

**AMENDMENT TO THE PROTECTIVE RESTRICTIONS, COVENANTS, LIMITATIONS  
AND EASEMENTS FOR PINE VALLEY COUNTRY CLUB ADDITION,  
FIFTH ADDITION**

The undersigned, being at least seventy-five percent (75%) of the fee simple lot owners in the Pine Valley Country Club Addition, Fifth Addition in Allen County, Indiana, and pursuant to the provisions of paragraph fifteen (15) of the Protective Restrictions, Covenants, Limitations and Easements for said Addition heretofore recorded in Plat Book 30, pages 75-77 in the Office of the Recorder of Allen County, Indiana which is legally described as follows, to-wit:

Part of the South Half of Section 34, Township 32 North, Range 12 East in Allen County, Indiana, more particularly described as follows: Beginning at a point on the South line of said Section 34, and 341 1/4 feet West of the South-east corner; thence North 01 degree 13 minutes East, 1230 feet; thence North 89 degrees 38 minutes East, 140 feet; thence North 01 degree 13 minutes East, 136 feet; thence on a curve to the left, having a radius of 105.62 feet, an arc distance of 84.30 feet; thence North 45 degrees 11 minutes 20 seconds West, 196.3 feet; thence North 44 degrees 48 minutes 40 seconds East, 60 feet; thence South 45 degrees 11 minutes 20 seconds East 196.3 feet; thence and curve to the right, having a radius of 165.62 feet, an arc distance of 132.00 feet; thence South 01 degree 13 minutes West, 136 feet; thence North 89 degrees 38 minutes East, 994 feet; thence South 15 degrees 38 minutes West, 125 feet; thence South 02 degrees 38 minutes West, 100 feet; thence South 12 degrees 38 minutes West, 195 feet; thence South 40 degrees 38 minutes West, 70 feet; thence South 65 degrees 38 minutes West, 130 feet; thence South 31 degree 38 minutes West, 180 feet; thence South 02 degrees 38 minutes West 190 feet; thence South 41° 38' West 85 feet; thence South 31 degrees 38 minutes West, 270 feet; thence South 00 degrees 12 minutes East, 70 feet; thence South 89 degrees 48 minutes West, on said South line of said Section 34, 700 feet to the point of beginning and enclosing an area of 27.46 acres more or less;

**DULY ENTERED FOR TAXATION**

**OCT 13 1995**

now amend and modify the Protective Restrictions, ~~Covenants~~, Limitations and Easements of Pine Valley Country Club Addition, Fifth Addition ("Protective Restrictions"), as follows:

BY DELETING PARAGRAPHS 4, 14, 15 AND 17 OF SAID PROTECTIVE RESTRICTIONS THEIR ENTIRETY, AND SUBSTITUTING THEREFORE NEW PARAGRAPHS 4, 14, 15 AND 17 AND ADDING NEW PARAGRAPHS 21 AND 22 AS FOLLOWS:

4. GARAGES. All dwellings to be constructed in said Addition shall have an attached two (2) car garage. All commercial vehicles (including automobiles and trucks) if not parked in the attached garage shall be parked in such a manner such as not to block the sidewalk nor shall be parked on the street for more than any fourteen (14) day time period out of any ninety (90) day time period. No vehicle repair nor vehicle sales operation may be permitted on any residential lots. No unlicensed automobiles, trucks or trailers shall be stored on any owner's property for more than ten (10) days.

95 8584  
AUDITORS NUMBER

95 OCT 12 PM 12:36

Allen County Recorder

1/8 OK

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14. SANITARY CONTAINERS. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. Rubbish, trash, garbage or other waste shall only be kept in sanitary containers. Such waste shall be kept in a clean and sanitary condition such that no odor shall be allowed to escape into the atmosphere. Garbage will be picked up once a week. Such sanitary containers shall be placed at the appropriate pick up location no sooner than the night before pick up and shall be removed from their outside pick up location within the same day of pick up. Such sanitary containers may not be stored in an outdoor location which may be visible from any public right-of-way or common area. All garbage lids must be placed on, secured to, and cover cans (i.e. rope, straps, or attached lids). Plastic garbage bags must be tied securely if put out for collection. The outdoor burning of rubbish, trash, garbage, papers, or any other materials is prohibited, which shall include the common areas. While the outdoor burning of leaves or wood may be permissible under applicable governmental regulations, such activity is discouraged.

