

AN AMENDMENT
TO THE DEDICATION, EASEMENTS AND APPROVALS APPENDED TO
AND MADE A PART OF THE DEDICATION AND PLAT OF
ASPEN VILLAGE, SECTION III,
A SUBDIVISION IN ABOITE TOWNSHIP, ALLEN COUNTY, INDIANA

We, the undersigned, being the owners of more than Fifty-One Percent (51%) of the lots in Section III, Aspen Village, a Subdivision in Aboite Township, Allen County, Indiana, pursuant to the provisions contained in the prefatory paragraph of Part II of the dedication, protective restrictions, covenants and limitations appended to the plat of said Aspen Village, Section III, as they appear in Plat Record Book 41, pages 84 through 88, in the Office of the Recorder of Allen County, Indiana, having been recorded therein on the 16th day of August, 1978; hereby specifically amend, substitute and add to the existing covenants, restrictions, and limitations the following paragraphs:

(3) Sub "J" Any resident whose lot is located on a corner within the Subdivision or whose lot in any manner adjoins or abuts Aboite Center Road, may apply to the Board of Directors of the Aspen Village Community Corporation for permission to construct and erect a fence upon said lot. Two (2) sets of plans and specifications showing the nature, kind, shape, height, and materials, and location of the fence shall be submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Community Association. The Board of Directors shall, by majority vote, approve or disapprove of such plans and specifications within thirty (30) days after said plans have been submitted. The plans are deemed to have been submitted only when received by the President of the Community Association. In the event the Board of Directors fails to approve or disapprove such plans within thirty (30) days after they have been submitted, then approval shall be deemed to have been given, provided that objective evidence, such as a registered letter, is available to prove that such plans were submitted. The construction of said fence shall be in accordance with the plans and specifications as submitted to and approved in writing by the Board of Directors.

The provisions hereinbefore provided for a violation or attempted violation of these covenants and restrictions shall be applicable hereto. In the event the Association shall prevail in any litigation brought for the purpose of enforcing compliance with the provisions of this article, it shall be entitled to recover from the defendant(s) reasonable attorney fees and costs incurred by the Association in such enforcement.

ALL PLATTED RESTRICTIONS NOT HEREIN MODIFIED, AMENDED, OR SUBSTITUTED, SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, Aspen Village Community Corporation, an Indiana Corporation, by Michael Walters, its President, and Pat Biggins, its Secretary, hereby certifies that the below signatures constitute the owners of the real estate as indicated, by lot and address, and were obtained by officers and members of the Corporation specifically authorized for said purpose.

DULY ENTERED FOR TAXATION

OCT 02 1989

-1-

James A. Bloom
RECORDER OF ALLEN COUNTY

INSTRUMENT X 8171

89 OCT -2 AM 11:30
ALLEN COUNTY RECORDER

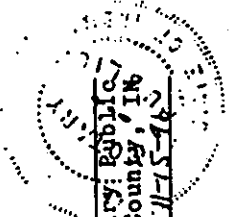
ASPEN VILLAGE COMMUNITY CORPORATION

BY: Michael Walters
Michael Walters, President

BY: Pat Biggins
Pat Biggins, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public, in and for said County and State, appeared Michael Walters, and Pat Biggins, known to me to be the duly authorized and acting President and Secretary, respectively, of Aspen Village Community Corporation, and acknowledge the voluntary execution of the above and foregoing instrument on behalf of said Corporation for the purposes and uses therein set forth, on this 19 day of June, 1987.



Dyan F. Bupp
Dyan F. Bupp
A Resident of Allen County, IN
My Commission Expires: 11-15-18

Approved by the Allen County Plan Commission on the 23rd
day of August, 1987.

Dennis A. Gordon
Dennis A. Gordon, AICP

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 said document conforms to the requirements of the Allen County Zoning and Subdivision Control Ordinances and the document is now eligible for recording. This certification does not extend to the form or validity of the document.

