



AMENDMENT NO. 5
TO DECLARATION AND PLANS OF AWB CONDOMINIUM

THIS AMENDMENT NO. 5 TO DECLARATION AND PLANS OF AWB CONDOMINIUM ("Amendment") is made by AWB Holdings, LLC ("Declarant") as of May 8, 2013.

WITNESSETH:

62-12-02-436-030.000-074
-027-000-074

WHEREAS, Declarant is the developer of AWB Condominium, having recorded Declaration of Condominium Ownership, By-Laws, Plans and Covenants in the office of the Recorder of Allen County, Indiana as Document Number 2012022148 and Plat Cabinet G, Page 38. The Declaration and subsequent amendments thereto are incorporated herein by this reference.

-024
-028
-025

WHEREAS, Declarant owns at least 67% of the Condominium Units (as defined in the Declaration) of AWB Condominium.

WHEREAS, Declarant wishes to amend the Declaration as set forth below; and

WHEREAS, Condominium Units 901, 902, 904, 905, and 907 have now been constructed and built out and, pursuant to the Indiana Condominium Act, the Declaration must be amended to show the location, layout and dimensions of said Condominium Units "as-built."

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Declarant affirms that Condominium Units 901, 902, 904, 905, and 907 have been constructed and built out as shown on the amended site plans for said Condominium Units, which site plans are attached as Exhibit A to this Amendment.

2. The amended site plan attached as Exhibit A accurately shows the location, layout and dimensions of Condominium Units 901, 902, 904, 905, and 907 as certified in the Architect's Verified Statement For Amendment No. 5 to AWB Condominium attached as Exhibit B to this Amendment and incorporated into and made a part of the Declaration.

3. The total Usable Square Footage of the Building is deemed to be 89,722 square feet. For purposes of calculating the Percentage Interest (as defined in the Declaration) of each of the subject Condominium Units, the Usable Square Footage of Condominium: (i) Unit 901 is deemed to be 1465 square feet; (ii) Unit 902 is deemed to be 886 square feet; (iii) Unit 904 is deemed to be 1769 square feet; (iv) Unit 905 is deemed to be 1700 square feet; (v) Unit 907 is deemed to be 1254 square feet.

4. Pursuant to Section 7(b) of the Declaration, the numbered Parking Space(s) (as defined in the Declaration) assigned to Condominium: (i) Unit 901 are: none at this time; (ii) Unit 902 are: none at this time; (iii) Unit 904 are: none at this time; (iv) Unit 905 are: none at this time; (v) Unit 907 are: none at this time.