15. TERM. The restrictions and covenants herein contained shall run with the land and be effective for a period of fifty (50) years, unless, prior to the expiration of fifty (50) years, said restrictions and covenants are altered or amended by a vote of fifty-one percent (51%) of the eligible fee simple title owners of record in attendance or by notarized proxy at the annual meeting of Pine Valley Community Association, Inc. (a not-for-profit corporation formed for the purpose of providing community services, activities, and snow removal, where applicable, to the fee simple owners of all lots in the various additions of Pine Valley Country Club Addition), or its successor in interest, and together with and by a vote of seventy percent (70%) of the Board Members of Pine Valley Community Association, Inc. in attendance at its annual meeting at the time the alterations or amendments of the restrictions and covenants are made; provided, however, Standard Land Corporation of Indiana, its successors or assigns, shall have the exclusive right for four (4) years from the date of recording of this plat to amend any of the covenants and restrictions with the exception of Paragraph Number 2, GROUND FLOOR AREA. For purposes of determining owner voting rights, where any lot herein or a portion of any lot herein, is owned by two (2) or more persons, such owners shall jointly have one vote in the proceedings of Pine Valley Community Association, Inc., or its successor in interest, and the term

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owner(s) as used in the Protective Restrictions, Covenants, Limitations and Easements for Pine Valley Country Club Addition, Fifth Addition, shall be a person(s), firm, partnership, limited liability company or corporation in whose name(s) the fee simple title appears of record in the Office of the Recorder of Allen County, Indiana.

17. MAINTENANCE FUND LIEN. All lot owners herein are members for the period of such ownership of the Pine Valley Community Association, Inc. or its successor in interest. All lots, except lots owned by the platter, shall be subject to an annual maintenance charge of One Hundred Dollars (\$100.00) per calendar year per lot for the purpose of creating a fund known as the "maintenance fund", which fund shall be administered by the Pine Valley Community Association, Inc., or its successor in interest, for the purposes set forth above as of January 1, 1994. Pine Valley Community Association, Inc. or its successor in interest may not operate in any given year at a financial deficit which is greater than twenty percent (20%) of its collected fees and revenues for the preceding fiscal year. Any increase of the annual maintenance charge shall be determined by the Board of Directors of the Pine Valley Community Association, Inc. and submitted to the members of Pine Valley Community Association, Inc. at its annual meeting for approval. The amount so approved shall be effective for the calendar year in which such annual meeting is held, and such maintenance charges shall be due and payable within thirty (30) days after the annual meeting. The annual meeting notice must contain notification that an increase in the annual maintenance charge will be discussed. In the event that the annual meeting notice fails to contain notification that an increase in the annual maintenance charge will be discussed, any resolution so approved by those in attendance at such annual meeting shall be void and of no effect. The annual maintenance charge shall be a lien in favor of the Pine Valley Community Association, Inc., or its successor in interest, and against any lot against which it is charged, until paid, and if not paid within thirty (30) days of the due date, may be foreclosed as mortgages are foreclosed in the State of Indiana. The annual maintenance charge shall be payable without relief from valuation and appraisal laws and with reasonable attorney fees. Such liens become effective on the 31st day of each year after the annual charge for that calendar year is due. Such lien shall be and remain a lien upon the lot until full payment thereof, subject only to a first mortgage, real estate taxes and

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public improvement assessments. Payment of the annual maintenance charge shall be noted on the books of Pine Valley Community Association, Inc. On request, Pine Valley Community Association, Inc. shall furnish to any owner of a lot or to any person purchasing or dealing with said lot a certificate signed by the president or secretary of the Pine Valley Community Association, Inc., or its successors in interest, showing the amount of such charge due and unpaid as to the date of such certificate, and the Pine Valley Community Association, Inc., or its successor in interest, shall not be entitled to enforce any lien for charges accruing prior to the date of any such certificate unless the amount thereof is shown in the said certificate.