This instrument was prepared by Phillip A. Renz, Attorney at Law.

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Erin T. DeBorja
 (Owner's Name)
 3223 Olive Oak Blvd.
 Ft. Wayne, IN 46804
 Lot No. 120

Alan M. Jones
 (Owner's Name)
 9919 Quachita Ct.
 Ft. Wayne, IN 46804
 Lot No. 131

Judith S. Wilkings
 (Owner's Name)
 1006 Quachita Ct.
 Ft. Wayne, IN 46804
 Lot No. 123

Ann K. Williams
 (Owner's Name)
 9907 Quachita Ct.
 Fort Wayne IN 46804
 Lot No. 123

V Rawal
 (Owner's Name)
 1003 Quachita Ct.
 Ft. Wayne 46804
 Lot No. 123

John Bell
 (Owner's Name)
 9410 S. Wardsville Ct.
 Ft. Wayne, IN 46804
 Lot No. 123

David W. Card
 (Owner's Name)
 9925 Quachita Ct.
 Ft. Wayne, IN 46804
 Lot No. 122

Jeff Bueser
 (Owner's Name)
 9925 Quachita Ct.
 Ft. Wayne, IN
 Lot No. 122

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Ronald J. Beck
 (Owner's Name)
9916 Quachita Ct
 (Address)
Fort Wayne, IN
 Lot No. 126

Brad Wilkes
 (Owner's Name)
3717 Live Oak Blvd
 (Address)
Pl. Wayne,
 Lot No. 119

Samuel Young
 (Owner's Name)
3708 LIVE OAK
 (Address)
FT. WAYNE, IN
 Lot No. 110

Cynthia L. Rouse
 (Owner's Name)
3616 Live Oak Blvd
 (Address)
FT. WAYNE, IN 46804
 Lot No. 114

Todd Ruck
 (Owner's Name)
3632 LIVE OAK
 (Address)
FT. WAYNE, IN
 Lot No. 112

Patricia Cornell
 (Owner's Name)
3714 Live Oak Blvd
 (Address)
Fort Wayne, In 46804
 Lot No. 119

Larry F. Barnes
 (Owner's Name)
3702 Live Oak
 (Address)
Fort Wayne, In
 Lot No. 111

Josephine Williams
 (Owner's Name)
10015 Quachita Ct
 (Address)
Fort Wayne, IN
 Lot No. 135

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Laura A. Rehner
(Owner's Name)
Douglas A. Rehner
(Owner's Name)
10012 Quachita Ct.
(Address)
Ft. Wayne, Ind
(Address)
122
Lot No.

David A. Hill
(Owner's Name)
Disa V. Hill
(Owner's Name)
3810 Live Oak Blvd
(Address)
Ft Wayne IN 46804
(Address)
105
Lot No.

Patricia Langley
(Owner's Name)
Wendy Langley
(Owner's Name)
3711 Live Oak
(Address)
Ft. Wayne, In 46804
(Address)
118
Lot No.

Carole M. Felt
(Owner's Name)
Wendy Felt
(Owner's Name)
3009 Live Oak Blvd
(Address)
Ft Wayne Ind 46804
(Address)
114
Lot No.

Sam M. Hill
(Owner's Name)
Dee M. Hill
(Owner's Name)
10007 4th White Ct
(Address)
Ft Wayne Ind
(Address)
174
Lot No.

Karen Leath
(Owner's Name)
Steven K Leath
(Owner's Name)
3804 Live Oak Blvd.
(Address)
Ft. Wayne IN 46804
(Address)
106
Lot No.

Ann Jane Powers
(Owner's Name)
Wendy Powers
(Owner's Name)
3822 Live Oak Blvd
(Address)
Ft Wayne, In 46804
(Address)
103
Lot No.

Barbara Lambington
(Owner's Name)
Rick Lambington
(Owner's Name)
3915 Live Oak Blvd.
(Address)
FORT WAYNE, IN 46804
(Address)
142
Lot No.

