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Virginia L. Young
ALLEN COUNTY RECORDER

FOXCHASE CONDOMINIUMS
HORIZONTAL PROPERTY REGIME

We, the undersigned, owners/members of homes/sites/units situated in FOXCHASE CONDOMINIUMS, Fort Wayne, Indiana, by our respective signatures attached hereto, do hereby ratify, adopt and confirm the following:

1. Amendments to Declarations of FOXCHASE CONDOMINIUMS HORIZONTAL PROPERTY REGIME (shown on page 1 attached);
2. Amendments to Code of By-Laws of FOXCHASE CONDOMINIUMS HORIZONTAL PROPERTY REGIME (shown on page 2 attached).

the substance of which Amendments was initially and unanimously adopted and approved at a special meeting of owners/members of FOXCHASE CONDOMINIUMS held on October 4, 1993, at which time a quorum was present.

We do further authorize and appoint the President of FOXCHASE CONDOMINIUMS, Kenneth A. Bruns, and the Secretary of FOXCHASE CONDOMINIUMS, Richard B. Dutton, to certify for us and on our behalf the accuracy and authenticity of our respective signatures before a person authorized to take oaths within the State of Indiana so that this document and such Amendments may be properly recorded in the Office of the Recorder of Allen County, Indiana.

Dated this 14th day of August, 1994.

Note: Reference is made to the Declaration of Horizontal Property Ownership recorded in the Office of the Recorder of Allen County, Indiana, on the 7th day of December, 1983, in Condominium Plat Record 6, pages 73-90.

DULY ENTERED FOR TAXATION

AUG 26 1994

James K. Bruns
RECORDER OF ALLEN COUNTY

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AMENDMENTS TO CODE OF BY-LAWS OF
FOXCHASE CONDOMINIUMS
HORIZONTAL PROPERTY REGIME

Section 3.01 is hereby amended to read as follows:

Section 3.01. The affairs of the Association shall be governed and managed by the Board of Directors (herein collectively called the "Board" or "Directors", and individually called "Director"). The Board of Directors shall be composed of FIVE (5) persons. No person shall be eligible to serve as a Director unless he is an Owner or Declarant or is an attorney, agent or employee of Declarant.

Section 5.06 is hereby amended to read as follows:

Section 5.06. Maintenance and Repairs. Every Owner shall promptly perform all maintenance and repair within his own Home, which, if neglected, would affect the value of the Property. Maintenance and repairs for which the Owner is responsible to make at his expense include, but are not necessarily limited to, water, gas, plumbing and electric lines which service the Owner's Home only and are located within exterior walls of the Home, including any lines in the area from below the floor to above the roof if they are within an extension of the exterior walls of the Home; appliances to include garbage disposals, dishwashers, stoves, ranges and refrigerators, telephones, air conditioning and heating equipment, doors, screens, windows, to include exterior and interior of all glass and screen surfaces, lamps, interior and exterior grouting and/or caulking, and all other Accessories appurtenant to the Home. Also included with the Owner's obligation is the obligation to pay for or to reimburse the Association for all maintenance and replacement of roofs, skylights, chimneys, and gutters, but the risk of loss from insurable casualty as to roofs, skylights, chimneys, and gutters shall remain with the Association.

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AMENDMENTS TO DECLARATION OF
FOXCHASE CONDOMINIUMS

The first paragraph of Section 15 shall be amended to read as follows:

15. Maintenance, Repairs and Replacements. Each Owner shall, at his expense, be responsible for the maintenance, repairs, decoration and replacement within his own Home together with the obligation to pay for or reimburse the Association for repair and replacement of roofs, skylights, chimneys and gutters, except as may otherwise be provided in the By-Laws, but the risk of loss from insurable casualty as to the roofs, skylights, chimneys and gutters shall remain with the Association. Each Owner shall repair any defect occurring in his Home which, if not repaired, might adversely affect any Condominium Unit, Common Area, or Limited Area. Maintenance, repairs, replacements and upkeep of the Common Areas and Limited Areas shall be furnished by the Association, and shall be chargeable by the Association to all Homes or fewer than all Homes as the Declaration, the By-Laws and rules and Regulations of the Condominium Project shall provide.

