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RECORDED: 05/14/2021 03:18:06 PM
ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

This Fifth Amendment to Declaration of Covenants, Conditions, and Restrictions for Real Estate Known as Huguenard Industrial Park, Being in the Southwest Quarter of the Northwest Quarter of Section 16, Township 31 North, Range 12 East, Allen County, Indiana is being re-recorded to include the signature page of Owner of Lot 6, Snell Property Investment, LLC, which page was inadvertently missing from the initial recording of the Fifth Amendment.

Recording Cover Page

2021032751
RECORDED: 05/18/2021 09:43:21 AM
ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

, FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR REAL ESTATE KNOWN AS HUGUENARD INDUSTRIAL PARK, BEING IN THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 31 NORTH, RANGE 12 EAST, ALLEN COUNTY, INDIANA

WHEREAS, the undersigned are owners of lots in the real estate subject to the Declaration of Covenants, Conditions and Restrictions (the "Declaration") recorded May 10, 2001 as Document Number 201030123 and recorded June 15, 2001 as Document Number 201040967, in the Office of the Recorder of Allen County, Indiana, as amended by subsequent amendments; and

WHEREAS, the Declaration in the last paragraph on the first page provides for the amendment of the Declaration by written agreement of the owners of sixty percent (60%) of the land, exclusive of common area; and

WHEREAS, the undersigned own more than sixty percent (60%) of the land, exclusive of common area.

NOW, THEREFORE, the undersigned do hereby make and effect the following amendment, change, alteration and modification to the Declaration. The following rhetorical paragraph is hereby added to the Declaration:

Prohibited Uses

The following uses shall be prohibited in Huguenard Industrial Park:

- 1. Dumping, disposal, incineration or reduction of garbage, trash, sewage, offal, dead animals or refuse, or the construction or operation of water or sewage treatment plants;
 - 2. Junk yards and recycling facilities;
 - 3. High-traffic distribution center or truck terminal; and
- 4. Retail operation in which the majority of the operation's revenue is generated by the provision of goods and services to the general public, on the premises, including, but not limited to warehouse store, self-storage units, and automobile service station (a "Retail Operation"). For avoidance of doubt, a Retail Operation shall not include the following operations:
- a) an operation in which the majority of the operation's revenue is generated from the provision of goods and services to commercial operators;
- b) an operation in which the majority of the operation's revenue is generated from goods delivered or services provided off of the operation's premises; or

c) an operation in which the individual users of self-storage facilities own their storage space.

IN WITNESS WHEREOF, the undersigned owners of over sixty percent (60%) of the land, exclusive of common area, has caused this instrument to be executed effective this 14th day of April, 2021.

May

[INDIVIDUAL SIGNATURE PAGES TO FOLLOW]

		ENTERPRISES, L.L.C., er of Lot 1 Signature Gary Nyhuis Printed Name
	<u> Įts:</u>	Authorized Member
STATE OF INDIANA))SS:)	
appeared Grasy Nuhics	the Member	ic in and for said County and State, personally of BGN Enterprises, L.L.C., and the above and foregoing Fifth Amendment.
Witness my hand and	I notarial seal as of the	23. day of April, 2021.
My Commission Expires: 7-7-2022		James O. Hocksha Notary Public
Commission Number:		Resident of Kent County

		V, LLC, er of Lot 3 Signature	Dainer
	.•	Printed Name	· Daenens
	Its:	Authori	zed Member
STATE OF INDIANA COUNTY OF ALLEN)) SS:)		
Before me, the undersappeared <u>Jason C. Doeing</u> free and voluntary execution	ensthe Authorize	d Member of RSW	County and State, personally, LLC, and acknowledged the
Witness my hand and	notarial seal as of th	e 14 ⁺⁴ day of Apr	17, 2021.
My Commission Expires: March 31, 2025 Commission Number:	-	Cinnette Annette K Resident of	K. Deaton Deaton, Notary Public Allen County
197158 (2)	SEAL Commission	ATON, Notary Public y, State of Indiana n Number 697658 Expires March 31, 2025	

			ARDUM LP., er of Lot 4
	•	Ву:	Signature Sail J. Incl
			Daniel J. Mudrack Printed Name
		Its:	General Partner
STATE OF INDIANA)		
COUNTY OF ALLEN) SS:)		
appeared Daniel J. Mudrack and voluntary execution of t	t, the General I he above and fo	Partner oregoing	
Witness my hand and	d notarial seal a	s of the	day of May, 2021.
My Commission Expires:			Smanda & W. Ksw., Notary Public
Conmission Number: 70420 /			Resident of Allen County

