

80- 02606

AMENDMENT TO
DEDICATION, PROTECTIVE RESTRICTIONS, COVENANTS,
LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO
AND MADE A PART OF THE DEDICATION AND PLAT OF
HAVERHILL, SECTION V
A SUBDIVISION IN ABOITE TOWNSHIP, ALLEN COUNTY, INDIANA

THE UNDERSIGNED, being the owners of not less than seventy-five percent (75%) of the lots located in Haverhill, Section V, a subdivision in Aboite Township, Allen County, Indiana, according to the recorded plat thereof, and desiring to amend said Protective Restrictions, Covenants, and Limitations in order to change the system for calculating annual maintenance assessments upon lots, do hereby amend said Protective Restrictions, Covenants, and Limitations in the following manner:

1. ARTICLE IV, Section 3 shall be amended as follows:

"Section 3. Maximum Annual Assessment. Until January 1 of the year immediately following the conveyance of the first Lot to an Owner, the maximum annual assessment shall be Thirty-five Dollars (\$35.00) per Lot.

(a) From and after January 1, 1980, the maximum annual assessment shall be Fifty-five Dollars (\$55.00) per Lot.

(b) From and after January 1, 1981, the maximum annual assessment may be increased each year not more than 9% above the maximum assessment for the previous year without a vote of the membership.

(c) From and after January 1, 1981, the maximum annual assessment may be increased above 9% by the vote or written assent of 51% of each class of members.

(d) The Board of Directors may fix the annual assessment at an amount not in excess of the maximum."

2. All other terms and provisions of said Protective Restrictions, Covenants and Limitations shall remain in full force and effect and shall not be altered or modified except as specifically set forth in this Amendment.

Robert Baker
9804 Woodstream Dr.
City - 46804

DULY ENTERED FOR TAXATION
FEB 1 - 1980
Elaine J. Goggin
AUDITOR OF ALLEN COUNTY

INSTRUMENT M

12,313

4.50
ck
By

80 02606

IN WITNESS WHEREOF, the undersigned Lot Owners do hereby execute this Amendment to said Protective Restrictions, Covenants, and Limitations as their voluntary act and deed on the dates written below their names

Russell Dinovo
Owner Lot # 333 Date 1/4/80
Russell Dinovo Ruth Dinovo

Owner Lot # 349 Date _____

Owner Lot # 334 Date _____

Owner Lot # 350 Date _____

Owner Lot # 335 Date _____

Owner Lot # 351 Date _____

Owner Lot # 336 Date _____

Owner Lot # 352 Date _____

Danny G. Dafforn
Owner Lot # 337 Date 1-6-80
Danny G. Dafforn Marjoria J. Dafforn

Owner Lot # 353 Date _____

James J. Spaulding, Jr.
Owner Lot # 338 Date 1-3-80
James J. Spaulding, Jr. Deborah M. Warde

Owner Lot # 354 Date _____

Owner Lot # 339 Date _____

Owner Lot # 355 Date _____

Owner Lot # 340 Date _____

Owner Lot # 356 Date _____

Donald E. Feber
Owner Lot # 341 Date 12-29-79
Donald E. Feber Juanita M. Feber

Owner Lot # 357 Date _____

Owner Lot # 342 Date _____

Owner Lot # 358 Date _____

Gordon N. McCally
Owner Lot # 343 Date 11-5-80
Gordon N. McCally

Owner Lot # 359 Date _____

Owner Lot # 344 Date _____

Owner Lot # 360 Date _____

Owner Lot # 345 Date _____

Owner Lot # 361 Date _____

Owner Lot # 346 Date _____

Owner Lot # 362 Date _____

Owner Lot # 347 Date _____

Owner Lot # 363 Date _____

Jeffery H. Tigges
Owner Lot # 348 Date 12-12-79
Jeffery H. Tigges Mary L. Tigges

ABOITE CORPORATION

By: Paul Seitz
Paul Seitz, Its President

By: Joseph L. Zehr
Joseph L. Zehr, Its Secretary

Before me, the undersigned, a Notary Public, in and for said County and State, on the date written opposite each lot number, personally appeared each lot owner and acknowledged the execution of the foregoing Amendment to said Protective Restrictions, Covenants, and Limitations.

Janet M. Benoma
Notary Public
Resident of Allen County, Indiana.

Before me, the undersigned, a Notary Public, in and for said County and State, this 28th day of January, 1980, personally appeared Paul Seitz and Joseph L. Zehr, respectively the President and Secretary/Treasurer of the Aboite Corporation, an Indiana Corporation, and acknowledged the execution of the foregoing Amendment to said Protective Restrictions, Covenants, and Limitations on behalf of said Corporation.

Notary Public, Cathy A. Fitzgerald
Resident of Allen County, Indiana.

Approved in accordance with Indiana Code 17-3-43-2 this 24th day of January, 1980.

Lester C. Gerig, Its President

Edward L. Neuffer
Edward L. Neuffer, Its Secretary/
Treasurer

This instrument prepared by David A. Stewart, Attorney at Law.