

**EIGHTH AMENDMENT TO
DECLARATION OF HORIZONTAL PROPERTY OWNERSHIP
FOR
AIRPORT NORTH OFFICE PARK**

RECORDED
03/11/1996 15:21:03
RECORDER
VIRGINIA L. YOUNG
ALLEN COUNTY, IN
Doc. No. 960012771
Receipt No. 3443
Date 03/11/1996 15:20:59
DCFD 3.00
PLAT 20.00
PLAT 1.00
PLAT 3.00
Total 27.00

THIS DECLARATION made this 19th day of February, 1996, by Airport North Office Park, an Indiana Limited Partnership, as "Declarant",

WITNESSETH

✓ WHEREAS by the Declaration of Horizontal Property Ownership recorded in the office of the Recorder of Allen County, Indiana, the 18th day of November, 1986, in Condominium Plat Record 9, pages 37-57, the Declarant submitted certain real estate to the Horizontal Property Act of the State of Indiana (the "Act"), said regime being known as Airport North Office Park, and

WHEREAS, site development plans for Airport North Office Park were incorporated by reference in said Declaration; and

WHEREAS, the absolute right to amend said Declaration in order to conform its provisions to the requirements of the Act is reserved in Declarant; and

WHEREAS, I.C. 32-1-613 makes specific provision for this Amendment;

NOW THEREFORE, Airport North Office Park, an Indiana Limited Partnership, Declarant, hereby amends the Declaration by adding in Article II, Condominium Units, Section 1, Description and Ownership" additional Units G-122, G-123, G-124, and G-125 to Building G, each containing 12 offices, 2 restrooms and reception, utility and storage areas. Said units in said building each contain 1,984 sq.ft. and also incorporating herein the verified statement of Michael Gensic, Registered Engineer, that the plan filed fully and accurately depicts the layout, location, building numbers and dimensions of the condominium units as built in Airport North Office Park, as of the date of said verified statement.

DULY ENTERED FOR TAXATION

IN WITNESS WHEREOF, the undersigned has caused this Amended Declaration to be executed the day and year first above written.

MAR 11 1996

AIRPORT NORTH OFFICE PARK


AUDITOR OF ALLEN COUNTY

By 
J. Andrew Norton, General Partner

96 304
AUDITORS NUMBER

FWNB - Fancher


30 232

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, this 19th day of February, 1996, personally appeared J. Andrew Norton, by me personally known and by me known to be the General Partner of Airport North Office Park, an Indiana Limited Partnership, who executed the within and foregoing document as the free and voluntary act of said Partnership.

WITNESS my hand and notarial seal the day, month and year last above written.

My Commission Expires:
June 1, 1996


Judith A. Burdek
A resident of Allen County, Indiana


Notary Public
STATE OF INDIANA

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

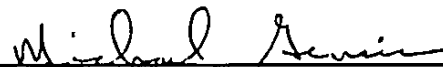
AFFIDAVIT

The undersigned, Michael Gensic, being first duly sworn upon his oath, says:

1. That he is a duly licensed professional engineer in the State of Indiana, having been granted registration Number 16705.
2. The site development plans for Airport North Office Park, a Horizontal Property Regime in Allen County, Indiana, were recorded November 18, 1986, in Condominium Plat Record 9, pages 37-57.
3. Your Affiant says that the plan attached fully and accurately depicts the layout, location, unit numbers and dimensions of Building G, Units G-122, G-123, G-124, and G-125 of the condominium units as built.
4. Your Affiant says that the elevations pertaining to the condominium units G-122, G-123, G-124, and G-125 as built in Airport North Office Park are as follows:

Building G-122	Floor Elevation - 832.36	Ceiling Height - 8'0"
Building G-123	Floor Elevation - 832.32	Ceiling Height - 8'0"
Building G-124	Floor Elevation - 832.44	Ceiling Height - 8'0"
Building G-125	Floor Elevation - 832.38	Ceiling Height - 8'0"

Further Affiant sayeth naught, this 27 day of February, 1996.




