

3

8702580

FIRST AMENDMENT TO DECLARATION OF  
COVENANTS AND RESTRICTIONS OF  
KNOLLWOOD PARK VILLAS

ST. JOSEPH CO.  
INDIANA  
FILED FOR RECORD  
JAN 26 4 14 PM '87  
FILM  
MAN

WHEREAS, ADAMS ROAD DEVELOPMENT CORP., an Indiana corporation ("Declarant"), executed a document entitled "Declaration of Covenants and Restrictions of Knollwood Park Villas", hereinafter referred to as the "Declaration", which document was placed of record in the records of the Recorder of St. Joseph County, Indiana on June 1, 1984, as Instrument No. 8410352, and sets forth certain restrictions and covenants pertaining to a certain residential subdivision located in St. Joseph County, Indiana and known as "Knollwood Park Villas"; and

WHEREAS, pursuant to paragraph 41 of the Declaration, Declarant makes this as the First Amendment to the Declaration, the "Turnover Date" not having occurred and no consent from any person or entity being required for this amendment, which amendment is as follows:

1. An additional paragraph is added to the Declaration as paragraph 37(a), which additional paragraph shall be effective retroactively as of the date the Declaration was recorded and shall constitute a restriction and covenant enforceable against the Property described in the Declaration and the other property described on Exhibit "B" attached thereto in the event the same is made subject to this Declaration:

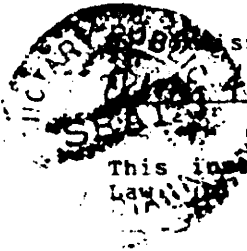
\*37(a) RECREATIONAL AND COMMERCIAL  
VEHICLES. Recreational vehicles of any kind  
are prohibited from being used on the golf



8702580

IN WITNESS WHEREOF, I have hereunto subscribed my name  
and affixed my official seal.

*Bruce R. Bancroft*  
Bruce R. Bancroft Notary Public  
and a resident of St. Joseph  
County, Indiana.



Commission expires:

1999

This instrument was prepared by Bruce R. Bancroft, Attorney at  
Law

8827168

TURNOVER OF CONTROL ST. JOSEPH TITLE CORP.

2

ADAMS ROAD DEVELOPMENT CORP., an Indiana corporation, the Declarant under a document entitled "DECLARATION OF COVENANTS AND RESTRICTIONS OF KNOLLWOOD PARK VILLAS" which was dated May 31, 1984, and recorded in the office of the Recorder of St. Joseph County, Indiana on June 1, 1984, as Instrument No. 8410352, pursuant to paragraph 8 of that instrument hereby turns over control of Knollwood Park Villas Association, Inc. to the members of that Association effective as of September 1, 1988. The turnover date, as defined in paragraph 8 of the Declaration, is hereby designated as November 1, 1988.

IN WITNESS WHEREOF, the undersigned executed and delivered this instrument on the date set forth below.

ADAMS ROAD DEVELOPMENT CORP.

Date: September 27, 1988

By David A. Eckrich  
David A. Eckrich, President

ATTEST:

Date: September 27, 1988

Betty J. Babcock  
Betty J. Babcock, Secretary

ST. JOSEPH  
INDIANA  
RECORDING

SEP 28 3 45 PM '88

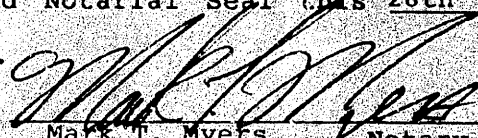
FILE NO  
8410352

(LNA350)

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF ST. JOSEPH )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared David A. Eckrich and Betty J. Babcock, the President and Secretary, respectively, of ADAMS ROAD DEVELOPMENT CORP., an Indiana corporation, and acknowledged their execution of the foregoing instrument for and in behalf of said corporation.

WITNESS my hand and Notarial Seal this 28th day of  
September, 1988.