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UNIT/
SITE

- 1 Dan W. & Dorothy A. Welsh
2002 Fox Chase Run 46825
- 2 Lewis W. Knight
2016 Fox Chase Run 46825
- 3 Ronald E. & Patti L. Gettel
2030 Fox Chase Run 46825
4. James A. & Judith A. Cox
2320 Fox Chase Run 46825
- 5 (retired/deleted)
- 6 William G. & Carroll Reitz
2406 fox Chase Run 46825
- 7 Bernette Stauffer
2414 Fox Chase Run 46825
- 8 Josh R. & Nancy S. Gerow
____ Fox Chase Run 46825
- 9 Neal E. Arnold
2430 Fox Chase Run 46825
- 10 (retired/deleted)
- 11 David J. & Suzanne J. Steigmeyer
2514 Fox Chase Run 46825
- 12 Alva J. & Sandra K. Butler
2522 Fox Chase Run 46825
- 13 Richard J. & Jeannine C. Ostroski
2530 Fox Chase Run 46825
- 14 Mary F. Weigand, et al
2536 Fox Chase Run

Dan W. Welsh Dorothy A. Welsh
8-14-94 8-14-94

Lewis W. Knight 8-14-94

Ronald E. Gettel 8/14/94 Patti L. Gettel 8/14/94

James A. Cox 8-14-94 Judith A. Cox 8-14-94

William G. Reitz 8-14-94 Carroll Reitz 8/14/94

Bernette Stauffer
8-21-94

Josh R. Gerow 8-14-94 Nancy S. Gerow 8/14/94

Neal E. Arnold
9/21/94

David J. Steigmeyer 8-14-94 Suzanne J. Steigmeyer 8-14-94

Alva J. Butler Sandra K. Butler
Aug 10, 1994 Aug 10, 1994

Richard J. Ostroski Jeannine C. Ostroski
Aug 10, 1994 Aug 10, 1994

Mary F. Weigand
8-14-94

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UNIT/
SITE

- 15 Bernard D. & Susan Matteson
2606 Fox Chase Run 46825
- 16 Alfred A. & Carol M. Wick
2610 Fox Chase Run 46825
- 17 Nina A. Bruns
2616 Fox Chase Run 46825
- 18 Lloyd M. & Nancy J. Doebrmann
2601 Fox Chase Run 46825
- 19 John C. & Betty J. Thrapp
2415 Fox Chase Run 46825
- 20 Dennis E. & Deborah J. Miller
2405 Fox Chase Run 46825
- 21 Michael A. & Juanita Ray
2333 Fox Chase Run 46825
- 22 (retired/deleted)
- 23 Perry A. Brucker
2301 Fox Chase Run 46825
- 24 Robert K. Disser, as Trustee
2235 Fox Chase Run 46825
- 25 Byron J. & Joyce A. Cole
2225 Fox Chase Run 46825
- 26 Willi Breuning
2624 Fox Chase Run 46825
- 27 Charles V. Seyfert
3006 Fox Chase Run 46825

