

#205023989
 Recorded
 04/20/2005 09:37:12
 RECORDER
 PATRICIA J CRICK
 ALLEN COUNTY, IN
 Receipt No. 11682
 DCFD 3.00
 MISL 8.00
 MISL 1.00
 Total 12.00

AMENDMENT OF
 DEDICATION, PROTECTIVE RESTRICTIONS,
 COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS
 OF THE PLAT OF THE AZBURY WOODS, SECTION I
 SUBDIVISION IN LAFAYETTE TOWNSHIP, ALLEN COUNTY, INDIANA

Equity Land Corp., an Indiana Corporation, by Orrin R. Sessions, its President, as Developer of Azbury Woods, Section I, a subdivision in Lafayette Township, Allen County, Indiana, according to the plat thereof, recorded on December 13, 2004, in Plat Cabinet F, page 42 and as Document No. 204088786 in the Office of the Recorder of Allen County, Indiana ("Subdivision"), pursuant to the provisions of Section 6.26.2 of the recorded Dedication, Protective Restrictions Covenants, Limitations, Easements and Approvals ("Covenants") of the plat of the Subdivision hereby amends said Covenants as follows:

1. Section 6.1 Azbury Woods, Section I is to be deleted and replaced with the following.

6.1 Use. Except as otherwise provided in this Section 6.1, lots may not be used for any uses and purposes other than for single-family residential uses and purposes. No building shall be erected, altered, placed, or permitted to remain on any Lot other than one single-family residence not to exceed two and one-half stories in height. Each residence shall include an attached garage as part of the residence, which garage shall have a floor area of not less than 660 square feet; to accommodate not less than three standard motor vehicles; and it shall have two or more overhead garage doors which have an aggregate width of not less than 24 feet, such doors to be located on the exterior wall of the garage which is accessed by the driveway which is further defined in Section 6.17. No Lot shall be used for any purpose other than as a single-family residence, provided however, Developer shall have the sole authority to approve a Builder using the home on any lot as a model for the purpose of selling Builders homes in the Subdivision. Developer shall further have the sole authority to approve outdoor signage and/or flag poles in connection with Builder's Model Home. Further, a home occupation may be permitted so long as:

- (i) the Owner has obtained any and all required governmental approvals necessary or required in order to conduct the home occupation on the Lot;
- (ii) the Architectural Control Committee has been provided with written notice of the proposed home occupation at the earlier of forty-five (45) days prior to the commencement of the home occupation in the residence or forty-five (45) days prior to the date of filing of any required application with any applicable governmental agency, if required;
- (iii) any such home occupation use shall be conducted entirely within the residence and such home occupation shall be clearly incidental and secondary to the use of the residence for dwelling purposes and shall not change the character thereof;
- (iv) there shall be no sign attached to the exterior of the residence or free standing sign or display that indicates from the exterior that the residence is being utilized in whole or in part for any purpose other than that of a single-family residence; and
- (v) no person shall be employed in such home occupation other than a member of the immediate family residing in the residence.

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

APR 19 2005

Elizabeth A. Glendon
 AUDITOR OF ALLEN COUNTY

05-35450
 ALLEN COUNTY AUDITOR'S NUMBER

12

2. Section 6.3 Azbury Woods, Section I is to be deleted and replaced with the following.

6.3 Building Lines. No residence shall be located on a Lot nearer to the front building setback Lot line, or nearer to the side street building setback line than the minimum building setback lines shown on the Plat. In addition, no residence shall be located nearer than a distance of:

7 feet to an interior Lot line of Lots 1 through 50

No dwelling shall be located on an interior Lot nearer than 25 feet to the rear Lot line.

IN WITNESS WHEREOF, Equity Land Corp. an Indiana corporation, by its duly authorized President, Orrin R. Sessions, has signed this document on this 15th day of April, 2005.

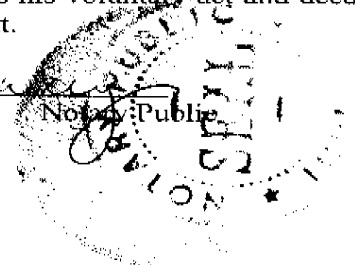
EQUITY LAND CORP.

By: *Orrin R. Sessions*
Orrin R. Sessions, President

STATE OF INDIANA)
) SS:
COUNTY OF INDIANA)

Before me, a Notary Public, in and for said County and State, this 15th day of April, 2005, personally appeared Orrin R. Sessions, known by me to be the duly elected and acting president of Equity Land Corp., an Indiana corporation, and acknowledged the execution of the foregoing document as his voluntary act and deed and on behalf of said corporation for the purposes and uses set forth in this document.

Lisa A. Downey
Lisa A. Downey,
Resident of Allen County, Indiana



My Commission Expires:
November 4, 2011

This instrument prepared by: Thomas J. Blec, Attorney at Law
Mail to: North Eastern Construction Co., Inc. 10808 La Cabreah Lane Fort Wayne IN 46845