21. LOT MAINTENANCE. There must be proper maintenance of the home and its surroundings and it must be the rightful obligation of the owner. All weeds and grass must be cut, however, if the maintenance of the yard is not kept mowed, shrubs and hedges trimmed, the Association has the rightful obligation to have the grounds kept by hired maintenance and such charges shall be assessed to the property owner in said addition. Bare dirt, concrete or other unnatural, artificial turf shall not be allowed to replace a grassed or landscaped front lawn or areas in sight of public and/or common areas.

22. ENFORCEMENT. Pine Valley Community Association, Inc., or its successor in interest, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of these covenants and restrictions. Failure by the Pine Valley Community Association, Inc. to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter. Pine Valley Community Association, Inc. shall be entitled to recover its cost and attorney fees in enforcing these covenants and restrictions in event of a breach by or through any fee simple lot owner herein.

#### APPROVALS

The undersigned titleholders of record for Lots in Pine Valley Country Club Addition, Fifth Addition, as recorded in Plat Book 30, pages 75-77 in the Office of the Recorder of Allen County, Indiana do hereby execute this Amendment as their free and voluntary act and hereby approve the same.

9 5 4 6 9 2 1

Dated: Jan 8, 1995

John J. Tharpe  
Owner, Lot No. 347

Dated: Jan 8, 1995

Kay F. Tharpe  
Owner, Lot No. 347

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John J. Tharpe and Kay F. Tharpe and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 8 day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: Jan 8, 1995

Phillip A. Merrill  
Owner, Lot No. 345

Dated: Jan 8, 1995

Christine K. Merrill  
Owner, Lot No. 345

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Phillip A. Merrill and Christine K. Merrill and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 8 day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: 2-14-95

Kris Aghabekian  
Owner, Lot No. 346

Dated: \_\_\_\_\_

Owner, Lot No. \_\_\_\_\_

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kris Aghabekian and N/A and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of Feb, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

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dated: \_\_\_\_\_

Owner, Lot No. \_\_\_\_\_

Dated: 1/12/95 *WJ*

James R. Seuler  
Owner, Lot No. 398

Dated: 1/13/95 *WJ*

Carol A. O'Hara  
Owner, Lot No. 398

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James R. Seuler and Carol A. O'Hara and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 12<sup>th</sup> day of January, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County

Dated: Jan 15, 1995

Carolyn S. Heck  
Owner, Lot No. 388

Dated: Jan 15, 1995

Sharon R. Heck  
Owner, Lot No. 388

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Carolyn S. Heck and Sharon R. Heck and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15<sup>th</sup> day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County

Dated: 1-12-95

Barbara L. Hess  
Owner, Lot No. 396

Dated: 1-12-95

Donald L. Hess  
Owner, Lot No. 396

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Donald L. Hess and Barbara L. Hess and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 12<sup>th</sup> day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County

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Dated: May 17, 1994

Horace Pops  
Owner, Lot No. 382

Dated: May 17, 1994

Nancy Pops  
Owner, Lot No. 382

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Horace Pops and Nancy Pops and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 17<sup>th</sup> day of May, 1994.

My Commission Expires:

Jan 19, 1997

Carolyn S. Heck  
CAROLYN S. HECK  
Notary Public  
Resident of Allen County

Dated: May 17, 1994

Lucy Lindhuber  
Owner, Lot No. 386

Dated: May 17, 1994

Thomas C. Lindhuber  
Owner, Lot No. 386

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Lucy Lindhuber and Thomas C. Lindhuber and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 17<sup>th</sup> day of May, 1994.

My Commission Expires:

Jan 19, 1997

Carolyn S. Heck  
CAROLYN S. HECK  
Notary Public  
Resident of Allen County

Dated: 5/17/94

John E. Ramsey  
Owner, Lot No. 384

Dated: 5/17/94

John E. Ramsey  
Owner, Lot No. 384

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tracy Ramsey and Jayne E. Ramsey and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 17<sup>th</sup> day of May, 1994.

