

**2025059207**

**RECORDED: 12/30/2025 11:38:41 AM**

**Recorded as Presented**

**Allen County Indiana**

**Recorder Nicole Keesling**

**THIRD AMENDMENT OF DEDICATION AND DECLARATION OF PROTECTIVE  
RESTRICTIONS, COVENANTS, LIMITATIONS, AND EASEMENTS  
FOR MAJESTIC WATER VILLAS SECTION ONE  
A VILLAMINIUM RESIDENTIAL SUBDIVISION ADDITION IN  
WASHINGTON TOWNSHIP, ALLEN COUNTY, INDIANA**

This Amendment of the Dedication and Declaration of Protective Restrictions, Covenants, Limitations, and Easements for Majestic Water Villas, Section One, a Villaminium Residential Subdivision Addition in Washington Township, Allen County, Indiana ("Third Amendment") is made effective as of the 29th day of December, 2025 (the "Effective Date"), by FOX HOMES, LLC, an Indiana limited liability company ("Developer") with the consent and agreement of the Majestic Water Villas in Majestic Water Villas, Section One (the "Subdivision").

**RECITALS**

A. Performance Property Group, LLC (the "Original Developer") executed that certain Dedication and Declaration of Protective Restrictions, Covenants, Limitations, and Easements for Majestic Water Villas, Section One, dated December 1, 2024, and recorded on December 9, 2024 as Document Number 2014058779 in the Office of the Recorder of Allen County, Indiana (the "Original Covenants").

B. Original Developer executed the First Amendment of Dedication and Declaration of Protective Restrictions, Covenants, Limitations, and Easements for Majestic Water Villas, Section One, dated July 14, 2016, and recorded on July 20, 2016 as Document Number 2016038374, in the Office of the Recorder of Allen County, Indiana (the "First Amendment").

C. Original Developer executed the Second Amendment of Dedication and Declaration of Protective Restrictions, Covenants, Limitations, and Easements for Majestic Water Villas, Section One, dated February 15, 2019, and recorded on February 19, 2019 as Document Number 2019007953, in the Office of the Recorder of Allen County, Indiana (the "Second Amendment") (the Original Covenants, First Amendment, and Second Amendment are hereinafter collectively referred to as the "Covenants").

D. On August 11, 2022, Original Developer and Developer executed an Assignment of Developer Rights (the "Assignment") in which Original Developer assigned all its rights, title and obligations as "Developer" under the Covenants to Developer. The Assignment was recorded on August 12, 2023 as Document Number 2022044691 in the Office of the Recorder of Allen County, Indiana.

E. Developer desires to amend the Covenants, as previously amended, to clarify the Developer's liability for assessments.

### **AMENDMENTS**

Developer hereby amends the Covenants as follows:

1. For purposes of clarification, and notwithstanding any other term or provision of the Covenants, the Developer (including its successors) shall not be responsible for any assessments for any Lot related to Common Area for Maintenance Purposes, for any Regular Assessment, or for any Special Assessment so long as the Developer shall own such Lot.

2. Any capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Covenants.

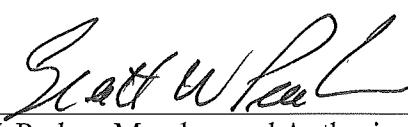
3. Except as otherwise amended herein, the Covenants, as previously amended, shall remain in full force and effect.

4. This Third Amendment may not be modified or amended except with the written consent of the Developer (including its successors).

IN WITNESS WHEREOF, this Third Amendment has hereby been signed and made effective as of the Effective Date.

“DEVELOPER” and Class B Member

FOX HOMES, LLC  
an Indiana Limited Liability Company

By:   
\_\_\_\_\_  
Scott W. Parker, Member and Authorized Representative

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, a Notary Public, in and for said State and County, personally appeared Scott W. Parker, in his capacity as Member and Authorized Representative of Fox Homes LLC, an Indiana limited liability company, who being first duly sworn and upon his oath, deposes and says that he has read the above and foregoing and affirms the truth of its contents.

My Commission Expires: 4 10 32

Dated: December 29, 2025

Resident of Adams County

Emma Powell  
Notary Public Signature



EMMA POWELL, Notary Public  
Adams County, State of Indiana  
Commission Number NP0755787  
My Commission Expires April 10, 2032

Emma Powell  
Notary Public Printed

The President of the Majestic Water Villas Community Association, Inc. hereby attests that the requisite number of votes of the members of said Association have been cast to approve the adoption of this Third Amendment.

## MAJESTIC WATER VILLAS COMMUNITY ASSOCIATION, INC.

By: Scott W. Parker  
Scott W. Parker, Vice-President and  
member of the Board of Directors

STATE OF INDIANA )  
 ) SS:  
COUNTY OF ALLEN )

Before me, a Notary Public, in and for said State and County, personally appeared Scott W. Parker, in his capacity as Vice-President and member of the Board of Directors of Majestic Water Villas Community Association, Inc, an Indiana nonprofit corporation, who being first duly sworn and upon his oath, deposes and says that he has read the above and foregoing and affirms the truth of its contents.

My Commission Expires: 4/10/32

Dated: December 29, 2025

Resident of Adams County

A circular notary seal for Indiana. The outer ring contains the words "NOTARY PUBLIC" at the top and "INDIANA" at the bottom. The center of the seal contains the word "SEAL" in large, bold, capital letters, with a five-pointed star on each side.

EMMA POWELL, Notary Public  
Adams County, State of Indiana  
Commission Number NP0755787  
My Commission Expires April 10, 2032

Emma Powell

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Notary Public Signature

Emma Powell  
Notary Public Printed

This instrument prepared by Michael C. Moellering, Attorney, Burt Blee Dixon Sutton & Bloom, LLP, 200 East Main Street, Suite 1000, Fort Wayne, Indiana 46802, (260) 426-1300.

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. *Michael C. Moellering.*