



FIRST AMENDMENT TO AMENDED AND RESTATED DEDICATION,
PROTECTIVE RESTRICTIONS, COVENANTS, LIMITATIONS, EASEMENTS
AND APPROVALS APPENDED TO THE PLAT OF CHAPMAN'S BRIDGE, SECTION II,
A SUBDIVISION IN ST. JOSEPH TOWNSHIP, ALLEN COUNTY, INDIANA

02-08-19-304-028-000-063

SJ Development Corp., an Indiana corporation (the "Developer") is the Developer of the recorded Plat of Chapman's Bridge, Section II which original plat was recorded in Plat Cabinet F, page 136 at Document No. 206042337 (the "Declaration").

Pursuant to Section 7.26.2 of the Declaration the Developer and its successor has the exclusive right for a period of four (4) years to amend the Plat or any of its Covenants. SJ Development Corp. as the Developer hereby revokes Section 12 and Section 12.1 of the Declaration, and in lieu and substitution thereof now adopts and provides that Section 12 and Section 12.1 shall henceforth be as follows:

Section 12. CLUB MEMBERSHIP, OPERATING FUND ASSESSMENT. The Developer plans to construct a bathhouse and swimming pool within Foxwood, which facilities will be owned and operated by The Communities of Foxwood Association, Inc., and which will be available (except as set forth in 12.1 thereof) for use by the Members of the Association. Upon the substantial completion and issuance of a certificate of occupancy for the bathhouse and swimming pool the Communities of Foxwood Association, Inc., through its Board of Directors, shall establish a Club Operating Fund.

12.1 All Lot Owners in the Villas of Foxwood and all Lot Owners in Chapman's Bridge shall be entitled, at their option, to membership and usage of the bathhouse and swimming pool, and shall pay as a part of such membership the same Club Assessment as the Association Members. Such Club Assessment shall bear interest, shall become a lien upon the Lot against which it is assessed, shall become the personal obligation of Owner of such Lot, and may be collected in accordance with the provisions of this section. The Board of Directors of The Communities of Foxwood Association, Inc. shall have the authority and discretion to sell Seasonal Passes ("Seasonal Passes") to the public for the use of the bathhouse and swimming pool at any time and from time to time that the Board of Directors determines there is excess unused capacity for the bathhouse and swimming pool. The Board of Directors shall also have the authority to establish reasonable rules and regulations concerning the use of the bathhouse and swimming pool by Members, those persons purchasing Seasonal Passes and guests of Members and Seasonal Pass holders.

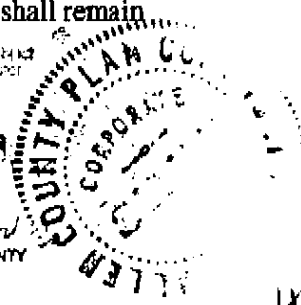
Except as expressly modified herein, all other terms and conditions of the Declaration shall remain in full force and effect.

ADMINISTRATIVE OFFICE
DUTY: TO RECORD & INDEX ALL DEEDS
TO BE FILED IN THE PUBLIC RECORDS

50162

MAY -5 2008

Shirley A. Spurgeon
AUDITOR OF ALLEN COUNTY



Dated: May 1, 2007.

SJ Development Corp.

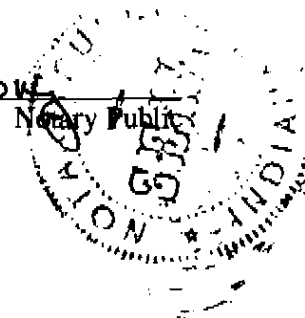
By: [Signature]
Joseph I. [Signature] President

STATE OF INDIANA)
) SS;
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, this 1st day of May, 2007, appeared Joseph L. Zehr, known to me to be the duly authorized President of SJ Development Corp. who acknowledged the execution of the above and foregoing as his voluntary act and deed and on behalf of said corporation for the purposes and uses set forth in this document.

My Commission Expires:
11-01-2011

[Signature]



Resident of:
Allen County

This instrument prepared by **Vincent J. Heiny**, Attorney at Law, Haller & Colvin, P.C., 444 East Main Street, Fort Wayne, Indiana 46802, Telephone: (260) 426-0444. 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. Vincent J. Heiny.

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