My Commission Expires:

Jan 19, 1997

Carolyn S. Heck  
CAROLYN S. HECK  
Notary Public  
Resident of Allen County

9546921

OK.

Dated: 1/12/95

William H. Hart  
Owner, Lot No. 364

Dated: 1/12/95

Robert S. Deek  
Owner, Lot No. 364

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Bill Hart (William H. Hart) and N/A and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 12th day of Jan, 1995.

My Commission Expires:

MAY 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_

County IND

Dated: 2-14-95

James M. Kinsey  
Owner, Lot No. \_\_\_\_\_

Dated: 2-14-95

Barbara G. Kinsey  
Owner, Lot No. 342

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James M. Kinsey and Barbara G. Kinsey and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of Feb, 1995.

My Commission Expires:

MAY 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_

County IND

Dated: 2-14-95

John B. Palmer  
Owner, Lot No. 368

Dated: 2-14-95

Dorothy A. Palmer  
Owner, Lot No. 368

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John B. Palmer and Dorothy A. Palmer and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of FEB, 1995.

My Commission Expires:

MAY 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_

County IND

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Dated: 5-31-94

Dolores J. Klocke  
Owner, Lot No. 357

Dated: 5-31-94

Edward Klocke  
Owner, Lot No. 357

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Edward Klocke and Dolores J. Klocke and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 31 day of May, 1994.

My Commission Expires:

Jan 19, 1997

Carolyn S. Heck  
CAROLYN S. HECK  
Notary Public  
Resident of Allen County

Dated: 5-31-94

Linda Shenberg  
Owner, Lot No. 360

Dated: \_\_\_\_\_

Owner, Lot No. N/A

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Linda Shenberg and \_\_\_\_\_ and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 31 day of May, 1994.

My Commission Expires:

Jan 19, 1997

Carolyn S. Heck  
CAROLYN S. HECK  
Notary Public  
Resident of Allen County

Dated: Oct. 23, 1994

Linda L. Boyd  
Owner, Lot No. 348

Dated: \_\_\_\_\_

Owner, Lot No. \_\_\_\_\_

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Linda L. Boyd and \_\_\_\_\_ and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 23<sup>rd</sup> day of October, 1994.

My Commission Expires:

Jan 19, 1997

Carolyn S. Heck  
CAROLYN S. HECK  
Notary Public  
Resident of Allen County

9546921

Dated: 1-11-95

John M. Hooker  
Owner, Lot No. 393

Dated: 1-11-95

Carol P. Hooker  
Owner, Lot No. 393

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John M. Hooker and Carol P. Hooker and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 11<sup>th</sup> day of Jan., 1995.

My Commission Expires: \_\_\_\_\_  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: 1-15-95

W.H. Boedeker Jr.  
Owner, Lot No. 392

Dated: 1-15-95

Patricia L. Boedeker  
Owner, Lot No. 392

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared W.H. Boedeker Jr. and Patricia L. Boedeker and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15<sup>th</sup> day of Jan., 1995.

My Commission Expires: \_\_\_\_\_  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: 1-15-95

Alice E. Garver  
Owner, Lot No. 395

Dated: \_\_\_\_\_

Owner, Lot No. \_\_\_\_\_

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Alice E. Garver and \_\_\_\_\_ and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15<sup>th</sup> day of Jan., 1995.

My Commission Expires: \_\_\_\_\_  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

9546921

Dated: 1-10/95

Owner, Lot No. 391

Dated: 1-10-95

Owner, Lot No. 391

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Dennis Kruse and Andrea Kruse and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 10th day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County

Dated: 1-15-95

Owner, Lot No. 383

Dated: 1-15-95

Owner, Lot No. 383

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared A. Carl Klenke and Kay Klenke and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15th day of Jan, 1995.

My Commission Expires:  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County

Dated: 1/17/95

Owner, Lot No. 340

Dated: 1/18/95

Owner, Lot No. 340

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared H.M. Bacchus and Fazian Bacchus and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 16th day of Jan, 1995 and 17th day.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County

9546921

Dated: w 1-11-95

Craig D. Brown  
Owner, Lot No. 363

Dated: w 1-11-95

Norene E. Brown  
Owner, Lot No. 363

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Craig D. Brown and Norene E. Brown and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 11th day of Jan., 1995.