		L PROPERTY INVESTMENT, LLC,
		of Lot 6
•	Ву:	Signature Signature
		KARLEN SNELL Printed Name
	Its:	Authorized Member
STATE OF INDIANA		JOSEPH AARON ZEIGLER Notary Public - Seal
) ss: county of allen)		Allen County - State of Indiana Commission Number NP0723783 My Commission Expires Nov 25, 2027
appeared Karren Stell, the Author	and Mi	o in and for said County and State, personally in ber of Snell Property Investment, LLC, of the above and foregoing Fifth Amendment.
Witness my hand and notarial seal as	of the	22% day of April, 2021.
My Commission Expires:		Jugal Bugh
Nov. 25, 2027 Commission Number:		Resident of Aller County

	DA	PROPERTY INVESTMENT	S, LLC
	Own	er of Lot 7	· ·
	By:	Seth	<u> </u>
		Signature	
		_ JAY D MOR	LEY
		Printed Name	
	Its:	Authorized Member	
STATE OF INDIANA)) SS:		
COUNTY OF ALLEN)		
appeared Jay D Morley	, the <i>PRESID</i>	olic in and for said County and of DA Property In on of the above and foregoing I	vestments, LLC,
Witness my hand and	l notarial seal as of th	ne day of May, 2021.	
My Commission Expires:		Muddle Bir	<u>C</u>
	 -		, Notary Public
Commission Number:		Resident of	County

MICHELLE L. BIRK, Notary Public Whitley County, State of Indiana Commission Number 685166 My Commission Expires: May 26, 2024

		Owner of By: Sig	Lot 8 Lot 8 Matter Alangement C Alaggan d mited Name
,	t	Its:	Authorized Member
STATE OF INDIANA COUNTY OF ALLEN))*SS:)	SEAL TO LAND	TINA L. SCHWIND, Notary Public Johnson County, State of Indiana My Commission Expires 01/06/2023
appeared Hecoser C. Line	LAKO the	OWNER	and for said County and State, personally of 3508 Focus LLC, and bove and foregoing Fifth Amendment.
Witness my hand an	d notarial scal	as of the \mathcal{Z}	/day of April, 2021,
My Commission Expires:		- 	ara & Solwin
Commission Number:	ټسيک	Re	TDAK. SCHIOLOS Notary Public sident of DOHUSBU County

f/k/a Koorsen Properties LP, Owner of Lot 9 By: Printed Name Its: CATHERINE MARIE TRENT Notary Public, State of Indiana STATE OF INDIANA Merion County) SS: Commission Number NP0728757 My Commission Expires September 15, 2028 COUNTY OF ALLEN Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kelty Kooksen, the Mayager of Koorsen Properties, LLC, and acknowledged the free and voluntary execution of the above and foregoing Fifth Amendment. Witness my hand and notarial seal as of the 20th day of April, 2021. My Commission Expires: September 15,2028 Commission Number: NPD72 9715

KOORSEN PROPERTIES, LLC,

		THE	MINE, LLC	: • 9	
		Owner	of tot 10	\bigcirc ,	
	•	By:	Signature Printed Name	mt-Wan san P. V	Corecouce
		Its:	Aut	horized Member	
STATE OF INDIANA)) SS:				
COUNTY OF ALLEN)				
Before me, the under appeared Susan P Noje acknowledged the free and v	enuescithe Aut	rhoriz	ed Memb	e of The Mi	ine, LLC, and
Witness my hand and	d notarial seal as	s of the	$\frac{1}{\sqrt{1}}$ day of	April, 2021.	
My Commission Expires:			Much	S C	, Notary Public
Commission Number:	_		Resident of	?	County
			QY P/	MICHELLE L. BIRK, N	lotary Public

