



2019048803

RECORDED: 09/26/2019 03:18:02 PM

ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

**THIRD AMENDMENT
TO
THE DEDICATION AND DECLARATION OF PROTECTIVE RESTRICTIONS,
COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO
AS PART OF THE DEDICATION AND PLAT OF
WILLOW RUN, SECTIONS I - IV
A SUBDIVISION OF PERRY TOWNSHIP, ALLEN COUNTY, INDIANA**

The undersigned, being the President of Willow Run Community Association, Inc. and having verified that two-thirds of the Owners have voted in favor of this Amendment, and pursuant to the provisions of Article V, Section 35 of the Dedication and Declaration of Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to as Part of the Dedication and Plat of Willow Run, as recorded on October 3, 2002, as Document Number 202079810 in the Office of the Recorder of Allen County, Indiana; and as recorded on July 10, 2003, as Document Number 203069286; and as recorded on June 17, 2003, as Document Number 203060562; and as recorded on February 11, 2004, as Document Number 204010108; and as recorded on April 20, 2004, as Document Numbers 204028768 and 204028769, respectively; and as recorded on November 9, 2004, as Document Number 204081163; and as recorded on June 15, 2005, as Document Number 205036697; and as recorded September 5, 2013, as Document Number 2013051684, hereby make and effect the following changes, alterations and modifications in and to said Protective Restrictions, Covenants, Limitations, Easements and Approvals for Willow Run:

Article V, Section 44, Rental Homes is hereby added to the Protective Restrictions, which shall be as follows:

Section 44. Rental Homes. Excepting any existing leases of Dwelling Units in the Subdivision as of the date of this Amendment, no Dwelling Unit or any portion thereof may be rented, leased or otherwise occupied for a fee for any duration whatsoever, including overnight arrangements, to any individual or entity so as to preserve the congenial and residential character of the Subdivision and to protect the Owners of the Lots by having financially responsible residents within the Subdivision. Each Dwelling Unit shall be occupied only by its Owner(s) and the Owner's immediate family.

Any such current rentals which later revert to being owner-occupied and not rented, shall thereafter no longer be so excepted.

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

SEP 26 2019

[Signature]
AUDITOR OF ALLEN COUNTY

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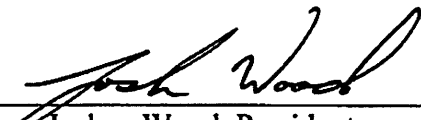
Exceptions to this no-rental restriction are hereby granted to the following: to a spouse, ex-spouse, child, parent, or sibling of an individual titleholder; where a personal trust is titleholder, to a family member/trust beneficiary who is to be a full-time resident; where a family corporation or other family company is titleholder, to a family member holding ownership/voting power who is to be a full-time resident; where a not-for-profit entity is titleholder, to an employee who is to be a full-time resident; to other similarly-situated individuals with the consent of the Association.

Land contracts are considered rental agreements for the purposes of this restriction.

The undersigned having verified the requisite number of votes to amend the Protective Restrictions and a copy of the record of the requisite votes of the Owners is attached hereto as Exhibit "A" and is made apart hereof by reference.

IN WITNESS WHEREOF, the undersigned does hereby execute this Third Amendment to said Protective Restrictions for and on behalf of the Owners in the Willow Run Subdivision on the date written below.

Willow Run Community Association, Inc.


By: 
Joshua Wood, President

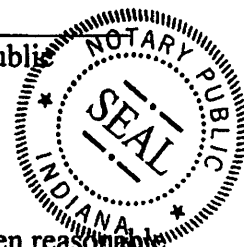
STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 26th day of September, 2019, personally appeared Willow Run Community Association, Inc. by Joshua Wood, its President, and acknowledged the execution of the above and foregoing release.

WITNESS my hand and Notarial Seal.

My Commission Expires:
9/15/23


Timothy L. Claxton, Notary Public
Resident of Allen County, IN



Pursuant to IC 36-2-11-15(d): I/We affirm, under the penalties for perjury, that I/we have taken reasonable care to redact each Social Security number in this document, unless required by law. Timothy L. Claxton

This Instrument Prepared by: Timothy L. Claxton, Attorney at Law, 200 E. Main St., Ste. 1000, Fort Wayne, IN 46802. Attorney Identification No. 14523-02

Return to: Burt Blee Box