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RECORDED: 02/12/2024 12:10:12 PM
NICOLE KEESLING
ALLEN COUNTY RECORDER
FORT WAYNE, IN

JOINDER AND CONSENT TO PLAT AND RESTRICTIONS

Cross Ref. Doc. 2023001907

This JOINDER AND CONSENT TO PLAT AND RESTRICTIONS is executed this 8th day of February, 2024 by Oakmont Development Co., LLC, an Indiana limited liability company ("Oakmont I"), and Oakmont Development Company II, LLC, an Indiana limited liability company ("Oakmont II"), on the terms and conditions stated below.

W I T N E S S E T H:

WHEREAS, Oakmont I acquired a certain real estate in Huntertown, Allen County, Indiana, as evidenced by that warranty deed recorded in the Office of the Recorder of Allen County, Indiana on June 6, 2019 as Document No. 2019025844 (the "Real Estate"); and

WHEREAS, on January 12, 2023, Oakmont II, which is an affiliate of Oakmont I, recorded the Secondary Plat of Cascata Estates, Section II, a subdivision of part of the Northeast Quarter of Section 8, Township 32 North, Range 12 East, Allen County, Indiana (the "Plat"), and the Primary Dedication, Declaration, Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to and as Part of the Dedication and Plat of Cascata Estates, Section II, a Subdivision in Perry Township, Allen County, Indiana (the "Restrictions"), which Plat and Restrictions are on file with the Office of the Recorder of Allen County, Indiana as Document No. 2023001907; and

WHEREAS, a portion of the Real Estate is subject to the Plat and the Restrictions; and

WHEREAS, Oakmont I was inadvertently omitted as a party to the Plat; and

WHEREAS, Oakmont I desires to formally join in the execution of the Plat and consent to the Restrictions; and

WHEREAS, Oakmont II acknowledges and consents to Oakmont I's joinder to the Plat.

AUDITOR'S OFFICE
Duly entered for taxation. Subject
to final acceptance for transfer.
Feb 12 2024
Nicholas D Jordan
AUDITOR OF ALLEN COUNTY

NOW, THEREFORE, for and in consideration of the foregoing recitals and the mutual promises and undertakings set forth herein, Oakmont I and Oakmont II acknowledge and agree as follows:

1. Joinder. Oakmont I hereby joins in the execution of the Plat and the Restrictions recorded in the Office of the Recorder of Allen County, Indiana on January 12, 2023 as Document No. 2023001907. Oakmont II acknowledges and consents to the joinder of Oakmont I to the Plat and Restrictions.

2. Consent to Restrictions. Oakmont I expressly consents to the Restrictions appended to the Plat.

3. Recording. Upon execution by Oakmont I and Oakmont II, this Joinder and Consent to Plat and Restrictions shall be recorded in the Office of the Recorder of Allen County, Indiana.

[remainder of page intentionally left blank; signatures begin on next page]

Allen County Recorder Document #: 2024005778

IN WITNESS WHEREOF, the parties have executed this Joinder and Consent to Plat as of the date first stated above.

OAKMONT DEVELOPMENT CO., LLC

By: _____

Printed: Jeffrey M Thomas

Title: manager

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared Jeffrey M Thomas in his capacity as Manager of Oakmont Development Co., LLC, and acknowledged execution of the above and foregoing Joinder and Consent to Plat as his voluntary act and deed for the use and purposes set forth therein.

Witness my hand and Notarial Seal this 8th day of February 2024.

_____, Notary Public

My Commission Expires:

My County of Residence:

NOTARY PUBLIC SEAL INDIANA
AUSTIN M GLENN
Notary Public, State of Indiana
Allen County
Commission Number 746011
My Commission Expires
January 11, 2031

4029759

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OAKMONT DEVELOPMENT COMPANY II, LLC

By: _____

Printed: Jeffrey M Thomas

Title: manager

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared Jeffrey M Thomas in his capacity as Manager of Oakmont Development Company II, LLC, and acknowledged execution of the above and foregoing Joinder and Consent to Plat as his voluntary act and deed for the use and purposes set forth therein.

Witness my hand and Notarial Seal this 8th day of February, 2024.

_____, Notary Public

AUSTIN M GLENN
Notary Public, State of Indiana
Allen County
Commission Number 746011
My Commission Expires
January 11, 2031

My Commission Expires: _____

My County of Residence: _____

THIS INSTRUMENT prepared by Brandon J. Almas, Attorney No. 29810-41, Barrett McNagny LLP, 215 E. Berry St., P.O. Box 2263, Fort Wayne, IN 46802.

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. *Brandon J. Almas*

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