

AMENDMENT OF DEDICATION, PROTECTIVE RESTRICTIONS, COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS OF THE PLAT OF THE FALLS OF BEAVER CREEK, SECTION I, A SUBDIVISION IN ABOITE TOWNSHIP, ALLEN COUNTY, INDIANA

RECORDED 02/13/1996 11:11:57 RECORDER VIRGINIA L. YOUNG ALLEN COUNTY, IN

North Eastern Construction Co., Inc., an Indiana Corporation, by Joseph L. Zehr, its President, as Developer of The Falls of Beaver Creek, Section I, a subdivision in Aboite Township, Allen County, Indiana, according to the plat thereof, recorded on March 31, 1995 in Plat Cabinet C, page 52 and as Document No. 95-013011 in the Office of the Recorder of Allen County, Indiana ("Subdivision"), amends the recorded Dedication, Protective Restrictions Covenants, Limitations, Easements and Approvals ("Covenants") of the plat of the Subdivision as follows:

- 1. These amended covenants will apply to all Lots in the Subdivision, which lots are numbered 1 through 99, inclusive.
2. The former Section 6.12 is deleted and replaced with the following new Section 6.12.

6.12 Antennas. No radio or television antenna with more than 24 square feet of grid area, or that attains a height in excess of 6 feet above the highest point of the roof of a residence, shall be attached to a residence on a Lot. No free-standing radio or television antenna shall be permitted on a Lot. No solar panels (attached, detached or free-standing) are permitted on a Lot. No satellite receiving disk or dish in excess of 20 inches in diameter shall be permitted on a Lot, provided however, that the installation and location thereof must be approved by the Committee under Section 5.

- 3. All other provisions of the Covenants not amended by this document shall remain in effect.

IN WITNESS WHEREOF, North Eastern Construction Co., Inc., an Indiana corporation, by its duly authorized President, Joseph L. Zehr, has signed this document on January 5, 1996.

NORTH EASTERN CONSTRUCTION CO., INC.

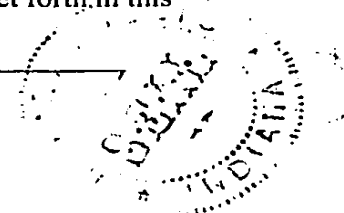
By: [Signature] Joseph L. Zehr, President

Table with columns: Doc. No., Receipt No., Date, DCFD, MISL, Total. Values: 960007810, 1652, 02/13/1996 11:11:41, 3.00, 6.00, 1.00, 10.00.

STATE OF INDIANA )
) SS:
COUNTY OF ALLEN )

Before me, a Notary Public, in and for said County and State, this 5th day of January, 1996, personally appeared Joseph L. Zehr, known by me to be the duly elected and acting president of North Eastern Construction Co., Inc., 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.

[Signature] Orrin R. Sessions, Notary Public Resident of Allen County, Indiana



My commission Expires: May 30, 1996

This is to certify that the foregoing document has been reviewed by the Allen County Plan Commission. As presented, the content of the restrictions contained in such document conforms to the requirements of the Allen County Zoning Ordinance and the Allen County Subdivision Control ordinance, and the document is now eligible for recording. This certification does not extend to the form or validity of the document.

Date: JANUARY 31, 1996.

ALLEN COUNTY PLAN COMMISSION

By: [Signature] Dennis A. Gordon, Executive Director

DUPLICATE ENTERED FOR TAXATION

FEB 8 1996

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

95 13048 AUDITORS NUMBER

10 [Signature]