

RECORDED
07/16/2003 11:27:12
RECORDER
PATRICIA J BRICK
ALLEN COUNTY, IN

Doc. No. 203071878
Receipt No. 25373

DCFD 3.00
MTSL 8.00
MLSL 1.00
MLSL 1.00
Total 13.00

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

24-5348-

Pine View Land Corp., an Indiana Corporation, by Orrin R. Sessions, its President, as Developer of Sorrento, Section I, a subdivision in Perry Township, Allen County, Indiana, according to the plat thereof, recorded on October 11, 2002, in Plat Cabinet E, page 123 and as Document No. 202082619 in the Office of the Recorder of Allen County, Indiana ("Subdivision"), pursuant to the provisions of Section 6.25.3 of the Dedication, Protective Restrictions, Covenants, Limitations, Easements and Approvals of said Subdivision ("Covenants") recorded as Document #202082619 on October 11, 2002 in the Office of the Recorder of Allen County, Indiana, hereby amends said Covenants as follows:

1. This amendment applies to all Lots in the Subdivision, which lots are numbered 1 through 106, inclusive.
2. The following Section 1.14 added to Section 1:

"1.14 **"Builder"**. An individual or entity who is licenced to build single-family residential dwellings in the State of Indiana, who or which is an Owner of a Lot in the Subdivision."

3. Section 4.1 is deleted and replaced with the following new Section 4.1:

"4.1 Creation of the Lien and Personal Obligation of Assessments. Each Owner, except Developer and Builder, by acceptance of a deed for a Lot, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to pay to the Association: (1) annual assessments or charges; and (2) special assessments for capital improvements. Such assessments shall be established and collected as provided in these Covenants and the Bylaws. The annual and special assessments, together with interest, costs and reasonable attorney fees, shall be a charge on the land and shall be a continuing lien upon the Lot against which each such assessment is made. Each such assessment, together with interest, costs and reasonable attorney fees, shall also be the personal obligation of the person who was Owner of such Lot at the time when the assessment became due. The personal obligation of delinquent assessments shall not pass to an Owner's successors in title unless expressly assumed by the grantee in the deed of conveyance. Notwithstanding any other provision herein to the contrary, Developer shall have the absolute and unrestricted right from time to time to temporarily exempt a Builder from the obligation to pay any Assessments or any lien for any Assessments on a designated Lot or Lots, such temporary exemption, if so granted by Developer, to terminate at the earlier of two (2) years from the date of acceptance of a deed from Developer by Builder; the date the Builder receives a certificate of occupancy for a residence constructed on the Lot or the date when the Builder conveys title to a successor."

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

IN WITNESS WHEREOF, Pine View Land Corp., an Indiana corporation, by its duly authorized President, Orrin R. Sessions, has signed this document on 19th day of May, 2003.

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

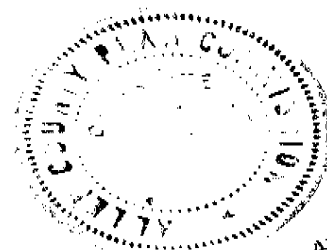
PINE VIEW LAND CORP.

By: *Orrin R. Sessions*
Orrin R. Sessions, President

JUL 16 2003


Elizabeth A. Glaser
AUDITOR OF ALLEN COUNTY

03 15661
ALLEN COUNTY AUDITOR'S NUMBER

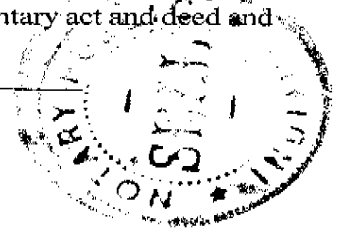


STATE OF INDIANA)
) SS:
COUNTY OF INDIANA)

Before me, a Notary Public, in and for said County and State, this 19th day of May, 2003, personally appeared Orrin R. Sessions, known by me to be the duly elected and acting president of Pine View Land 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, 2009

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 An 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.

Date: _____, 2003.

ALLEN COUNTY PLAN COMMISSION

By: _____
Kimberly Bowman, Executive Director



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

Mail to: North Eastern Group
 10808 La Cabreah Lane
 Fort Wayne, Indiana 46845