execution of this Plan and Agreement of Merger, certifies that it has provided to Lake Carroll true and correct copies of any financial statements prepared for Deer Run since its inception, any and all tax returns filed with the Internal Revenue Service of the U.S. Treasury and the State of Illinois; that any liability of Deer Run to be met by the surviving corporation has been disclosed to Lake Carroll independently or by such financial statements and tax returns, or by the Management Agreement of January 2, 1989, between Lake Carroll and Deer Run, which Management Agreement is in effect as of the date of this Plan and Agreement of Merger.

### ARTICLE V

Initially there shall be seven (7) directors of the surviving corporation who shall be the same persons constituting the board of directors at Lake Carroll immediately prior to the effective date of the merger, and such persons shall hold office until the first annual meeting of the members of the surviving corporation and until their respective successors are elected according to the bylaws of the surviving corporation. The first annual meeting will be held October 29, 1989, at which meeting three (3) of the seven (7) directors will be elected. The term of all officers of the surviving corporation shall continue and each shall be deemed to be the officers of the surviving corporation upon the effective date of the merger. Thereafter, other persons may be elected or appointed to such offices from time to time in accordance with the bylaws of the surviving corporation. After the effective date of the merger, all future elections shall be conducted according to the bylaws of Lake Carroll, but existing members of Deer Run shall have the full right to be a part of the election process, including (without limitation) the right to vote and to run for office.

### ARTICLE VI

If at any time the surviving corporation shall consider or be advised that any further assignment or assurance in law is necessary or desirable to vest in the surviving corporation the title to any property or rights of any of the constituent corporations, the proper officer and directors of the constituent corporations shall execute and deliver all such proper assignments, conveyances and assurances in law and do all things necessary or proper to vest such property or rights in the surviving corporation, and otherwise to carry out the purposes of this Plan and Agreement of Merger.

### ARTICLE VII

Prior to the effective date of this merger, Deer Run bylaws and policies allowed Co-owner Members. Lake Carroll bylaws restrict and limit Co-Owner Members.

The rights and privileges of Co-Owner Members derived through membership in Deer Run, or through the acquisition of real estate at the Lake Carroll complex which entails membership in Deer Run, shall not be abridged or limited by this Plan and Agreement if such co-ownership status exists prior to the effective date of merger, and

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any such Co-Owner status existing or arising prior to said date shall remain in effect thereafter. After the effective date of merger, no additional Co-Owner Members shall be allowed. Co-Owner Members may be subject to reasonable and uniform rules, regulations, and assessments, as previously established for Lake Carroll Co-Owners or as may be established by the board of directors of Lake Carroll hereafter.

### ARTICLE VIII

The following entities may be recognized as owners: Individuals, corporations, and trustees; provided however, that the board of directors of Lake Carroll may establish reasonable rules and regulations as to which persons affiliated with a corporate owner, a trust or a trustee arrangement, shall be entitled to the use of amenities or have any other privileges of a member in good standing at Lake Carroll.

### ARTICLE IX

The concept and Plan of Merger has been submitted to the members of Lake Carroll at a Special Meeting of said membership held on August 21, 1988, pursuant to due notice, and has been approved by two-thirds of the members of Lake Carroll voting, in person or by proxy, and further approved by a majority of the board of directors of Lake Carroll by Resolution duly passed thereafter.

### ARTICLE X

The concept and Plan of Merger has been submitted to the members and directors of Deer Run, at a Special meeting of said membership and directors held on July 14, 1989, where the same received approval by the vote of at least a majority of the members of Deer Run and of a majority of the board of directors of Deer Run, in accordance with the requirements of the General Not for Profit Corporation Act of 1986 of the State of Illinois, Ill. Rev. Stat., c. 32, §§ 111.15 and 111.20, being 805 ILCS 105 and the bylaws of Deer Run.