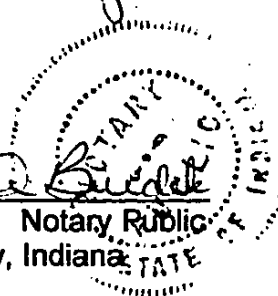
Michael Gensic

Before me, a Notary Public in and for said County and State, personally appeared Michael Gensic and averred that the contents of the within and foregoing Affidavit were true and, in the presence of the undersigned, signed said Affidavit.

WITNESSETH my hand and notarial seal this 27 day of February, 1996.

My Commission Expires:
June 1, 1996


Judith A. Burdek Notary Public
A resident of Allen County, Indiana



PREPARED BY: JUDITH A. BURDEK

RICHARD KARST, L.S.
NO. 8-0561

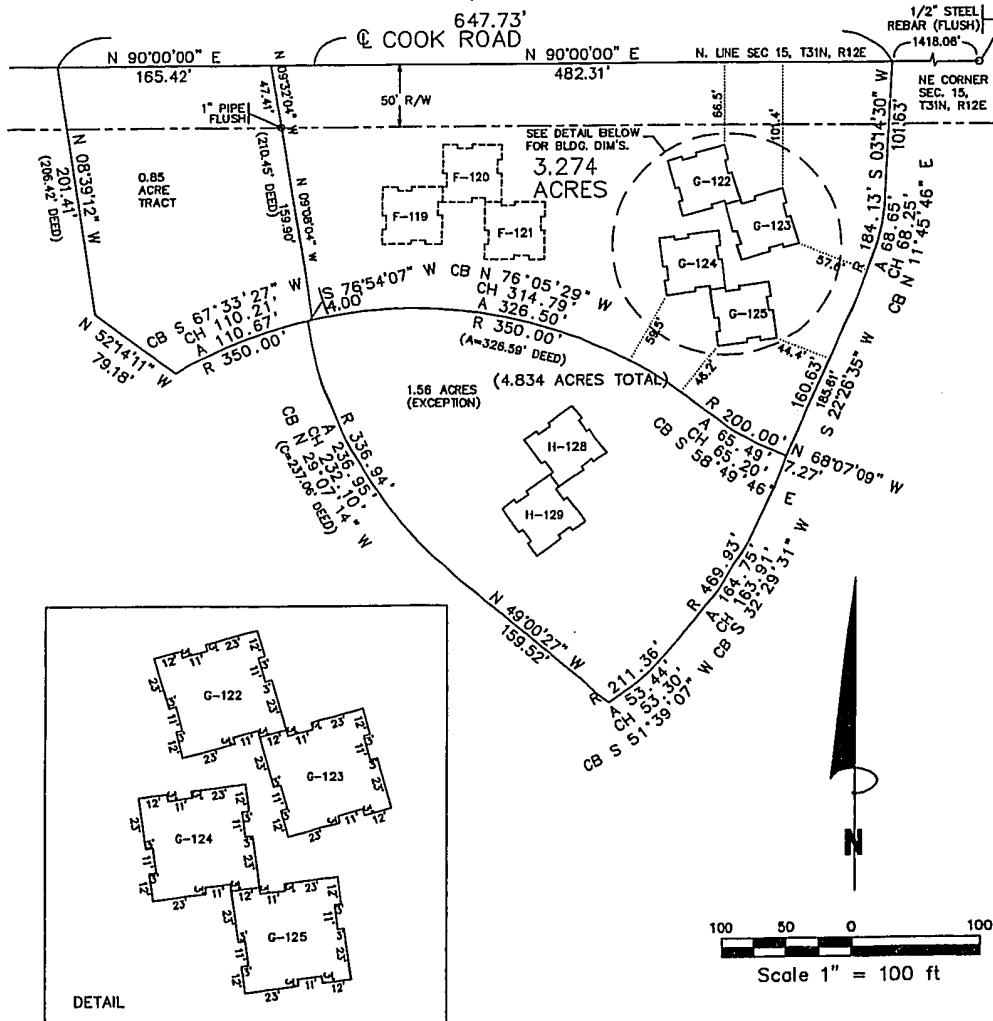
RK KARST & ASSOCIATES

725 FULTON STREET
FORT WAYNE, IN 46802
219-426-3336

CERTIFICATE OF SURVEY

The undersigned Land Surveyor, registered under the laws of the State of Indiana, hereby certifies that he has made a resurvey of the real estate depicted and described below. Measurements were made and monuments perpetuated as shown, in conformity with the record thereof in the office of the Recorder of Allen County, Indiana.
No encroachments existed, except as noted. The description of the real estate is as follows, to wit: See Attached

This property is within Zone "X" (areas determined to be outside the 500-year flood plain) as defined by the FIRM (Flood Insurance Rate Map) for Allen County, Indiana, Community No. 180302, Panel No. 0145 D, dated September 28, 1990.