1319258
TITAN TITLE SERVICES, LLC

2013026154

DMS_US 52054764v1

RECORDED: 05/09/2013 09:21:35 AM

MAY -8 2013

JOHN MCGAULEY
ALLEN COUNTY RECORDER
FORT WAYNE, IN

Jason K. Klautz
ARCHITECT

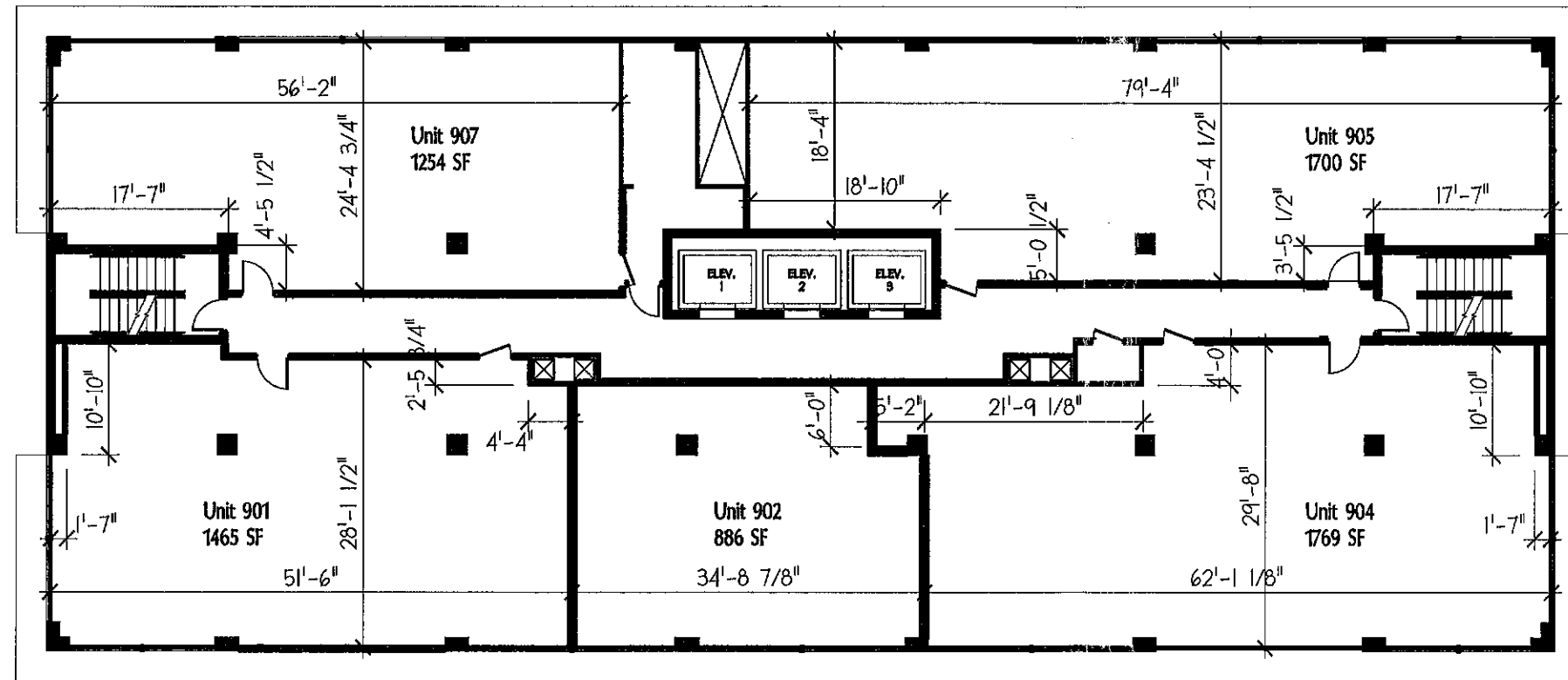
1319258
INC


EXHIBIT A

9th Floor Site Plan

"Exhibit A"

2013026154
RECORDED: 05/09/2013 09:21:35 AM
JOHN MCGAULEY
ALLEN COUNTY RECORDER
FORT WAYNE, IN



 **9th Floor**
SCALE: 1/16" = 1'-0"



AWB Condominium

203 E. Berry Street
Fort Wayne, IN

EXHIBIT B

**ARCHITECT'S VERIFIED STATEMENT FOR AMENDMENT NO. 5
TO DECLARATION AND PLANS OF AWB CONDOMINIUM**

Ronald Dick being first duly sworn upon his oath, is an architect, a Principal and Owner of Design Collaborative, Inc. and is registered in accordance with the laws of the State of Indiana (Registration No. 4447), and has personal knowledge of the facts and matters set forth in this verified statement.

The plans attached to this Amendment No. 5 to the Declaration and Plans of AWB Condominium accurately depict the location, layout and dimensions of Condominium Units 901, 902, 904, 905, and 907.

The plans attached to the Declaration of AWB Condominium are an accurate representation of the plans of the building as filed with and approved by the State of Indiana Division of Fire and Building Safety, the Allen County Building Department and the City of Fort Wayne.

Verified:

4/30/13
Date

Ronald Dick
Signature

Ronald Dick
Printed Name

Acknowledged:

SUBSCRIBED AND SWORN before me, a Notary Public, in and for said County and State, this 30th day of April, 2013.

Misty K. James
Notary Public

Misty K. James
Notary Public Printed Name

A Resident of Allen County, Indiana.

My Commission Expires July 11, 2015

