FIRST AMENDMENT
TO
THE DEDICATION AND DECLARATION OF PROTECTIVE RESTRICTIONS,
COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO
AS PART OF THE DEDICATION AND PLAT OF
ORCHARD PLACE, SECTION V
A SUBDIVISION OF WAYNE TOWNSHIP, NOBLE COUNTY, INDIANA

The undersigned, being seventy-five percent (75%) of the Owners, as such term is defined in the Dedication, Protective Restrictions, Covenants, Limitations, Easements, and Approvals Appended to and Made a Part of the Plat of Orchard Place, Section V, and pursuant to the provisions of Article VII, Section 35 of the Dedication and Declaration of Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to as Part of the Dedication and Plat of Orchard Place, Section V, as recorded as Document Number 080300175, in the Office of the Recorder of Noble County, Indiana, on March 10, 2008, hereby make and effect the following change, alteration and modification in and to said Protective Restrictions, Covenants, Limitations, Easements and Approvals for Orchard Place, Section V:
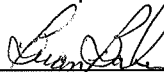
Article V, Section 3, shall be amended to the following:

Section 3.   Building Sizes. No Dwelling Unit shall be built on any Lot having a ground floor area upon the foundation, exclusive of one-story porches, breezeway or garage of less than 1,100 square feet for a one-story Dwelling Unit, nor less than 750 square feet on the first floor for a Dwelling Unit of more than one (1) story, so long as the combined total living area square footage for the first and second story is greater than 1,500 square feet for a two story and 1,400 square fee for a 1 1/2 story.

IN WITNESS WHEREOF, the undersigned do hereby execute this Amendment to said Protective Restrictions as their voluntary act and deed on the date written below.

As to Lots #148 & 149:

L. D. BAKER, INC.,
an Indiana corporation,

By: _____
Brian Baker, Secretary/Treasurer

STATE OF INDIANA   )
) §§:
COUNTY OF ALLEN   )

      Before me, the undersigned, a Notary Public in and for said County and State, this _____ day of May, 2010, personally appeared Brian Baker, Secretary/Treasurer of L.D. Baker, Inc., and acknowledged the execution of the foregoing First Amendment to the Dedication and Declaration of Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to as Part of the Dedication and Plat of Orchard Place, Section II, for and on behalf of said corporation and by its authority. WITNESS my hand and notarial seal.

My Commission expires:

_3-27-2016_

Notary Public
Printed: _Katrina Kaufmann_
County of Residence: _Allen_

2

As to Lot #125:

Sylvia F. Schneider
Sylvia F. Schneider

STATE OF INDIANA)
) §§:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State, this 25th day of May, 2010, personally appeared Sylvia F. Schneider and acknowledged the execution of the foregoing First Amendment to the Dedication and Declaration of Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to as Part of the Dedication and Plat of Orchard Place, Section V. WITNESS my hand and notarial seal.

My Commission expires:

03-02-15

Tammi Murray Notary Public
Printed: Tammi Murray
County of Residence: Lagrange

As to Lots #119-122, 126-130

Ideal Suburban Homes, Inc.

By: _____ , Pres .

    Kevan Biggs
    Its President
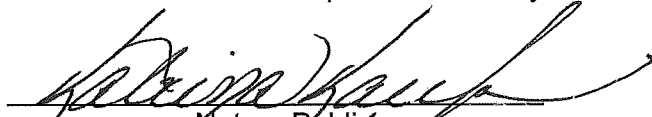

STATE OF INDIANA   )
) §§:
COUNTY OF ALLEN)

      Before me, the undersigned, a Notary Public in and for said County and State, this ⎯17th⎯ day of May, 2010, personally appeared Kevan Biggs, the President of Ideal Suburban Homes, Inc., and acknowledged the execution of the foregoing First Amendment to the Dedication and Declaration of Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to as Part of the Dedication and Plat of Orchard Place, Section II, for and on behalf of said corporation and by its authority. WITNESS my hand and notarial seal.

My Commission expires:

01/29/2012

                                    Notary Public
Printed: Connie J. Kreigh
County of Residence: Adams

Prepared by:

Timothy L. Claxton, Attorney I.D. No. 14523-02
Burt, Blee, Dixon, Sutton & Bloom, LLP

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7