My Commission Expires: GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 15, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County, \_\_\_\_\_

Dated: w 1-11-95

Ernest L. Hess  
Owner, Lot No. 361

Dated: w 1-12-95

Judith Hess  
Owner, Lot No. 361

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gerald F. Hess and Judith Hess and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 12th day of Jan., 1995.

My Commission Expires: GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 15, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County, \_\_\_\_\_

Dated: w 1/11/95

John A. Shumlas  
Owner, Lot No. 359

Dated: w 1/12/95

Nancy J. Shumlas  
Owner, Lot No. 359

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John A. Shumlas and Nancy J. Shumlas and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 12th day of Jan., 1995.

My Commission Expires: GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 15, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County, \_\_\_\_\_

9546921

Dated: 1/14/95

Kellie H. Stanley  
Kellie H. Stanley  
Owner, Lot No. 355  
Dean P. Stanley  
Owner, Lot No. 355

Dated: 1-14-95

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Dean P. Stanley and Kellie H. Stanley and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: 1-15-94

Marlene Merkler  
Owner, Lot No. 354

Dated: \_\_\_\_\_

Owner, Lot No. 418

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Marlene Merkler and [Signature] and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15th day of Jan, 1994.

My Commission Expires:  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: May 31, 1994

Jane C. Schwartz  
Owner, Lot No. 362

Dated: May 31, 1994

Jeanann C. Schwartz  
Owner, Lot No. 362

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Jerald C. Schwartz and Jeanann C. Schwartz and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 31 day of May, 1994.

My Commission Expires:

Jan 19, 1997

Carolyn S. Heck  
CAROLYN S. HECK  
Notary Public  
Resident of Allen County

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Dated: w 1/14/95

Dated: w 1/14/95

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Pamela K. Finlayson and Craig R. Finlayson and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Pamela K. Finlayson  
Owner, Lot No. 365

Craig R. Finlayson  
Owner, Lot No. 365

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: w 1/14/95

Dated: w 1/14/95

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Amy L. Thompson and Amy L. Thompson JAMIE L. Thompson and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: w 1/14/95

Dated: w 1/14/95

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James G. Grabill and Jane S. Grabill and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

James G. Grabill  
Owner, Lot No. 374

Jane S. Grabill  
Owner, Lot No. 374

9546921

Dated: Jan. 14, 1995

Rae A. Shatwell  
Owner, Lot No. 372

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared N.A. and Rae A. Shatwell and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of Jan., 1995.

My Commission Expires:  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County \_\_\_\_\_

Dated: 1-13-95

Charlene R. Conrad  
Owner, Lot No. 369

Dated: 1-13-95

Alan D. Conrad  
Owner, Lot No. 369

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Alan D. Conrad and Charlene R. Conrad and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 13th day of Jan, 1995.

My Commission Expires:  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County \_\_\_\_\_

Dated: 1-13-95

James E. Hilmet  
Owner, Lot No. 370

Dated: 1-13-95

Dorothy M. Hilmet  
Owner, Lot No. 370

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James E. Hilmet and Dorothy M. Hilmet and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 13th day of Jan, 1995.

My Commission Expires:  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County \_\_\_\_\_

9546921

Dated: w 01-14-95

John Patrick Kilfoil  
Owner, Lot No. 359

Dated: w 01-14-95

Ann E. Kilfoil  
Owner, Lot No. 358

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John Patrick Kilfoil and Ann E. Kilfoil and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 14th day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: w 1-15-95

Christopher B. Lehnart  
Owner, Lot No. 344

Dated: w 1-15-95

Alice B. Lehnart  
Owner, Lot No. 344

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Christopher B. Lehnart and Alice B. Lehnart and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15th day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: w 1-15-95

Pennis Liechty  
Owner, Lot No. 344 377

Dated: w 1-15-95

Mary Liechty  
Owner, Lot No. 344 377

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Pennis Liechty and Mary Liechty and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15th day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of \_\_\_\_\_ County

