

AMENDMENT OF DEDICATION, PROTECTIVE RESTRICTIONS, COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS OF THE PLAT OF THE FALLS OF BEAVER CREEK, SECTION I, A SUBDIVISION IN ABOITE TOWNSHIP, ALLEN COUNTY, INDIANA

North Eastern Construction Co., Inc., an Indiana Corporation, by Joseph L. Zehr, its President, as Developer of The Falls of Beaver Creek, Section I, a subdivision in Aboite Township, Allen County, Indiana, according to the plat thereof, recorded on March 31, 1995, in Plat Cabinet C, page 52 and as Document No. 95-13011 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 as follows:

1. These amended covenants will apply to all Lots in the Subdivision, which lots are numbered 1 through 99, inclusive.

2. The former 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 width of less than 70 feet at the minimum building setback line, nor shall any residence be erected or placed on any Lot having an area of less than 9,000 square feet.

3. All other provisions off the Covenants not amended by this document shall remain in effect.

IN WITNESS WHEREOF, North Eastern Construction Co., Inc. an Indiana corporation, by its duly authorized President, Joseph L. Zehr, has signed this document on April 12th, 1996.

NORTH EASTERN CONSTRUCTION CO., INC.

By: [Signature] Joseph L. Zehr, President

Doc. No. 960028477
Receipt No. 8743
Date 05/24/1996 09:38:29
DCFD 3.00
MISL 6.00
MISL 1.00
Total 10.00

STATE OF INDIANA )
) SS:
COUNTY OF INDIANA )

Before me, a Notary Public, in and for said County and State, this 12th day of April, 1996, personally appeared Joseph L. Zehr, known by me to be the duly elected and acting president of North Eastern Construction Co., Inc., and 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.

[Signature]
Orrin R. Sessions, Notary Public
Resident of Allen County, Indiana

My commission Expires:
May 30, 1996

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 Count Subdivision Control ordinance, and the document is now eligible for recording. This certification does not extend to the form or validity of the document.

Date: 21 May 96, 1996.

ALLEN COUNTY PLAN COMMISSION
By: [Signature]
Dennis A. Gordon, Executive Director

RECORDED
05/24/1996 09:38:31
RECORDER
VIRGINIA L. YOUNG
ALLEN COUNTY, IN

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

Mail to: North Eastern Construction Co., Inc.
10808 La Cabreah Lane
Fort Wayne, Indiana 46845
Attention: Cathy A. Zehr

MAY 24 1996

[Signature]
AUDITOR OF ALLEN COUNTY
96 3492
AUDITOR'S NUMBER

10
CH
AB