Job No. 96WS323

For J. Andrew Norton

IN WITNESS WHEREOF, I hereunto place my hand and

seal this 29th day of January, 1996

I hereby certify that to the best of my knowledge and belief this plat represents a survey conducted under my supervision in accordance with Title 36S AAC 1-12-1 thru 29

date of fieldwork
January 22, 1996



Richard K. Karst

LEGAL DESCRIPTION
3.274 acre tract
Airport North Office Park

Part of the Northeast Quarter of Section 15, Township 31 North, Range 12 East, Allen County, Indiana, located within the Airport North Office Park Horizontal Regime, as recorded and described in Exhibit "C", document No. 86-047972, being more particularly described as follows:

Commencing on the centerline of Cook Road at a 1/2" rebar marking the Northeast corner of said Section 15; thence South 90 degrees 00 minutes 00 seconds West, a distance of 1418.06 feet along the North line of said Section 15 and centerline of said Cook Road to the POINT OF BEGINNING of the herein described tract; thence South 03 degrees 14 minutes 30 seconds West, a distance of 101.63 feet to the point of curvature of a non-tangent curve, concave to the West, having a radius of 184.13 feet, a central angle of 21 degrees 21 minutes 39 seconds, and a chord of 68.25 feet bearing South 11 degrees 45 minutes 46 seconds West; thence Southerly along said curve, a distance of 68.65 feet; thence South 22 degrees 26 minutes 35 seconds West, a distance of 185.61 feet to the point of curvature of a tangent curve, concave to the Northwest, having a radius of 469.93 feet, a central angle of 20 degrees 05 minutes 14 seconds, a chord of 163.91 feet bearing South 32 degrees 29 minutes 51 seconds West; thence Southwesterly along said curve, a distance of 164.75 feet to the point of curvature of a compound curve, concave to the Northwest, having a radius of 211.36 feet, a central angle of 14 degrees 29 minutes 14 seconds, and a chord of 53.30 feet bearing South 51 degrees 39 minutes 07 seconds West; thence Southwesterly along said curve, a distance of 53.44 feet; thence North 49 degrees 00 minutes 27 seconds West, a distance of 159.52 feet to the point of curvature of a non-tangent curve, concave to the Northeast, having a radius of 336.94 feet, a central angle of 40 degrees 17 minutes 37 seconds, and a chord of 232.10 feet (237.06' deed) bearing North 29 degrees 07 minutes 14 seconds West; thence Northwesterly along said curve, a distance of 236.96 feet to the point of curvature of a non-tangent curve, concave to the South, having a radius of 350.00 feet, a central angle of 18 degrees 07 minutes 01 second, and a chord of 110.21 feet bearing South 67 degrees 33 minutes 27 seconds West; thence Westerly along said curve, a distance of 110.67 feet; thence North 52 degrees 14 minutes 11 seconds West, a distance of 79.18 feet; thence North 08 degrees 39 minutes 12 seconds West, a distance of 201.41 feet (206.42' deed); thence North 90 degrees 00 minutes 00 seconds East, a distance of 647.73 feet to the POINT OF BEGINNING; said described tract containing 4.834 acres (209,399.067 square feet), more or less.

EXCEPTING THEREFROM a 1.56 acre tract more particularly described as follows:

Part of the Northeast Quarter of Section 15, Township 31 North, Range 12 East, Allen County, Indiana, located within the Airport North Office Park Horizontal Regime, as recorded and described in Exhibit "C", document No. 86-047972, being more particularly described as follows:

