

2017062885

RECORDED: 12/04/2017 10:44:37 AM

ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

TITAN TITLE SERVICES, LLC

C2017-358

**FIRST AMENDMENT OF DEDICATION, PROTECTIVE RESTRICTIONS,  
COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED  
TO THE PLAT OF FOX HOLLOW, SECTION II,  
IN PERRY TOWNSHIP, ALLEN COUNTY, INDIANA**

WHEREAS, NWM Corp., Inc., an Indiana corporation, executed and placed of record that certain dedication, protective restrictions, covenants, limitations, easements and approvals appended to the Plat Fox Hollow, Section II, in Perry Township, Allen County, Indiana recorded November 22, 2017, at Document Number 2017061381 in the Office of the Recorder of Allen County, Indiana, (collectively the "Declaration"); and

WHEREAS, pursuant to Article 7.27.2 of the Declaration, the Declarant currently has the right to amend the Declaration; and

WHEREAS, capitalized terms used herein shall have the same meaning ascribed to them in the Declaration.

**NOW, THEREFORE,** the Declarant hereby amends the Declaration as follows:

1. The original Section 7.3 of the Declaration is deleted in its entirety, Section 7.3 is amended and restated in its entirety, and shall now be as follows:

7.3 Building Lines. No dwelling or structure shall be located on a Lot in violation of the front building setback line as shown on the Plat. No dwelling shall be located nearer than a distance of five (5) feet from each side yard Lot line. The aggregate width of both side yards for any dwelling or structure other than a fence shall be a minimum of ten (10) feet or the minimum specified in the applicable zoning/subdivision control ordinance, whichever is less. For Lots located on corners that intersect two streets, any dwelling or structure on such corner Lot shall not be located nearer than twenty five (25) feet to the rear Lot line as shown on the Plat.

3. Except as expressly modified or amended by this First Amendment, all other terms and provisions of the Declaration remain unchanged and shall remain in full force and effect.

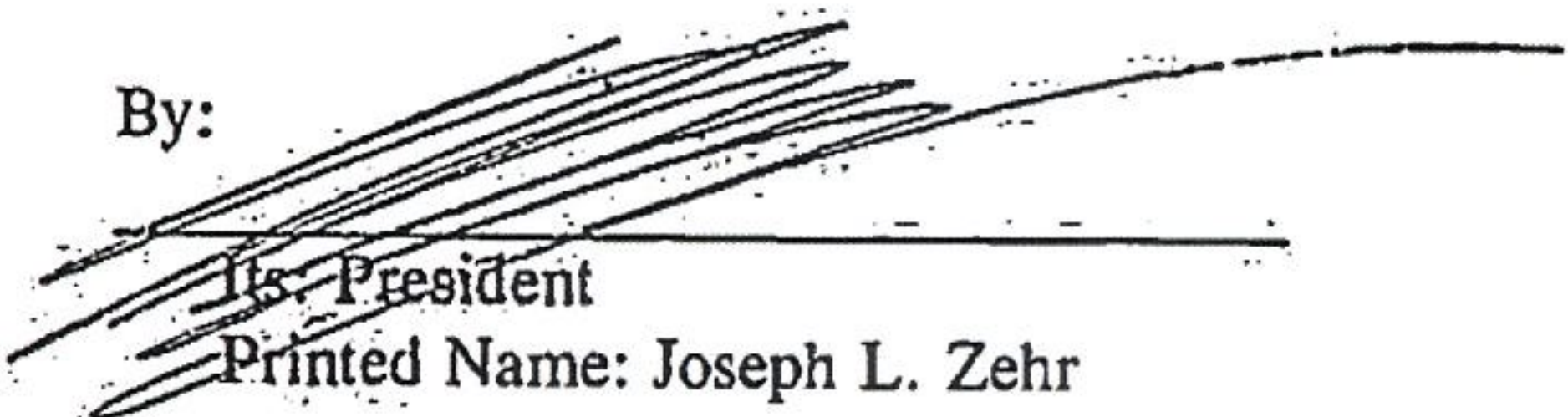


IN WITNESS WHEREOF, the Declarant has executed this First Amendment effective as of this 29<sup>th</sup> day of November 2017.

"Declarant"

NWM, Corp.,  
an Indiana corporation

By:

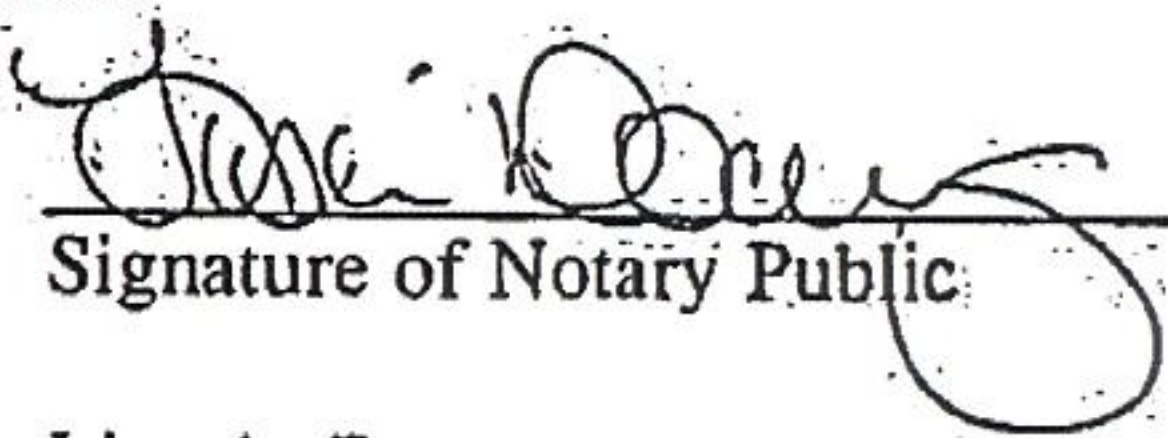
  
Its: President

Printed Name: Joseph L. Zehr

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF ALLEN     )

Before me, the undersigned Notary Public in and for said County and State, personally appeared Joseph L. Zehr, the President of NWM Corp., and acknowledged execution of the above and foregoing this 29<sup>th</sup> day of November, 2017.

My Commission Expires:  
October 17, 2019

  
Signature of Notary Public

Resident of:  
Allen

Lisa A. Downey  
Printed Name of Notary Public



LISA A DOWNEY, Notary Public  
Allen County, State of Indiana  
My Commission Expires 10-17-2019

This instrument prepared by **VINCENT J. HEINY**, Attorney at Law, Carson Boxberger, LLP., 301 W. Jefferson Blvd., Suite 200, Fort Wayne, Indiana 46802, Telephone: (260) 423-9411. 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. /s/Vincent J. Heiny