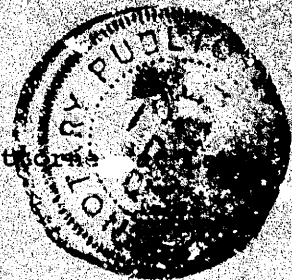
  
\_\_\_\_\_  
Mark T. Myers                    Notary Public,  
Residing in St. Joseph County, IN

My Commission Expires:

April 5, 1989

This instrument was prepared by Bruce R. Bancroft, Attorney

06/29/88  
8454J



*Good Barnes & Thornburg*

SECOND AMENDMENT TO DECLARATION OF  
COVENANTS AND RESTRICTIONS OF  
KNOLLWOOD PARK VILLAS

8831626

WHEREAS, ADAMS ROAD DEVELOPMENT CORP., an Indiana Corporation ("Declarant"), executed a document entitled "Declaration of Covenants and Restrictions of Knollwood Park Villas", hereinafter referred to as the "Declaration", which document was placed of record in the records of the Recorder of St. Joseph County, Indiana on June 1, 1984, as Instrument No. 8410352, and sets forth certain restrictions and covenants pertaining to a certain residential subdivision located in St. Joseph County, Indiana and known as "Knollwood Park Villas";

WHEREAS, pursuant to paragraph 41 of the Declaration, Declarant makes this as the Second Amendment to the Declaration, the "Turnover Date" not having occurred and no consent from any person or entity being required for this amendment;

WHEREAS, the Declaration was amended by the First Amendment thereto on January 22, 1987 which amendment was recorded as Instrument No. 8702580 on January 26, 1987 in the records of the Recorder of St. Joseph County, Indiana; and

WHEREAS, the Declarant makes this Second Amendment to the Declaration as follows:

1. Paragraph 13 of the Declaration is hereby amended by eliminating from that section the words "the painting of any exterior surface which was originally painted when the Dwelling

Unit was constructed," and adding in the sentence which immediately follows the above deletion after the words "is not limited to" the following:

"painting of the exterior surface of Owner's Dwelling Unit which was originally painted when the Dwelling Unit was constructed by using paint and color approved by the Association and with the painting itself being performed in a good quality manner which is satisfactory to the Association, which painting must occur no less frequently than once every six (6) years;"

2. Section 16(b) is amended by removing from that section the following: "and a reserve for painting expense".

3. An additional paragraph is added to the Declaration as paragraph 37(b), which paragraph shall constitute a restrictive covenant enforceable against the Property described in the Declaration and the other property described on Exhibit "B" attached thereto in the event the same is made subject to this Declaration:

37(b) Additional Permanent Structures and Recreational Equipment. No permanent or temporary structure of any type other than a Dwelling Unit may be placed on a Homesite or attached to any surface of a Dwelling Unit or to any tree, bush or other portion of the landscaping on any Homesite without the prior written approval of the Association, which structures shall include but not be limited to basketball hoops, basketball backboards, nets, and birdhouses. No athletic equipment or other paraphernalia equipment or article of any type or nature may be left on a Homesite for longer than a period of twenty-four (24) hours without the prior written consent of the Association, which equipment and paraphernalia shall include but not be limited to trampolines, swings, decorative tires, plastic flagpoles, sun balls, and nets.

Each and every provision of the Declaration as amended remains in full force and effect and is ratified by Declarant.

IN WITNESS WHEREOF, the undersigned executed and delivered this Second Amendment to the Declaration this 26th day of October, 1988.

ADAMS ROAD DEVELOPMENT CORP.

David A. Eckrich  
David A. Eckrich, President

ATTEST:

Betty J. Babcock  
Betty J. Babcock, Secretary

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF ST. JOSEPH )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared David A. Eckrich and Betty J. Babcock, the President and Secretary, respectively, of Adams Road Development Corp., who acknowledged the execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 26th day of October, 1988.

Bruce R. Bancroft  
Bruce R. Bancroft, Notary Public,  
Residing in St. Joseph County, IN

My Commission Expires:

October 4, 1989

5112K  
10/11/83