

80- 02604

AMENDMENT TO
DEDICATION, PROTECTIVE RESTRICTIONS, COVENANTS,
LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO
AND MADE A PART OF THE DEDICATION AND PLAT OF
HAVERHILL, SECTION III
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 III, 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 of the year immediately following the conveyance of the first Lot to an Owner, the maximum annual assessment may be increased each year not more than 3% above the maximum assessment for the previous year without a vote of the membership.

(b) From and after January 1 of the year immediately following the conveyance of the first Lot to an Owner, the maximum annual assessment may be increased above 3% by the vote or written assent of 51% of each class of members.

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

(d) 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.

(e) 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.

(f) 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

DAILY ENTERED FOR TAXATION

FEB 1 - 1980

Alvin J. Hough
AUDITOR OF ALLEN COUNTY

INSTRUMENT M

12,311

6.50
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RF

1980 FEB - 1 PM 3:32
ALLEN COUNTY RECORDER
Virginia L. Young

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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.

Susan W. Mitchell
Ronald J. Mitchell
Owner Lot # 184 Date 12-12-79
Ronald J. Mitchell Susan W. Mitchell

Michael L. Kite
Kathy L. Kite
Owner Lot # 185 Date 12-12-79
Michael L. Kite Kathy L. Kite

William A. Anders
Susannah Anders
Owner Lot # 186 Date 12-12-79
William A. Anders Susannah Anders

Michael A. Wynn
Owner Lot # 187 Date 12-12-79
Michael A. Wynn

Patrick G. Jones
Deborah S. Jones
Owner Lot # 188 Date 12-12-79
Patrick G. Jones Deborah S. Jones

Ronnie D. Hill
Owner Lot # 189 Date 12-12-79
Ronnie D. Hill

Max W. Ellis
Mary Kay Ellis
Owner Lot # 190 Date 12-12-79
Max W. Ellis Mary Kay Ellis

Roy D. Fisher
Gail K. Fisher
Owner Lot # 191 Date 12-12-79
Roy D. Fisher Gail K. Fisher

Dennis J. Loney
Marsha L. Loney
Owner Lot # 192 Date 12-20-79
Dennis J. Loney Marsha L. Loney

Owner Lot # 193 Date 12-16-79

Raymond R. Watkins
Virginia L. Watkins
Owner Lot # 194 Date 12-12-79
Raymond R. Watkins Virginia L. Watkins

John C. Huber
Brenda C. Huber
Owner Lot # 195 Date 12-12-79
John C. Huber Brenda C. Huber

James L. Kibby
Barbara B. Kibby
Owner Lot # 196 Date 12-12-79
James L. Kibby Barbara B. Kibby

Thomas E. Castaldi
Linda E. Castaldi
Owner Lot # 197 Date 12-12-79
Thomas E. Castaldi Linda E. Castaldi

R.H. Monnaville, Jr.
Barbara Monnaville
Owner Lot # 198 Date 12-12-79
R.H. Monnaville, Jr. Barbara Monnaville

Owner Lot # 199 Date 12-12-79

David J. Miller
Deanna L. Miller
Owner Lot # 200 Date 12-16-79
David J. Miller Deanna L. Miller

Owner Lot # 201 Date 12-16-79

Daniel J. Barnes
Diane Barnes
Owner Lot # 202 Date 12-16-79
Daniel J. Barnes Diane Barnes

Phyllis J. Penrose
Owner Lot # 203 Date 12-16-79
Phyllis J. Penrose

Ramesh H. Bhat
Sumitha R. Bhat
Owner Lot # 204 Date 12-16-79
Ramesh H. Bhat Sumitha R. Bhat

Richard W. Shenfeld, Jr.
Diane L. Shenfeld
Owner Lot # 205 Date 12-16-79
Richard W. Shenfeld, Jr. Diane L. Shenfeld

Owner Lot # 206 Date 12-16-79

Owner Lot # 207 Date 12-16-79

Owner Lot # 208 Date 12-16-79

Vito N. Cucinelle
Ruth Dinovo
Owner Lot # 209 Date 11-4-80
Vito N. Cucinelle Ruth Dinovo

Russell Dinovo
Ruth Dinovo
Owner Lot # 210 Date 11-4-80
Russell Dinovo Ruth Dinovo

Ronald L. Knittle
Owner Lot # 211 Date 11-4-80
Ronald L. Knittle

Robert E. Bodine
Judith E. Bodine
Owner Lot # 212 Date 12-15-79
Robert E. Bodine Judith E. Bodine

Charles A. Brineman
Margaret A. Brineman
Owner Lot # 213 Date 12-15-79
Charles A. Brineman Margaret A. Brineman

David Wayne Pelz
Owner Lot # 214 Date 01-3-80
David Wayne Pelz

Charles E. Caudill
Patricia E. Caudill
Owner Lot # 215 Date 12-15-79
Charles E. Caudill Patricia E. Caudill

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James F. Witzman Diane L. Witzman Sandra Kay Fox David W. Fox
Owner Lot # 216 Date 12-29-79 Owner Lot # 234 Date 12-9-79
James F. Witzman Diane L. Witzman David W. Fox Sandra Kay Fox