9546921



Dated: X<sup>w</sup> 1-15-95

X Willy R Speed  
Owner, Lot No. 385

Dated: X<sup>w</sup> 1-15-95

X Daniel Speed  
Owner, Lot No. 385

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Willy R Speed and Dan Speed and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15 day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County: INDIAN

Dated: X<sup>w</sup> 1-16-95

X Forrest Van Gundy  
Owner, Lot No. 387

Dated: X<sup>w</sup> 1-16-95

X Marjorie J. Van Gundy  
Owner, Lot No. 387

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Forrest Van Gundy and Marjorie J. Van Gundy and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 16 day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County: INDIAN

Dated: X Jan. 18, 1995

X Joy Ann Osborn  
Owner, Lot No. 347

Dated: X

N/A  
Owner, Lot No.    

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Joy Ann Osborn and N/A and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 18 day of Jan, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Notary Public  
Resident of \_\_\_\_\_ County: INDIAN

9546921

Dated:

May 31, 1994

Owner, Lot No. 353

Dated:

May 31, 1994

Owner, Lot No. 353

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared John F. Phillips and Rosemary W. Phillips and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 31 day of May, 1994.

My Commission Expires:

Jan 19, 1997

Carolyn S. Heck  
Notary Public  
Resident of Allen County

Dated:

4/29/95

Owner, Lot No. 390

Dated:

4-29-95

Owner, Lot No. 390

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James Boeglin and Jan M. Kidd and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 29th day of April, 1995.

My Commission Expires:

May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of Allen County

Dated:

5-20-95

Owner, Lot No. 389

Dated:

Owner, Lot No. 389

STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ruth I. Stone and Jan M. Kidd and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 20th day of May, 1995.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

Glenn W. Johnson  
Notary Public  
Resident of Allen County

9546921

Dated: 1-15-95

Karen E. Fenker  
Owner, Lot No. 375

Dated: 1-16-95

Thomas J. Fenker  
Owner, Lot No. 375

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Thomas J. Fenker and Karen E. Fenker and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15th day of Jan, 1995.

My Commission Expires:  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: 1-16-95

[Signature]  
Owner, Lot No. 351

Dated: \_\_\_\_\_

Owner, Lot No. \_\_\_\_\_

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ned Adishe and \_\_\_\_\_ and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 16th day of Jan, 1994.

My Commission Expires:  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_ County

Dated: April 15, 1995

Laura J. Christen  
Owner, Lot No. 366

Dated: April 15, 1995

Robert E. Christen  
Owner, Lot No. 366

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Laura J. Christen and Robert E. Christen and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15th day of April, 1995.

My Commission Expires:  
GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_ County

9546921

Dated: X 1-15-94

X David L. Tennant  
Owner, Lot No. 397  
DAVID L. TENNANT

Dated: X 1-15-94

X Oma Tennant  
Owner, Lot No. 397  
OMA TENNANT

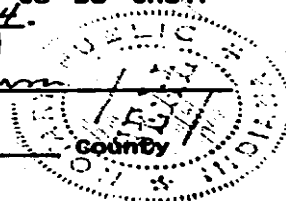
STATE OF INDIANA )  
COUNTY OF ALLEN ) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared David L. Tennant and Oma Tennant and acknowledged their execution of the foregoing approval to be their voluntary act and deed this 15th day of January, 1994.

My Commission Expires:

GLENN W. JOHNSON, Notary Public  
Resident of Allen County, State of Indiana  
My Commission Expires May 16, 1998

[Signature]  
Notary Public  
Resident of \_\_\_\_\_



This is to certify that the foregoing document has been reviewed by the Allen County Plan Commission. As presented, the content of the restrictions contained in said document conforms to the requirements of the Allen County Zoning and Subdivision Control Ordinances and the document is now eligible for recording. This certification does not extend to the form or validity of the document.

Dated: 10/11/95

Dennis A. Gordon / D-R  
Dennis A. Gordon, AICP  
Executive Director

Prepared by: Solomon L. Lowenstein, Jr., Attorney at Law  
503 W. Wayne Street, Fort Wayne, Indiana 46802  
Tel: 219/422-4655

Return →

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