

### **Process for Lot Combination**

The same owners must own both lots (no additional owners on one or the other) and the names must be listed exactly the same on each deed for a combination to occur. For example, Mary S. Jones and Mary Jones will not be accepted by the GIS Office. Also, the properties cannot be combined if there are unpaid tax bills.

Property Owner completes the form and signs it. Must be notarized at the time of signing. All signatures on the form must be original and notarized.

The AECC will review the lot combination and approve or deny. If approved, the Chair of the AECC and the President of the Board of Directors or the approved agent will each also sign the form and have it notarized at the time of signature. The original form will then be returned to the Property Owner.

Property Owner is to send the original completed form to the County Clerk/Recorder's Office:

Jo Daviess County Clerk/Recorder  
Room 104  
330 North Bench Street  
Galena, IL 61036-1828

Along with a payment of \$81 (filing fee) payable to Jo Daviess County Clerk/Recorder.

Once recorded, the County Recorder will send it to the County Assessor's Office. The original is returned to the ACL Building Inspector and is placed in the property owner's file.

After the lot combination is approved and recorded with the Jo Daviess County Clerk/Recorder, the property owner may make improvements to both lots subject to the ACL Building and Environmental Code. The Building Code can be found under Governing Documents at <https://www.applecanyonlake.org/web/pages/governance-info>

**LOT COMBINATION AGREEMENT**

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between:

\_\_\_\_\_  
\_\_\_\_\_

hereinafter referred to as "Owners", and THE APPLE CANYON LAKE PROPERTY OWNERS' ASSOCIATION, INC., and the ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE of the ASSOCIATION, hereinafter referred to as "Association".

**WITNESSETH:**

**WHEREAS** the Owners are the title holders of record of (Lots) \_\_\_\_\_ (Section) \_\_\_\_\_ of Apple Canyon Lake according to the plat thereof recorded in the Recorder of Deeds Office in Jo Daviess County, Illinois; and

**WHEREAS** the Owners desire to (brief description of reason for Lot Combination Agreement) \_\_\_\_\_

\_\_\_\_\_ which conflicts with the lot restrictions as set out in the recorded plat of said subdivision and the Restated Declaration of Covenants and Restrictions recorded on November 6, 2008 and effective November 6, 2011 in the Recorder of Deeds Office, Jo Daviess County, Illinois; and

**WHEREAS** the Owners intend to submit a request for combination therefor to the Architectural and Environmental Control Committee of the Association; and

**WHEREAS** it is necessary that such lot combinations be approved by the Architectural and Environmental Control Committee.

**IT IS THEREFORE AGREED:**

1. That when the lot combinations submitted by the Owners are approved, the Owners may (insert brief description of land use situation if relevant)  
\_\_\_\_\_
2. That annual and special assessments of the Association shall continue to be assessed against each separate lot herein.
3. This Lot Combination Agreement is made and accepted on the condition that this Agreement may not be revoked or rescinded.

4. That this Agreement shall inure to the benefit of the Owners, their heirs, successors, and assigns. The restrictions contained in this Agreement shall be deemed covenants running with the land and shall inure to the benefit of and be enforceable by all parties and persons claiming under them.
5. Owners shall have this document recorded at the Jo Daviess County Recorder's Office.

**OWNER(S):**

Subscribed and sworn to before me on:

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
(Date)

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

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

Subscribed and sworn to before me on:

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
(Date)

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

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

Approved:  
**ARCHITECTURAL AND ENVIRONMENTAL CONTROL COMMITTEE**

Approved:  
**APPLE CANYON LAKE PROPERTY OWNERS ASSOCIATION, INC.**

By: \_\_\_\_\_  
AECC Chair

By: \_\_\_\_\_  
ACLPOA President or approved agent

Subscribed and sworn to before me on:

Subscribed and sworn to before me on:

\_\_\_\_\_, 20\_\_

\_\_\_\_\_, 20\_\_

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

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

Prepared by & return to:  
Building Inspector \_\_\_\_\_  
Apple Canyon Lake Property Owners Association  
14A157 Canyon Club Drive  
Apple River, IL 61001