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Paul H. Fisher
PAUL H. FISHER
KESTER A. FISHER
(Owner's Name)

1028 SUMMIT CT
FOOT WAYNE, IN 46804
(Address)
Lot No. 116

Bill K. Gordon
Bill K. Gordon
(Owner's Name)
3813 Live Oak Blvd
FT. WAYNE, IN 46804
(Address)
Lot No. 137

Deane M. Gordon
William A. Gordon
(Owner's Name)
4022 LIVE OAK BLVD.
FT. WAYNE, IN 46804
(Address)
Lot No. 96

(Owner's Name)

(Address)
Lot No. _____

Justin E. High
Justin E. High
(Owner's Name)

3124 Live Oak Blvd.
FOOT WAYNE, IN 46804
(Address)
Lot No. 113

Linda J. Ochotnicki
L. J. Ochotnicki
(Owner's Name)
4016 Live Oak Blvd
FT. WAYNE, IN 46804
(Address)
Lot No. 97

Joseph A. Krieger
Joseph A. Krieger
(Owner's Name)
4110 Live Oak Blvd.
FT. WAYNE, IN 46804
(Address)
Lot No. _____

(Owner's Name)

(Address)
Lot No. _____

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Paul D. Schach
 (Owner's Name)
 4025 Live Oak Blvd
 Ft Wayne In 46804
 (Address)
 Lot No. 141

Edith Shor
 (Owner's Name)
 4207 LIVE OAK BLVD
 FT WYNE IN, IN 46804
 (Address)
 Lot No. 144

HELEN K. NORR
 (Owner's Name)
 Helen K. Norris
 Ft Wayne, In. 46804
 (Address)
 Lot No. 143

Dorothy J. Vandenberg
 (Owner's Name)
 3705 LIVE OAK BLVD.
 Fort Wayne, IN. 46804
 (Address)
 Lot No. 117

Jane A. Howe
 (Owner's Name)
 3619 Live Oak
 Ft. Wayne, IN 46804
 (Address)
 Lot No. 115

Louise O'Neill
 (Owner's Name)
 3726 Live Oak Blvd
 (Address)
 Lot No. 107

Shirley R. Dreye
 (Owner's Name)
 3720 Live Oak Blvd
 Ft Wayne, In. 46806
 (Address)
 Lot No. 108

Linda L. Miller
 (Owner's Name)
 1008 Quaketa Ct.
 Ft. Wayne, Ind 46804
 (Address)
 Lot No. 121

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Yvonne A. Otto
(Owner's Name)
John R. Otto
3906 Live Oak Blvd
Ft. Wayne, IN 46804
(Address)
102
Lot No.

Timmy Clary
(Owner's Name)
Mary R. Clary
3912 Live Oak Blvd
Ft. Wayne, IN 46804
(Address)
101
Lot No.

John Debraun
(Owner's Name)
John Debraun
4118 Live Oak Blvd
Ft. Wayne, IN 46804
(Address)
100
Lot No.

Jean W. Brady
(Owner's Name)
Jean W. Brady
4010 LIVE OAK BLVD
FT. WAYNE IN 46804
(Address)
98
Lot No.

Shirley Kellen
(Owner's Name)
Shirley Kellen
4028 Live Oak Blvd.
Ft. Wayne, IN. 46804
(Address)
95
Lot No.

Jessie M. Hardy
(Owner's Name)
Jessie M. Hardy
3507 Live Oak Blvd.
Ft. Wayne, IN 46804
(Address)
A16
Lot No.

Ara Munn
(Owner's Name)
Archie Munn
3816 Live Oak Blvd
Ft. Wayne, IN 46804
(Address)
104
Lot No.

Cornelia Stutz
(Owner's Name)
Cornelia Stutz
3825 LIVE OAK BLVD
FT. WAYNE, IN 46804
(Address)
139
Lot No.