

2016003246

RECORDED: 01/15/2016 11:11:16 AM

ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

TITAN TITLE SERVICES, LLC

C2016-115

**FIRST AMENDMENT OF DEDICATION, PROTECTIVE RESTRICTIONS,
COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO THE PLAT OF
TALON'S REACH, SECTION II, A SUBDIVISION IN PERRY TOWNSHIP,
ALLEN COUNTY, INDIANA**

WHEREAS, PT DEVELOPMENT CORP., an Indiana corporation, executed and placed of record that certain Dedication, Protective Restrictions, Covenants, Limitations, Easements And Approvals Appended To The Plat of Talon's Reach, in Perry Township, Allen County, Indiana, recorded December 10, 2015 as Document Number 2015062799 and at Plat Cabinet G, page 124 in the Office of the Recorder of Allen County, Indiana (the "Declaration"); and

WHEREAS, pursuant to Article 7.26.2 of the Declaration, the Declarant currently has the right to amend the Declaration; and

WHEREAS, capitalized terms used herein shall have the same meaning ascribed to them in the Declaration.

NOW, THEREFORE, the Declarant hereby amends the Declaration as follows:

1. Section 10 titled **SIDEWALKS** is completely replaced and superceded with the following new Section 10, to wit:

Section 10. **SIDEWALK**. Plans and specifications for the Subdivision approved by and on file with the Zoning Authority require the installation of concrete sidewalks within the street rights-of-way in front of Lots 31 through 48 and Lots 57 through 61 as the obligation of the Owner of the Lots (exclusive of Developer). The sidewalk to be located on a Lot shall be completed in accordance with such plans and specifications prior to the issuance of a certificate of occupancy for such Lot. This Covenant is enforceable by the Zoning Authority, the Developer, the Association, or an Owner by specific performance or other appropriate legal or equitable remedy. Should a certificate of occupancy be issued to Developer for a Lot on which a sidewalk is required to be constructed, Developer shall be considered as an Owner subject to enforcement of this Covenant but only with respect to that Lot.

Except as expressly modified or amended by this Second Amendment, all other terms and provisions of the Declaration remain unchanged and shall remain in full force and effect.

{12834/002/00471616-1 LF}

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

Jan 15 2016

TERA K. KLUTZ
AUDITOR OF ALLEN COUNTY

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15th IN WITNESS WHEREOF, the Declarant has executed this Second Amendment effective as of this day of January, 2016.

PT DEVELOPMENT CORP.
an Indiana Corporation

By: _____
Its: Joseph L. Zehr President
Printed Name: _____

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned Notary Public in and for said County and State, personally appeared Joseph L. Zehr, the President of PT DEVELOPMENT CORP. and acknowledged execution of the above and foregoing this 15th day of January, 2016.

My Commission Expires:

Lisa A Downey
Signature of Notary Public

Resident of: _____
 **LISA A DOWNEY, Notary Public**
Allen County, State of Indiana
My Commission Expires 10-17-2019

Printed Name of Notary Public

This instrument prepared by VINCENT J. HEINY, Attorney at Law, Haller & Colvin, P.C., 444 East Main Street, Fort Wayne, Indiana 46802, Telephone: (260) 426-0444. I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by Law. /s/ Vincent J. Heiny