Owner Lot # 217 Date _____

Owner Lot # 218 Date _____

Owner Lot # 219 Date _____

Willard F. Yarde Norma C. Yarde
Owner Lot # 220 Date 12/15/79
Willard F. Yarde Norma C. Yarde

J. Randolph Lowe Carole L. Lowe
Owner Lot # 221 Date 12-8-79
J. Randolph Lowe Carole L. Lowe

Wm. R. Fields Marcia A. Fields
Owner Lot # 222 Date 12-4-79
Wm. R. Fields Marcia A. Fields

James A. Joros Carole B. Joros
Owner Lot # 223 Date 12-9-79
James A. Joros Carole B. Joros

Thomas R. Gandolfo Laura Gandolfo
Owner Lot # 224 Date 12-9-79
Thomas R. Gandolfo Laura Gandolfo

Richard J. Romanowski Donna C. Romanowski
Owner Lot # 225 Date 12-9-79
Richard J. Romanowski Donna C. Romanowski

Henry J.F. Meincke Judith A. Meincke
Owner Lot # 226 Date 12-7-79
Henry J.F. Meincke Judith A. Meincke

Doyle A. Johnston Norma J. Johnston
Owner Lot # 227 Date 12-6-79
Doyle A. Johnston Norma J. Johnston

Louis Piat Patricia Piat
Owner Lot # 228 Date 12/7/79
Louis Piat Patricia Piat

Owner Lot # 229 Date _____

Homer P. Miller, Jr. Margaret J. Miller
Owner Lot # 230 Date 12-9-79
Homer P. Miller, Jr. Margaret J. Miller

Joseph P. Burns Kandance E. Burns
Owner Lot # 231 Date 12/7/79
Joseph P. Burns Kandance E. Burns

Richard J. Presser Helen P. Presser
Owner Lot # 232 Date 12/8/79
Richard J. Presser Helen P. Presser

Donald R. Parrish, Jr. Barbara J. Parrish
Owner Lot # 233 Date 12/13/79
Donald R. Parrish, Jr. Barbara J. Parrish

Owner Lot # 235 Date _____

Paul J. Fields II Georgeanna F. Fields
Owner Lot # 236 Date 1-7-80
Paul J. Fields II Georgeanna F. Fields

Stephen H. Simmons Elizabeth L. Simmons
Owner Lot # 237 Date 12-9-79
Stephen H. Simmons Elizabeth L. Simmons

Robert L. Peterson Vivian E. Peterson
Owner Lot # 238 Date 12-17-79
Robert L. Peterson Vivian E. Peterson

Jules E. Toussaint Margie Toussaint
Owner Lot # 239 Date 11-8-79
Jules E. Toussaint Margie Toussaint

Robert J. Heckman Marilyn S. Heckman
Owner Lot # 240 Date 12/9-79
Robert J. Heckman Marilyn S. Heckman

Gene Hauke Irene C. Hauke
Owner Lot # 241 Date 12/17/79
Gene Hauke Irene C. Hauke

Charles Casey Kroh Lucia Maria Kroh
Owner Lot # 242 Date 12/11/79
Charles Casey Kroh Lucia Maria Kroh

Owner Lot # 243 Date _____

Richard K. McIntosh Mary M. McIntosh
Owner Lot # 244 Date 12/17/79
Richard K. McIntosh Mary M. McIntosh

James T. Daily Donna S. Daily
Owner Lot # 245 Date 12/17/79
James T. Daily Donna S. Daily

Terry A. Fairfield Barbara J. Fairfield
Owner Lot # 246 Date 12/17/79
Terry A. Fairfield Barbara J. Fairfield

Calvin A. Boyles Orpha A. Boyles
Owner Lot # 247 Date 1-5-80
Calvin A. Boyles Orpha A. Boyles

Robert M. Johnson Joretta K. Johnson
Owner Lot # 248 Date Jan 6, 1980
Robert M. Johnson Joretta K. Johnson

Frederick A. Derheimer, Jr. Sherry J. Derheimer
Owner Lot # 249 Date 12/13/79
Frederick A. Derheimer, Jr. Sherry J. Derheimer

Gerald E. Winters Mary E. Winters
Owner Lot # 250 Date 12/13/79
Gerald E. Winters Mary E. Winters

Donald R. Parrish, Jr. Barbara J. Parrish
Owner Lot # 251 Date 12/13/79
Donald R. Parrish, Jr. Barbara J. Parrish

Owner Lot # 253 Date 12/17/79
Andrew M. Bahl Suzanne M. Bahl

Owner Lot # 255 Date 1-3-80
Richard Lee Ferber, Marilyn Ferber

Owner Lot # 257 Date 12/9/79
Phillip R. Bedwell Del Rae Bedwell

James F. Stewart Judith L. Stewart
Owner Lot # 261 Date 12/17/79
James F. Stewart Judith L. Stewart

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

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.

My Commission Expires:
May 1, 1983

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

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

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

ALLEN COUNTY PLAN COMMISSION

Lester C. Gerig
Lester C. Gerig, Its President

Edward L. Neuffer, Its Secretary/
Treasurer

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