

AN AMENDMENT
TO THE DEDICATION, EASEMENTS AND APPROVALS APPENDED TO
AND MADE A PART OF THE DEDICATION AND PLAT OF
ASPEN VILLAGE, SECTION I,
A SUBDIVISION IN ABOITE TOWNSHIP, ALLEN COUNTY, INDIANA

We, the undersigned, being the owners of more than Fifty-One Percent (51%) of the lots in Section I, Aspen Village, a Subdivision in Aboite Township, Allen County, Indiana, pursuant to the provisions contained in the prefatory paragraph of Part II of the dedication, protective restrictions, covenants and limitations appended to the plat of said Aspen Village, Section I, as they appear in Plat Record Book 39, pages 14 through 17, in the Office of the Recorder of Allen County, Indiana, having been recorded therein on the 8th day of December, 1976; hereby specifically amend, substitute and add to the existing covenants, restrictions, and limitations the following paragraphs:

(3) Sub "J" Any resident whose lot is located on a corner within the Subdivision or whose lot in any manner adjoins or abuts Aboite Center Road, may apply to the Board of Directors of the Aspen Village Community Corporation for permission to construct and erect a fence upon said lot. Two (2) sets of plans and specifications showing the nature, kind, shape, height, materials, and location of the fence shall be submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Community Association. The Board of Directors shall, by majority vote, approve or disapprove of such plans and specifications within thirty (30) days after said plans have been submitted. The plans are deemed to have been submitted only when received by the President of the Community Association. In the event the Board of Directors fails to approve or disapprove such plans within thirty (30) days after they have been submitted, then approval shall be deemed to have been given, provided that objective evidence, such as a registered letter, is available to prove that such plans were submitted. The construction of said fence shall be in accordance with the plans and specifications as submitted to and approved in writing by the Board of Directors.

The provisions hereinbefore provided for a violation or attempted violation of these covenants and restrictions shall be applicable hereto. In the event the Association shall prevail in any litigation brought for the purpose of enforcing compliance with the provisions of this article, it shall be entitled to recover from the defendant(s) reasonable attorney fees and costs incurred by the Association in such enforcement.

ALL PLATTED RESTRICTIONS NOT HEREIN MODIFIED, AMENDED, OR SUBSTITUTED, SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, Aspen Village Community Corporation, an Indiana Corporation, by Michael Walters, its President, and Pat Biggins, its Secretary, hereby certifies that the below signatures constitute the owners of the real estate as indicated, by lot and address, and were obtained by officers and members of the Corporation specifically authorized for said purpose.

DULY ENTERED FOR TAXATION

OCT 02 1989

-1-

Jude K. Bloom
AUDITOR OF ALLEN COUNTY

INSTRUMENT X 8169

Michael Walters Bob

89 OCT -2 AM 11:29
ALLEN COUNTY RECORDER

14-00
11-01
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ASPEN VILLAGE COMMUNITY CORPORATION

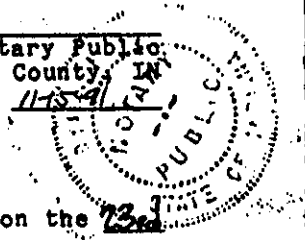
BY: Michael Walters
Michael Walters, President

BY: Pat Biggins
Pat Biggins, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State, appeared Michael Walters, and Pat Biggins, known to me to be the duly authorized and acting President and Secretary, respectively, of Aspen Village Community Corporation, and acknowledge the voluntary execution of the above and foregoing instrument on behalf of said Corporation for the purposes and uses therein set forth, on this 19 day of June, 1989.

Dennis A. Gordon
Dennis F. Rupp Notary Public
A Resident of Allen County, IN
My Commission Expires: 11-15-91



Approved by the Allen County Plan Commission on the 13th day of August, 1989.

Dennis A. Gordon
Dennis A. Gordon, AICP

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 said document conforms to the requirements of the Allen County Zoning and Subdivision Control Ordinances and the document is now eligible for recording. This certification does not extend to the form or validity of the document.

This instrument was prepared by Phillip A. Renz, Attorney at Law.