Commencing at a 1/2" rebar at the Northeast corner of said Section 15; thence North 90 degrees 00 minutes 00 seconds West (deed bearing and basis for this description), a distance of 1900.34 feet along the North line of said Section, also being the centerline of Cook Road; thence South 09 degrees 13 minutes 33 seconds, a distance of 207.31 feet (S 09-13-33 E, 210.45' deed) along the Easterly line of an existing 0.85 acre tract to a PK nail at the Southeast corner of said 0.85 acre tract

and Point Of Beginning of the herein described tract; thence along a regular curve to the right having a radius of 350.00 feet' an arc distance of 326.50 feet (326.59' deed), the chord of which bears South 76 degrees 05 minutes 29 seconds East, a distance of 314.79 feet to a PK nail; thence along a regular curve to the left having a radius of 200.00 feet, an arc distance of 65.49 feet, the chord of which bears South 58 degrees 49 minutes 46 seconds East, a distance of 65.20 feet to a PK nail; thence South 68 degrees 47 minutes 23 seconds East, a distance of 10.00 feet to a PK nail on the centerline of an existing roadway; thence South 21 degrees 47 minutes 00 seconds West, a distance of 24.98 feet along said roadway centerline to a PK nail; thence continuing along said centerline along a regular curve to the right having a radius of 469.93 feet, an arc distance of 164.75 feet, the chord of which bears South 32 degrees 29 minutes 51 seconds West, a distance of 163.91 feet to a PK nail on said centerline; thence continuing along said centerline along a regular curve to the right having a radius of 211.36 feet, an arc distance of 53.44 feet, the chord of which bears South 51 degrees 39 minutes 07 seconds West, a distance of 53.30 feet to a PK nail at the intersection of said roadway and the centerline of a roadway from the Northwest; thence North 49 degrees 00 minutes 27 seconds West, a distance of 159.52 feet to a PK nail on said centerline; thence continuing along said centerline, along a regular curve to the right having a radius of 336.94 feet, an arc distance of 235.81 feet (237.33 feet deed), the chord of which bears North 28 degrees 10 minutes 01 seconds West, a distance of 231.03 feet to a PK nail on the Southerly line of said 0.85 acre tract; thence along said Southerly line being a regular curve to the right having a radius of 350.00 feet, an arc distance of 4.00 feet, the chord of which bears North 77 degrees 54 minutes 07 seconds East, a distance of 4.00 feet to the Point Of Beginning, containing 1.56 acres more or less, subject to all Legal Highway Rights-of-Way, and subject to easements of record.

Containing an aggregate acreage after said exception of 3.274 acres.

Survey No. 96WS323
Dated January 29, 1996
RK Karst & Associates

Surveyor's Report

3.274 Acre Tract Airport North Office Horizontal Regime
Office Building G122 G123 G124 G125

In accordance with Title 865, Article 1, Rule 12, Section 1 through 29 of the Indiana Administrative Code, the following report is submitted regarding the various uncertainties in the locations of the lines and corners established on this parcel as a result of:

- a) Variances in the reference monuments;
- b) Discrepancies in the record descriptions and plats;
- c) Inconsistencies in lines of occupation;
- d) Random Errors in Measurement (Theoretical Uncertainty);

The Theoretical Uncertainty due to random errors in measurement of the corners of this survey is within the specifications for a Class C Survey (0.50 feet) as defined in IAC 865.

This is a resurvey of a 4.834 acre tract (with a 1.56 acre exception) to show the location of additional office buildings situated on this parcel.

The 1.56 acre exception was surveyed by Michael E. Ruff and dated January 17, 1991, and was resurveyed by RK Karst & Associates and dated January 13, 1995.

All monumentation (PK nails) located and noted on this survey are the same as used on the earlier 1991 survey.

Micheal E. Ruff states in the earlier survey that the Office Park Geometrics Plan was used as control but when conflicts arose the centerline of existing pavement was held. He also notes variations between the Geometrics Plan and pavement of 4 feet in an East-West direction.

As a result of the above findings, it is my opinion that the uncertainties in the locations of the lines and corners of this surveyed parcel are as follows:

Due to Variances in reference monuments:	4' in an e/w direction
Due to Discrepancies in the record description:	None
Due to Inconsistencies in lines of occupation:	None

This property is within Zone "X" (areas determined to be outside the 500-year flood plain) as defined by the FIRM (Flood Insurance Rate Map) for the City of Fort Wayne, IN, Community No. 180003, Panel No. 0145 D, dated September 28, 1990.

Survey No. 96WS323
Dated September 24, 1993
RK Karst & Associates