

#204084903

Record to #83-28119

Book 6 Page 73-90

AMENDMENT  
TODECLARATION OF HORIZONTAL PROPERTY OWNERSHIP  
FOXCHASE CONDOMINIUMS  
HORIZONTAL PROPERTY REGIMERECORDED  
11/24/2004 14:17:35  
RECORDER  
PATRICIA J CRICK  
ALLEN COUNTY, IN

#205004882

to correct

recording to 204084903

Recorded 5-31-2002


#202042879

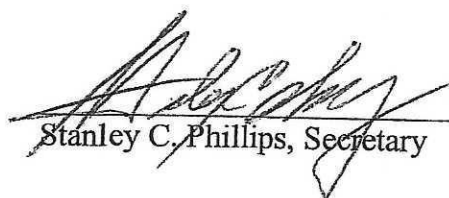
DIAT Book 6 Pg 74

The undersigned President and Secretary of Foxchase Condominiums Association do hereby certify that the Bylaws of Foxchase Condominiums, Inc., have been amended by action of this Association at a duly called and held meeting on the 10th day of November, 2003, at which more than fifty-one percent (51%) of the Owners were present in person and by proxy and did then and there adopt resolutions amending the aforesaid Bylaws of Foxchase Condominiums, Inc. by more than fifty-one percent (51%) of the Owners of homes in Foxchase Condominiums, Inc.

IN WITNESS WHEREOF, we have hereunto executed this document by subscribing our names as the duly elected president and secretary of Foxchase Condominiums Association and of its successor incorporated entity, Foxchase Condominiums, Inc.

Doc. No.	204084903
Receipt No.	38702
DCFD	3.00
MISL	10.00
MISL	1.00
MISL	2.00
Total	16.00

Dated as of this 19 day of November, 2004.
  
 Jerry Fox, President

  
 Stanley C. Phillips, Secretary

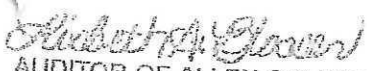
 RECORDED  
 01/26/2005 10:34:21  
 RECORDER  
 PATRICIA J CRICK  
 ALLEN COUNTY, IN

Doc. No.	205004882
Receipt No.	2370

DCFD	3.00
MISL	10.00
MISL	1.00
MISL	2.00
Total	16.00

 AUDITOR'S OFFICE  
 Only entered for taxation. Subject  
 to final acceptance for transfer.

NOV 23 2004

  
 AUDITOR OF ALLEN COUNTY

 NAI HARDING DAHL ATTN TINA VIK  
 1118 E LUDWIG RD STE 100  
 FT WAYNE IN 46825

1/24/2005

## AMENDMENT TO BY-LAWS

Please review red italicized wording.

### Article V, Section 5.03 Regular Assessments:

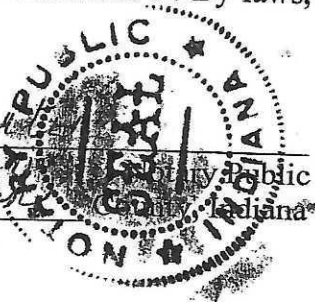
The annual budget as adopted shall, based on the estimated cash requirement for the Common Expenses in the ensuing year as set forth in said budget, contain a proposed assessment against each said Home based on the percentage interest of each Home. Immediately following the adoption of the annual budget, each Owner shall be given written notice of such assessment against each respective Home (herein called the "Regular Assessment"). The Regular Assessment against each Home shall be paid on the first day of January, April, July and October. Payment of these quarterly installments of the Regular Assessment shall be made to the Board of Directors or the Managing Agent, as directed by the Board of Directors; provided, however, Owners may elect to pay quarterly assessments semi-annually or annually, in advance. Nonpayment of the regular assessment from each Owner by the 9<sup>th</sup> day of the month when such quarterly assessment is due will cause the Homeowner to incur a late charge of 25% of the overdue amount *(unless such late charge is waived by the Board of Directors. A late charge may be waived by the Board of Directors only in those instances where the imposition of the late charge would be unreasonable after taking all the circumstances into consideration).* The Association, by approval of the Board of Directors, may at any time after a delinquency has continued for a period of sixty days, bring an action against the Owner to pay the same and/or foreclose a lien against the Owner's property. Any officer of the Association is authorized to execute any documents required to effect such action. Any such action shall include subsequent unpaid assessments and/or late charges, as well as all costs and expenses including attorney's fees, to collect the same. No Owner may waive or otherwise escape liability for the assessments provided for herein by non-use of the Common Areas or abandonment of the Unit.

Insert in to Article V, Section 5.03, after page 13.

State of Indiana )  
 ) SS:  
County of Allen )

I, a notary public, in the aforesaid county and state, do on this 19th day of November, 2004, acknowledge that the above-named, Jerry Fox, as President of Foxchase Condominiums Association, acknowledge the execution of the foregoing document of Amendment To By-laws, as his voluntary act and deed.

Sandra Martin  
SANDRA  
Resident of Allen County, Indiana



My Commission Expires: 9/29/07

State of Indiana )  
 ) SS:  
County of Allen )

I, a notary public, in the aforesaid county and state, do on this 19th day of November, 2004, acknowledge that the above-named, Stanley C. Phillips, as Secretary of Foxchase Condominiums Association, acknowledge the execution of the foregoing document of Amendment To By-laws, as his voluntary act and deed.

Sandra Martin  
SANDRA MARTIN  
Resident of Allen County, Indiana



My Commission Expires:

9/29/07

Prepared by  
TINA VIK