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Maria Kelly
Debra Kelly
(Owner's Name)
3906 Abote Lake Dr.
(Address)
Lot No. 43

Frank Pangals
(Owner's Name)
3605 Abote Lake Dr
(Address)
Lot No. 27

Amy A. Lutz
Theresa A. Lutz
(Owner's Name)
3920 Abote Lake Dr.
(Address)
Lot No. 45

Doreen E. Furge
(Owner's Name)
3608 Abote Lake Dr
(Address)
Lot No. 26

Theresa M. Lee
THERESA M. LEE
(Owner's Name)
3936 ABOITE LAKE DR.
(Address)
Lot No. 47

John M. Sanchez
John M. Sanchez
(Owner's Name)
3617 Abote lake dr.
(Address)
Lot No. 25

John Smith
(Owner's Name)
9804 Taffery Rd
PT WYMAN IN
(Address)
Lot No. 29

J. Metzger
L. Metzger
(Owner's Name)
3614 Abote lake Dr
PT. Wayne IN
(Address)
Lot No. 30

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D. A. Bidelhausen
(Owner's Name)

3622 ABOITE LAKE DR.

(Address)

Lot No. 31

Steve Kuschel

(Owner's Name)

3601 Aboite Lake Dr.

Fort Wayne IN. IN 46804

(Address)

Lot No. 28

R. W. M. K.

(Owner's Name)

3636 Aboite Lk Dr.

(Address)

Lot No. 32

Alexandria Morrison

(Owner's Name)

3629 ABOITE LK DR

FT. WAYNE, IN 46804

(Address)

Lot No. 24

~~Steve Kuschel~~

(Owner's Name)

~~3636 ABOITE LK DR~~

(Address)

Lot No. ~~32~~

Ronald J. Phillips

(Owner's Name)

37029 Lake St Dr.

(Address)

Lot No. 35

Richard Schlep

(Owner's Name)

3710 ABOITE LAKE DR

FORT WAYNE, IN

(Address)

Lot No. 34

Robert L. Hooter

Donna Hooter Lot 35

(Owner's Name)

3720 Abote Lake Dr

(Address)

Lot No. 35

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Jackie S. Towns
Gene A. Towns
(Owner's Name)
GENE A. TOWNS
3733 ABOITE LK. DR.
(Address)
Lot No. 20

Edna M. McClure
Randy K. McClure
(Owner's Name)
3818 ABOITE LK. DR.
(Address)
Lot No. 39

Robert F. Trench
Dee J. Trench
(Owner's Name)
3804 ABOITE LK. DR.
(Address)
Lot No. 29

Sally Caudill
(Owner's Name)
St. Wayne, Ind.
3821 ABOITE LK. DR.
(Address)
Lot No. 17

Randy K. Kasper
2815 ABOITE LK. DR.
(Owner's Name)
St. Wayne Ind
(Address)
Lot No. 18

Doris McCullagh
(Owner's Name)
3829 ABOITE LAKE DR
St. Wayne Ind
(Address)
Lot No. 16

Donna Watters
Bruce Watters
(Owner's Name)
3812 ABOITE LAKE DR.
St. Wayne, Ind 46804
(Address)
Lot No. 38

Stan Reed
(Owner's Name)
3832 ABOITE LAKE DR
St. Wayne Ind
(Address)
Lot No. 41

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Anna M. Halsey
 (Owner's Name)
3826 Abote Lake Dr.
Fort Wayne, Ind. 46804
 (Address)
 Lot No. 40

Plot THE WHOLE LOT
W. Smith
 (Owner's Name)
3902 Abote Lake Drive
Fort Wayne, IN 46804
 (Address)
 Lot No. 42

Michael S. Holt
Amey Holt
 (Owner's Name)
3909 Abote Lake Dr
Fort Wayne, IN 46804
 (Address)
 Lot No. 13

William J. Peters
Raney C. Peters
 (Owner's Name)
3911 Abote Lake Dr
Fort Wayne, Ind. 46804
 (Address)
 Lot No. 12

Alma S. Bungardner
Dora Bungardner
 (Owner's Name)
3923 Abote Lake Dr
Fort Wayne IN 46804
 (Address)
 Lot No. 10

Kenneth E. Watson
 (Owner's Name)
3931 Abote Lake Dr
FT. Wayne IN 46804
 (Address)
 Lot No. 9

Barbara H. Pehelke
Thomas W. Pehelke
 (Owner's Name)
4126 Abote Lake Dr.
Fort Wayne, Ind. 46804
 (Address)
 Lot No. 53

Robert E. Black Jamie M. Black
Pamela D. Farley
 (Owner's Name)
4123 ABOITE LAKE DR.
FT. WAYNE, IN
 (Address)
 Lot No. 1

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David & Cindy Evans

(Owner's Name)

(Owner's Name)

4113 Aboite Lake Dr.
(Address)
Lot No. 3

(Address)
Lot No.

(Owner's Name)

(Owner's Name)

(Address)
Lot No.

(Address)
Lot No.

(Owner's Name)

(Owner's Name)

(Address)
Lot No.

(Address)
Lot No.

(Owner's Name)

(Owner's Name)

(Address)
Lot No.

(Address)
Lot No.