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RECORDED: 11/08/2018 12:31:03 PM
ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

TITAN TITLE SERVICES, LLC
C2018-150

FIRST AMENDMENT OF DEDICATION, PROTECTIVE RESTRICTIONS,
COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED
TO THE PLAT OF MILARGO, SECTION II
IN LAKE TOWNSHIP, ALLEN COUNTY, INDIANA

WHEREAS, NORTH EASTERN DEVELOPMENT CORP., F/K/A NWM CORP an Indiana corporation, executed and placed of record that certain Dedication, Protective Restrictions, Covenants, Limitations, Easements and Architectural Restrictions Appended to the Plat Milagro, Section II, a Subdivision in Peery Township, Allen County, Indiana recorded November 22, 2017, at Document Number 2017061382 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 10 of the Declaration is deleted in its entirety, and Section 10 is hereby amended and restated in its entirety, and shall now read and be as follows:

SECTION 10. SIDEWALKS. Plans and specifications for the Subdivision approved by and on file with the Zoning Authority require the installation of concrete sidewalks within the street right-of-ways in front of Lots 43 through 47, Lots 61 through 73, Lots 79 through 83 and Lots 93 through 100 as the obligation of the Owner of the Lot. For purposes of this covenant, the Developer shall not be deemed to be an Owner unless the Developer constructs a home on the particular Lot. The sidewalk to be located on a Lot shall be completed in accordance with such plans and specifications by the Owner prior to the issuance of a certificate of occupancy for such Lot. This Covenant is enforceable by the Zoning Authority, the Developer, the Association, or an Owner, by specific performance or other appropriate legal or equitable remedy. Should a certificate of occupancy be issued to Developer for a Lot on which a sidewalk is required to be constructed, then and in that instance only shall the Developer shall be considered as an Owner subject to enforcement of this Covenant, and then only with respect to that particular Lot.

2. 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 8th day of October, 2018.

{24017/002/00454037-21B}

"Declarant"

NORTH EASTERN DEVELOPMENT CORP., F/K/A
NWM CORP., an Indiana corporation

By: _____

Its President

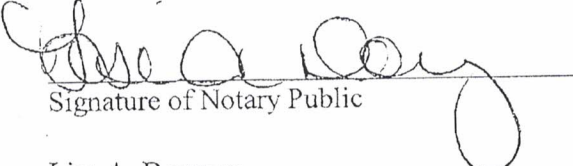
Printed Name: Joseph L. Zehr, President

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, the undersigned Notary Public in and for said County and State, personally appeared Joesph L. Zehr, the President of North Eastern Development Corp., F/K/A NWM Corp., and acknowledged execution of the above and foregoing this 28 day of October, 2018.

My Commission Expires:
October 17, 2019

Resident of Allen County



Signature of Notary Public

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, Ste. 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