

AMENDMENT OF DEDICATION, PROTECTIVE RESTRICTIONS, COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS OF THE PLAT OF **TIMBERON, SECTION I**, A SUBDIVISION IN PERRY TOWNSHIP, ALLEN COUNTY, INDIANA

RECORDED 01/08/2001 10:55:23 RECORDER PATRICIA J CRICK ALLEN COUNTY, IN

SBB Development Corp., an Indiana Corporation, by Joseph L. Zehr, its President, as Developer of Timberon, Section I, a subdivision in Perry Township, Allen County, Indiana, according to the plat thereof, recorded on November 21, 2000, in Plat Cabinet D, page 73 and as Document No. 20-0071345 in the Office of the Recorder of Allen County, Indiana ("Subdivision"), amends the recorded Dedication, Protective Restrictions Covenants, Limitations, Easements and Approvals ("Covenants") of the plat of the Subdivision pursuant to Section 6.26.3 of the Covenants as follows:

Doc. No.	201001389
Receipt No.	661
DCFD	3.00
MISL	8.00
MISL	1.00
MISL	2.00
Total	14.00

- Section 1.8 is deleted and replaced with the following new Section 1.8:

1.8 "Developer". Shall mean SBB Development Corp., an Indiana Corporation, Springmill Woods Development Corp., an Indiana Corporation, their assigns, successors or successors in interest, and any person, firm or corporation designated by them or their said successor or successor in interest as "Developer".

- Section 6.2 is deleted and replaced with the following new Section 6.2:

6.2 No residence shall be built on Lot 1 having a ground floor area upon the foundation, exclusive of one-story open porches, breezeways or garages, of less than 1,450 square feet for a one-story residence, or less than 1,600 square feet of total living area, for a residence that has more than one story. No residence shall be built on Lots 2 through 17; Lots 28 through 31, and Lot 45 having a ground floor area upon the foundation, exclusive of one-story open porches, breezeways or garages, of less than 1,200 square feet for a one-story residence, or less than 1,550 square feet of total living area, for a residence that has more than one story. No residence shall be built on Lots 18 through 27 and 32 through 44 having a ground floor area upon the foundation, exclusive of one-story open porches, breezeways or garages, of less than 950 square feet for a one-story residence, or less than 1,350 square feet over-all of total living area, for a residence that has more than one story.

- Section 6.3 is deleted and replaced with the following new Section 6.3:

6.3 Building Lines. No structure shall be located on a Lot nearer to the front Lot line, or nearer to the side street line than the minimum building setback lines shown on the Plat. In any event, no building shall be located nearer than a distance of 7 feet to an interior Lot Line on Lots 1 through 13 and 5 feet on Lots 14 through 45. No dwelling shall be located on Lots numbered 1 through 4; 7 through 11; 14; 15 and 18 through 21 nearer than 15 feet to the rear Lot line and no dwelling shall be located on Lots Numbered 5; 6; 12; 13; 16; 17 and 22 through 45 nearer than 25 feet to the rear Lot line.

- Section 6.4 is deleted and replaced with the following new Section 6.4:

6.4 Minimum Lot Size. No residence shall be erected or placed on a Lot having a minimum width of less than 65 feet at the minimum building setback line on Lots numbered 1 through 17; 28 through 31 and 45 nor shall any residence be erected or placed on any Lot having a width of less than 50 feet at the minimum building setback line on Lots numbered 18 through 27 and 32 through 44. Provided further, no residence shall be erected or placed on any Lot having an area of less than 6,000 square feet.

AUDITOR'S OFFICE Duly entered for taxation. Subject to final acceptance for transfer.

JAN 8 2001

AUDITOR OF ALLEN COUNTY

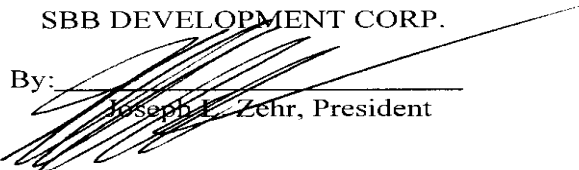
00 15201 AUDITORS NUMBER

Handwritten initials and numbers in the bottom right corner.

5. Section 6.23 is amended to remove the last sentence thereof, which commences "In addition, the owners of Lots 2 ..."
6. All other provisions of the Covenants not amended by this document shall remain in effect.


IN WITNESS WHEREOF, this instrument has been signed by SBB Development Corp. as Developer of Timberon, Section I on the dates indicated below.

SBB DEVELOPMENT CORP.

By:   
Joseph L. Zehr, President

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF INDIANA    )

Before me, a Notary Public, in and for said County and State, this 1st day of December, 2000, personally appeared Joseph L. Zehr, known by me to be the duly elected and acting President of SBB Development Corp., an Indiana Corporation, and acknowledged the execution of the foregoing document as his voluntary act and deed and on behalf of said corporation for the purposes and uses set forth in this document.

  
Joan Willman, Notary Public  
Resident of Allen County, Indiana

My Commission Expires:  
July 6, 2001

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 such document conforms to the requirements of the Allen County Zoning Ordinance and the Allen County Subdivision Control ordinance, and the document is now eligible for recording. This certification does not extend to the form or validity of the document.  
Dated: December 1<sup>st</sup>, 2000.

ALLIEN COUNTY PLAN COMMISSION  
By:   
Dennis A. Gordon, Executive Director

This instrument prepared by: Thomas J. Blee, Attorney at Law

Mail to: SBB Development Corp., 10808 La Cabreah Lane, Fort Wayne, Indiana 46845 Attention: Joseph L. Zehr