MICHELLE L. BIRK, Notary Public Whitley County, State of Indiana Commission Number 685166 My Commission Expires: May 26, 2024

an operation in which the individual users of self-storage facilities own their storage space. IN WITNESS WHEREOF, the undersigned owners of over sixty percent (60%) of the land, exclusive of common area, has caused this instrument to be executed effective this 14th day of April, 2021. May AUTOLODGE OWNERS ASSOCIATION, INC Owner of a portion of common ground Printed Name Jeffry A. Gilmore, President STATE OF INDIANA) SS: COUNTY OF ALLEN Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Autologe Owners Associated acknowledged the free and voluntary execution of the above and foregoing Fifth Amendment. W Jeffry A. Gil more Witness my hand and notarial seal as of the 14th day of May, 2021. My Commission Expires: March 31, 2025 Notary Public Commission Number: Resident of County 697658 ANNETTE K. DEATON, Notary Public Allen County, State of Indiana Commission Number 697658 My Commission Expires March 31, 2025

	LAWSON, who took title as Lori K. Lawson,
	husband and wife,
	Owner of a portion of Lot 11
	n
	frawio-
	Signature
	Jackie R. Lawson
	Printed Name
	• • • • • • • • • • • • • • • • • • • •
	Joseph Ferdl
	Signature
	Lori K. W. Lawson Printed Name
	rimed ivame
STATE OF INDIANA	
	SS:
COUNTY OF ALLEN	,)
,	
Before me, the under	rsigned, a Notary Public in and for said County and State, personally
	and Lori K. W. Lawson, husband and wife, and acknowledged the
free and voluntary execution	of the above and foregoing Fifth Amendment.
	with .
Witness my hand and	d notarial seal as of the 14th day of May, 2021.
	$\bigcap_{i=1}^{n} V_{i} = 1$
My Commission Expires:	Motor Dublic
March 31, 2025	ANNETTE K. DEATON, Notary Publicette K. Deaton, Notary Public
Commission Number (SEA	Allen County, State of Individent of County Commission Number 697658
64.1630 A	My Commission Expires March 31, 2025

JACKIE R. LAWSON and LORI K. W.

an operation in which the individual users of self-storage facilities own their storage space. IN WITNESS WHEREOF, the undersigned owners of over sixty percent (60%) of the land, exclusive of common area, has caused this instrument to be executed effective this 14th day of -April, 2021. May GILPROP, LLC Owner of a portion of Lot 11 Units 13,14 & 15 Signature Authorized/Membe Printed Name Jeffry A. Gilmore STATE OF INDIANA) SS: COUNTY OF ALLEN Before me, the undersigned, a Notary Public in and for said County and State, personally by ____, and acknowledged the free and voluntary execution of the above and foregoing Fifth Amendment. Jeffry A. Gilmore Witness my hand and notarial seal as of the Uthday of May, 2021. My Commission Expires: March 31, 2025 **Notary Public** Commission Number: County 697658 ANNETTE K. DEATON, Notary Public Allen County, State of Indiana Commission Number 697658 My Commission Expires March 31, 2025

100

	Owner of a portion of Lot 11 units 20 & 21
	Tald Bart MIST
	Signature
	o.g.mar
,	D' A IN Tall Country
	Printed Name Todd Grantham
	MELISSA BUNTING, Notary Public
STATE OF INDIANA)	(SEAL) Allen County, State of Indiana
) SS:	My Commission Expires December 18, 2023
COUNTY OF ALLEN)	
Before me, the undersigned, a Nota	ary Public in and for said County and State, personally
appeared Todd brantham,	and acknowledged the free and voluntary execution of
the above and foregoing Fifth Amendment	
****	C4 13 th
Witness my hand and notarial seal	as of the <u>10</u> day of May, 2021.
My Commission Expires:	
December 18,2023	, Notary Public
Commission Number:	Resident of Allen County
676491	
	·
	Owners of a portion of Lot 11 units 20 & 21
	Signature
	MILES OF GRANT
	THE TOURS
	Printed Name Alyssa Grantham
	\sim
	MELISSA BUNTING, Notary Public
STATE OF INDIANA)	(SEAL) Allen County, State of Indiana
) SS:	
,	(SEAL) Allen County, State of Indiana
COUNTY OF ALLEN)	SEAL STATE Allen County, State of Indiana Ny Commission Expires December 18, 2023
) SS: COUNTY OF ALLEN) Before me, the undersigned, a Nor	Allen County, State of Indiana My Commission Expires December 18, 2023 Tary Public in and for said County and State, personally
SS: COUNTY OF ALLEN Before me, the undersigned, a Not appeared Todd Grantham	Allen County, State of Indiana My Commission Expires December 18, 2023 Eary Public in and for said County and State, personally and Alussa (avan-tham, and acknowledged)
SS: COUNTY OF ALLEN Before me, the undersigned, a Norappeared Todd Grantham the free and voluntary execution of the ab	Allen County, State of Indiana My Commission Expires December 18, 2023 Tary Public in and for said County and State, personally and My State (Svan-Ham, and acknowledged ove and foregoing Fifth Amendment.
SS: COUNTY OF ALLEN Before me, the undersigned, a Not appeared Todd Grantham	Allen County, State of Indiana My Commission Expires December 18, 2023 Tary Public in and for said County and State, personally and My State (Svan-Ham, and acknowledged ove and foregoing Fifth Amendment.
Before me, the undersigned, a Notappeared Todd Grantham the free and voluntary execution of the ab Witness my hand and notarial seal	Allen County, State of Indiana My Commission Expires December 18, 2023 Tary Public in and for said County and State, personally and My State (Svan-Ham, and acknowledged ove and foregoing Fifth Amendment.
Before me, the undersigned, a Notappeared <u>Todd Grantham</u> the free and voluntary execution of the ab Witness my hand and notarial seal My Commission Expires:	Allen County, State of Indiana My Commission Expires December 18, 2023 My Commission Expires December 18, 2023
Before me, the undersigned, a Notappeared Todd Grantham the free and voluntary execution of the ab Witness my hand and notarial seal	Allen County, State of Indiana My Commission Expires December 18, 2023 Tary Public in and for said County and State, personally and My State (Svan-Ham, and acknowledged ove and foregoing Fifth Amendment.