Bernard D. Matteson Susan Matteson
8-14-94 8-14-94

Alfred A. Wick Carol M. Wick
8/14/94 8/14/94

Nina A. Bruns
8/14/94

Lloyd M. Doebrmann Nancy J. Doebrmann
8/21/94 8/21/94

Betty & John Thrapp (POA)
8-12-94

Dennis E. Miller Deborah J. Miller
8-15-94

Michael A. Ray Juanita Ray
8/14/94 8/14/94

Perry A. Brucker 8/14/94
Robert K. Disser
as Trustee 8/14/94

Byron J. Cole Joyce A. Cole
8/14/94 8/14/94

Willi Breuning 8-14-94

Charles V. Seyfert Aug 14, 1994

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UNIT/
SITE

28 Wade A. Fredrick
3018 Fox Chase Run 46825

29 Miles C. Gerberding
3030 Fox Chase Run 46825

30 Gerald R. & Martha Whitenack
3025 Fox Chase Run 46825

31 Gerald O. & Dolores H. Fox
3017 Fox Chase Run 46825

32 Phillip A. Howard
3009 Fox Chase Run 46825

33 Amelia A. Simerman
3001 Fox Chase Run 46825

34 Harlan K. & Ardith H. Holly,
Trustee
2931 Fox Chase Run 46825

35 Edward L. & Joan C. Davis
2919 Fox Chase Run 46825

36 David L. & Elizabeth E. Hughes
2907 Fox Chase Run 46825

37 Robert & Donna M. Preuss
2829 Fox Chase Run 46825

38 Lionel J. & Helen J. Repka
2817 Fox Chase Run 46825

39 James R. & Nancy Jo Horein
2805 Fox Chase Run 46825

40 Robert M. & Sally Weigand
2727 Fox Chase Run 46825

Miles C. Gerberding
8-15-94

Joan C. Gerberding
8-15-94

Gerald R. Whitenack
8/14/94

Martha Whitenack
8-14-94

Gerald O. Fox
8-14-94

Dolores H. Fox
8-14-94

Amelia A. Simerman
8-21-94

Edward L. Davis
8-15-94

Joan C. Davis
8-15-94

David L. Hughes
8-14-94

Elizabeth E. Hughes
8-14-94

Lionel J. Repka
8-14-94

Helen J. Repka
8-14-94

James R. Horein
8/15/94

Nancy Jo Horein
8-24-94

Robert M. Weigand
8/14/94

Sally T. Weigand
8/14/94

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UNIT/
SITE

- 41 Daniel F. & Nancy M. Fulkerson Daniel F. Fulkerson ⁸⁻¹⁴⁻⁹⁴ Nancy M. Fulkerson ^{8/14/94}
2721 Fox Chase Run 46825
- 42 James M. Bradley
2715 Fox Chase Run 46825 8-14-94
- 43 J. Phillip & Carolyn E. Tyndall Phillip Tyndall ⁸⁻¹⁴⁻⁹⁴ Carolyn E. Tyndall
2709 Fox Chase Run 46825
- 44 William A. & Carol M. Berning William A. Berning ^{8/14/94} Carol M. Berning ^{Aug 14, 1994}
2703 Fox Chase Run 46825
- 45 Willard J., Jr. & Carolyn A. Potts Willard J. Potts ^{8/14/94} Carolyn Potts ⁸⁻¹⁴⁻⁹⁴
2633 Fox Chase Run 46825
- 46 Patricia M. Adsit Patricia M. Adsit ^{8/14/94}
2629 Fox Chase Run 46825
- 47 Chris Stauffer Homes, Inc.
(vacant lot)
- 48 Ricard B. & Jean Munroe-Dutton Ricard B. Dutton ^{8/14/94} Jean Munroe-Dutton ^{8/24/94}
2621 Fox Chase Run 46825
- 49 John W. & Patsy Lee John W. Lee ^{8/14/94} Patsy Lee ⁸⁻¹⁴⁻⁹⁴
2617 Fox Chase Run 46825

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CERTIFICATION OF OWNER/MEMBER SIGNATURES

I, KENNETH A. BRUNS, as President, and, RICHARD B. DUTTON, as Secretary of FOXCHASE CONDOMINIUMS HORIZONTAL PROPERTY REGIME, do hereby certify that each of the foregoing owners and members of FOXCHASE CONDOMINIUMS HORIZONTAL PROPERTY REGIME executed the above and foregoing ratification, adoption and confirmation of the Amendments to the Declaration and to the By-Laws of FOXCHASE CONDOMINIUMS HORIZONTAL PROPERTY REGIME on or about the 14th day of August, 1994. We further certify that those signatures attached represent more than 75% of the members/owners of FOXCHASE CONDOMINIUMS.

DATED this 25th day of August, 1994.


KENNETH A. BRUNS, President


RICHARD B. DUTTON, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before the undersigned, a Notary Public in and for said County and State, personally appeared KENNETH A. BRUNS, as President, and RICHARD B. DUTTON, as Secretary of FOXCHASE CONDOMINIUMS HORIZONTAL PROPERTY REGIME, and acknowledged the execution of the above and foregoing Certification of Owner/Member Signatures.

Dated this 25th day of August, 1994.

My Commission Expires:

WILLIAM A. BERNING, Notary Public
Resident of Allen County Indiana
My Commission Expires November 15, 1994




Notary Public

WILLIAM A. BERNING, Notary Public
Resident of Allen County Indiana
My Commission Expires November 15, 1994

This instrument prepared by:
RETURN TO:

WILLIAM A. BERNING
Attorney-at-Law #2711-02
Ste. #910, 116 E. Berry St.
Fort Wayne, IN 46802
Phone: (219) 422-6411

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