

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

#970044578 Page 1  
 Dec. No. 970044578  
 Receipt No. 16579  
 DCFD 3.00  
 MISL 6.00  
 Total 9.00

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. 95-13011 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 4.3 is deleted and replaced with the following new Section 4.3:  
  
 4.3 Maximum Annual Assessments. Until January 1 of the year immediately following the first conveyance by Developer of a Lot, the maximum annual assessment shall be One Hundred Fifty Dollars (\$150.00) per Lot, plus an annual assessment for garbage and solid waste disposal pursuant to Section 10. Subsequent assessments may be made as follows:
3. All other provisions off 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 March 27th, 1997.

NORTH EASTERN CONSTRUCTION CO., INC.

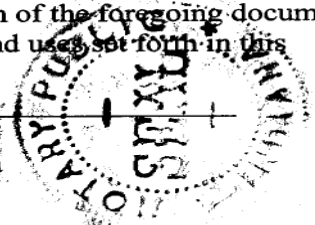
By: Joseph L. Zehr, President

RECORDED  
 08/14/1997 15:19:44  
 RECORDER  
 VIRGINIA L. YOUNG  
 ALLEN COUNTY, IN

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF INDIANA )

Before me, a Notary Public, in and for said County and State, this 27th day of March, 1997, 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.

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



My Commission Expires:  
May 30, 2000

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 Count 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: July 29, 1997.

ALLEN COUNTY PLAN COMMISSION

By: Dennis A. Gordon  
 Dennis A. Gordon, Executive Director

This instrument prepared by: Thomas J. Blee, Attorney at Law

**DULY ENTERED FOR TAXATION**

Mail to: North Eastern Construction Co., Inc.  
 10808 La Cabreah Lane  
 Fort Wayne, Indiana 46845  
 Attention: Cathy A. Zehr

97 7080  
 AUDITORS NUMBER

AUG 14 1997

RECORDER OF ALLEN COUNTY

*[Handwritten mark]*