c) an op own their storage sp		n the individual users of self-storage facilities
IN WITNESS WHE exclusive of common area, April, 2021.	REOF, the under has caused this	rsigned owners of over sixty percent (60%) of the land, instrument to be executed effective this Left day of
May		
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		Owner of a portion of Lot 11 UNITS 28+29
		Owner of a portion of Lot 11 UNITS 28+29 Koren O. Mornout Signature Loren A. Mornout
		Signature
		Loren A. Mornout
		Printed Name
STATE OF INDIANA)	G MICHAEL GIBBS Notary Public, State of Indiana SEAL: Commission Number NP0725110
COUNTY OF ALLEN) SS:)	My Commission Expires February 11, 2028
		ry Public in and for said County and State, personally
the above and foregoing Fit		and acknowledged the free and voluntary execution of
		as of the 13 day of May, 2021.
	ia notariai scar a	how of Alg
My Commission Expires: 2/11/202 日		G. Michael G. blc., Notary Public
Commission Number:		Resident of Allen County
N: U/25/10		

. . .

appeared Columnission Number: 64 7830 STATE OF INDIANA STATE OF INDIANA STATE OF INDIANA Before up, the undersigned, a Notary Public in and for said County and State, personally appeared by Commission that 12, 2025 Witness my hand and notarial seal as of the 13 day of May, 2021. My Printed Name ALA Robert Convistivación Its: STATE OF INDIANA Before up, the undersigned, a Notary Public in and for said County and State, personally appeared the free and voluntary execution of the above and foregoing Fith Amendment. Witness my hand and notarial seal as of the 13 day of May, 2021. My Expires: My Commission Notary Public Commission Notary Notary Notary Public Commission Nota	Before me, the undersigned	ed, a Notary Public in and for said County and State, personally
Expires: March 2, 2005 Public Commission Number: 69 7830 County Resident of March Owner of a portion of Lot 11 Dan 17 12 JAMES ANDREW WEBE Notary Public and Foreign Mar 12, 2025 By: JAMES ANDREW WEBE Notary Public in and for said County and State, personally appeared for the above and foregoing Fifth Amendment. Witness my hand and notarial seal as of the March 2, 2025 My Witness my hand and notarial seal as of the March 2, 2025 My Expires: March 12, 2025 Notary Public Commission Number: 69 7830 Resident of March Resident of March Notary Notary Notary Notary Public Commission Number: 69 7830 Resident of March Resident of March Notary Public Commission Number: 69 7830 Resident of March Resident of March Notary Notary Notary Public Commission Number: 69 7830 Resident of March Resident of March Notary	the free and voluntary execution of	of the above and foregoing Fifth Amendment.
Expires: March 1, 1993 Public Commission Number: 69 7830 County AMS ANDARY WEBER Notary Public - State of Indiana Allon County My Commission Same Mar 12, 2025 By: AMS ANDARY WEBER Notary Public - State of Indiana Allon County Printed Marce AKA Robert Christman Its: STATE OF INDIANA) SS: COUNTY OF ALLEN) Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Allon County AKA Robert Christman the Allon County AND ANDARY WEBER Notary Public State of Indiana Allon County My Commission Number: 69 7830 Resident of Marc Resident of Allon Notary Public Commission Number: 69 7830 Resident of Marc Resident of Marc Notary Notary Public Commission Number: 69 7830 Resident of Marc	Witness my hand and nota	arial seal as of the 13th day of May, 2021.
