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RECORDER-MCHENRY COUNTY, IL  
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COVER SHEET

**SECOND SUPPLEMENTARY DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR THE GREENS OF BOULDER RIDGE**

2007 R0023327

AT  
1995 R0007853

**WHEREAS**, the State of Illinois enacted the Common Interest Community Association Act (765 ILCS 160/1-1 ET.AL). (Hereinafter referred to as "CICA" or "Act")

**WHEREAS**, CICA became effective on July 1, 2010, the Declaration of Covenants, Conditions and Restrictions for the Greens of Boulder Ridge ("Declaration") was executed on January 1, 1995, and the First Supplementary Declaration of Covenants, Conditions, and Restrictions for the Greens of Boulder Ridge ("First Supplementary Declaration") was executed on December 5, 2006.

**WHEREAS**, the Declaration and its First Supplementary Declaration effects the Common Interest Community of the Greens of Boulder Ridge ("The Greens").

**WHEREAS**, CICA'S provisions are applicable to The Greens as it is a Common Interest Community as defined thereunder.

**WHEREAS**, the President and Board of Directors of the Boulder Ridge Greens Property Owners Association ("Association") has reviewed CICA and has determined that the Declaration, First Supplementary Declaration, and the By Laws of the Association must be amended to comply with CICA.

**WHEREAS**, the President and Board of Directors of the Association have amended the Association's By Laws to conform to CICA.

**WHEREAS**, the Board of Directors of the Association have reviewed the Declaration and First Supplementary Declaration and have determined that there are parts thereof that may not comply with CICA.

NOW THEREFORE, the President has been directed by a two thirds (2/3) vote of the Board of Directors of the Association to execute an Amendment to the Declaration in the manner provided below:

1. The Greens is a Community as defined in CICA.
2. CICA's provisions are applicable to the Declaration and First Supplementary Declaration.
3. Certain provisions of the Declaration and First Supplementary Declaration may not be compliant with those required by CICA.

4. Section 1-60 (a) of CICA provides: If a provision of the community instruments does not conform to this Act or to another applicable law because of an error, omission, or inconsistency in the community instruments of the association, the association may correct the error, omission or inconsistency to conform the community instruments to this Act or to another applicable law by an amendment adopted by vote of two thirds (2/3) of the Board of Directors, without a membership vote. A provision in the community instruments requiring members of record to vote to approve an amendment to the community instruments, or for the members of record to be given notice of an amendment to the community instruments, does not apply to an amendment that corrects an omission, error or inconsistency to conform the community instruments to this Act or to another applicable law.
5. The Board of Directors of the Association has amended the By Laws of the Association to conform to the provisions of CICA.
6. The Board of Directors of the Association has by a vote of at least two thirds (2/3) of the Board Members to authorize and direct the President of the Board of Directors of the Association to execute and record this Amendment of the Declaration pursuant to its power granted under Section 1-60 of CICA recited above.
7. Article VIII Section 8.01 of the Declaration provides: Except to the extent otherwise required by the provisions of the laws of Illinois relating to nonprofit corporations, this Declaration, the By Laws, or the Articles of Incorporation, the powers herein or otherwise granted to the Association may be exercised by the Board of Directors, acting through the officers of the Association, without any further consent or action on the part of the Owners.
8. No membership vote is required, as provided in CICA and under Article VIII Section 8.01 above, to amend the Declaration and First Supplementary Declaration to conform to CICA.
9. The Declaration and First Supplementary Declaration is hereby amended by stating:

Notwithstanding anything contained in the Declaration and First Supplementary Declaration to the contrary, the terms and provisions of CICA shall control and replace any terms or provisions of the Declaration and First Supplementary Declaration which are in conflict therewith.