### ARTICLE XI

This Plan and Agreement of Merger shall not affect the Declaration of Restrictions and Covenants made May 15, 1972 as amended concerning Lake Carroll, nor shall this Plan and Agreement of Merger effect the Declaratory Statement of Covenants and Restrictions for Deer Run on Lake Carroll dated February 19, 1987, as amended, concerning Deer Run, and said Declarations shall continue to impose mutual and beneficial restrictions, covenants, equitable servitudes and changes under a general plan, or scheme of improvements for the benefit of the various lots and parcels in the Lake Carroll Development in Carroll County, Illinois, to which each such Declaration shall apply. Upon approval and implementation of this Plan and Agreement of Merger, "Association" as defined in the Declaratory Statement of Covenants and Restrictions for Deer Run or Lake Carroll shall mean Lake Carroll Association and "Board" shall mean the board of directors of Lake Carroll Association. Each owner who is a member of Deer Run, (voting or otherwise) shall automatically become a Member of Lake Carroll (voting or otherwise). Nothing herein shall abridge the rights and privileges heretofore granted to members of Deer Run or to the members of Lake Carroll existing prior to the effective date of merger, pursuant to the Declarations described in this Article XI or the bylaws of either organization.

### ARTICLE XII

The effective date of merger shall be Saturday, July 15, 1989, at noon, for accounting purposes only.

IN WITNESS WHEREOF, Lake Carroll and Deer Run have caused this Plan and Agreement of Merger to be signed by its board of directors and its corporate seal to be

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hereunto affixed and attested by its Secretary in the case of each Corporation, as of the day and year first above written.

/s/ \_\_\_\_\_

/s/ \_\_\_\_\_

/s/ \_\_\_\_\_

/s/ \_\_\_\_\_

Directors of Lake Carroll

ATTEST:

/s/ \_\_\_\_\_

Secretary

(Corporate Seal)

/s/ \_\_\_\_\_

/s/ \_\_\_\_\_

/s/ \_\_\_\_\_

Directors of Deer Run

ATTEST:

/s/ \_\_\_\_\_

Secretary

(Corporate Seal)

I, William Ebenezer, Secretary of Lake Carroll Association, a corporation organized and existing under the General Not for Profit Corporation Act of 1986 of the State of Illinois, hereby certify, as Secretary and under the seal of Lake Carroll Association that the Plan and Agreement of Merger to which this Certificate is attached, after having been first duly signed on behalf of Lake Carroll Association by a majority of the directors thereof and having been signed by a majority of the directors of Deer Run Association, a corporation organized and existing under the General Not for Profit Corporation Act of the State of Illinois, previously had been submitted to the members of Lake Carroll Association at a special meeting of such members duly called and held on August 21, 1988 for the purpose of considering and taking action upon the Merger, and the Merger was duly adopted by the vote of at least two-thirds of the votes entitled to be cast by members at the meeting of members of Lake Carroll Association and is the duly adopted agreement of Lake Carroll Association pursuant to the provisions of the General Not for Profit Corporation Act of 1986 of the State of Illinois.

Witness my hand and the seal of Lake Carroll Association the 15th day of July, 1989.

/s/ \_\_\_\_\_

Secretary

(CORPORATE SEAL)

Lake Carroll Association, IL Code of Ordinances

I, \_\_\_\_\_, Secretary of Deer Run Association, a corporation organized and existing under the General Not for Profit Corporation Act of 1986 of the State of Illinois, hereby certify, as Secretary and under the seal of Deer Run Association, that the Plan and Agreement of Merger to which this Certificate is attached previously was approved at a meeting of the board of directors of Deer Run Association, and was approved by to the members of Deer Run Association at a special meeting of such members duly called and held on July 14, 1989, by the vote of a majority of the directors in office and the members having voting rights, and is the duly adopted agreement of Deer Run Association pursuant to the provisions of the General Not for Profit Corporation Act of 1986 of the State of Illinois and the bylaws of Deer Run Association.

Witness my hand and the seal of Deer Run Association this 15th day of July, 1989.

/s/ \_\_\_\_\_

Secretary

(CORPORATE SEAL)-Laws

## AMENDMENTS

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Changes made as part of 2016 update	
Section	Section Amended
10.07	Divisions (A), (B) and (C) amended to include new supplemental declarations of restrictive covenants