Public Commission Number: 64 78 30 Resident of Man. Owner of a portion of Lot 11 UNIT 12 By: Mines Andrew Weber Notary Public State of indiana Miles County My Commission bepies Must 12, 2023 My Expires: My Commission Number: 64 78 30 Resident of Man. Owner of a portion of Lot 11 UNIT 12 By: My Printed Name ALA Robert Christman ALA Robert Christman Its: STATE OF INDIANA) SS: COUNTY OF ALLEN) Before mc, the undersigned, a Notary Public in and for said County and State, personally appeared for the Man. My Witness my hand and notarial scal as of the State of mediana Alles County My Commission Witness my hand and notarial scal as of the State of mediana Alles County My Commission Notary Public Commission Number: 64 78 30 Resident of Man. Notary Resident of Man. Notary Resident of Man. Notary Resident of Man. Notary Notary Public Commission Number: 64 78 30	My Expires: March 12,	W25
Owner of a portion of Lot 11 Owner	Public	, Notary
STATE OF INDIANA See the County My Commission Expires Mar 12, 2025 State of Indiana Allen County My Commission Expires Mar 12, 2025 Its: STATE OF INDIANA See the Undersigned, a Notary Public in and for said County and State, personally appeared for the Series, the County Allen County and State, personally appeared for the Series, the County Allen County Allen County My Commission Expires Mar 12, 2025 Notary Public Commission Number: 697830 Resident of Allen Notary Public Commission Number: 697830 Resident of Allen Notary Public Commission Number: 697830		Resident of Man
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared for this true, the former of forgoing Fifth Amendment. Witness my hand and notarial seal as of the day of May, 2021. My Commission Expires: Notary Public Commission Number: 697830 Resident of Man.	Seal Notary Public – State of Indiana Allen County My Commission Expires Mar 12, 2	By: Signature Signature AKA Robert Christman
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared for this true, the former of forgoing Fifth Amendment. Witness my hand and notarial seal as of the day of May, 2021. My Commission Expires: Notary Public Commission Number: 697830 Resident of Man.	OTATE OF BIDIANIA	
Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert Streen, the Owner of International State, personally appeared Robert Streen, the Owner of International State, personally and acknowledged the free and voluntary execution of the above and foregoing Fifth Amendment. Witness my hand and notarial seal as of the State of Indiana Allen County My Commission Expires Mar 12, 2025 My Commission Expires: Notary Public Commission Number: 697830 Resident of Men.	•	S:
appeared hartwistmen, the word of word	•	
Commission Number: 697830 Resident of Albert	appeared Anti-Justmen acknowledged the free and volume Witness my hand and not My Expires:	tary execution of the above and foregoing Fifth Amendment. JAMES ANDREW WEBER Seal Notary Public - State of Indiana Allen County My Commission Expires Mar 12, 2025 Commission
County	Commission Number: 6978	30 Resident of Allen

	S, LLC, rof the East Half of Lot 2
Ву:	Signature
	NEDAL ANDISTAWI alkla
Its:	Printed Name Anabław. Taw Fg Authorized Member
105	Authorized Weinber
STATE OF INDIANA) SS:	
COUNTY OF ALLEN	
Before me die indersigned, a Notary Publi appeared Hina in a wilding, the Owner the free and woluntally exception of the above and f	c in and for said County and State, personally of LTHS, LLC, and acknowledged
Witness my hand and notarial seal as of the	A A A A A A A A A A A A A A A A A A A
My Commission Expires	ongrid Roga
Dios 3028. Commission Number	Resident of Allen County
0724259	Podence House House Produc
	SEAL Commission Number 0729259

My Commission Expires October 08, 2020

This instrument prepared by Michael T. Deam, Attorney at Law

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. *Michael T. Deam*

Mail to:

Rothberg Logan & Warsco LLP

P.O. Box 11647

Fort Wayne, IN 46859-1647