

#204033647

RECORDED
 05/10/2004 08:30:01
 RECORDER
 PATRICIA J. CRICK
 ALLEN COUNTY, IN
 Doc. No. 204033647
 Receipt No. 15764
 DCFD 3.00
 HTSL 1.00
 MISC 14.00
 HIGL 1.00
 Total 19.00

**FIRST AMENDMENT
 TO THE DEDICATION AND DECLARATION OF PROTECTIVE RESTRICTIONS,
 COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO
 AS PART OF THE DEDICATION AND PLAT OF
 CHESTNUT HILLS, SECTION XVI
 A SUBDIVISION OF ABOITE TOWNSHIP, ALLEN COUNTY, INDIANA**

Aboite

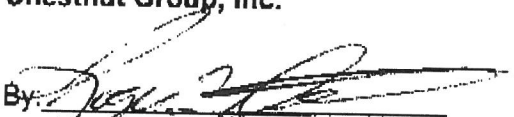
The undersigned, being over 75% of the Lot Owners of Section XVI of Chestnut Hills as such term is defined in the Dedication and Declaration of Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to as Part of the Dedication and Plat of Chestnut Hills, Section XVI, a subdivision of Aboite Township, Allen County, Indiana, ("Protective Restrictions") which was recorded on January 11, 2002, as Document Number 202003664, in the Office of the Recorder of Allen County, Indiana, hereby amend the Protective Restrictions as follows:

Article VII, Section 3 shall be amended to read as follows:

Section 3. Building Sizes. No Dwelling Unit shall be built on any Lot having the living area of the main structure, exclusive of one-story open porches, breezeways or garages of less than 1,800 square feet for a one-story dwelling, nor less than 2,250 square feet for a two (2) story dwelling, excepting therefrom Lot Numbers 421 and 422, 425-430, 433-437 and 439-446 on which no Dwelling Units shall be built having a living area of the main structure, exclusive of one-story open porches, breezeways or garages of less than 1,600 square feet for a one-story dwelling, nor less than 2,050 square feet for a two (2) story dwelling

IN WITNESS WHEREOF, the undersigned Lot Owners and Members of the Chestnut Hills Community Association, Inc. do hereby execute this Amendment to the Protective Restrictions as their voluntary act and deed on the dates written opposite their signatures.

Lot Numbers: 421, 422, 425-430,
433-437, 439-446

Chestnut Group, Inc.
 By: 
 Roger L. Delagrance, President

Date: 4-27-04

AUDITOR'S OFFICE
 Duly entered for taxation. Subject
 to final acceptance for transfer.

MAY 05 2004

0430707
 ALLEN COUNTY AUDITOR'S NUMBER


 AUDITOR OF ALLEN COUNTY

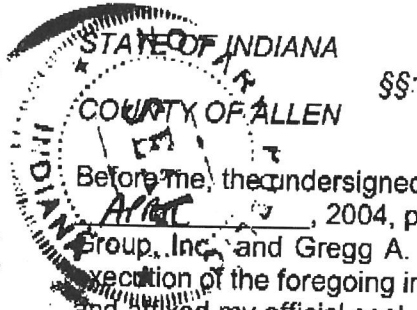
1871

Lot Numbers: 420

GRD Group, Inc.

Date: 4-27-04

By: Gregg A. Richhart
Gregg A. Richhart, President



Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of April, 2004, personally appeared Roger L. Delagrance, the President of Chestnut Group, Inc. and Gregg A. Richhart, the President of GRD Group, Inc. who acknowledge the execution of the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

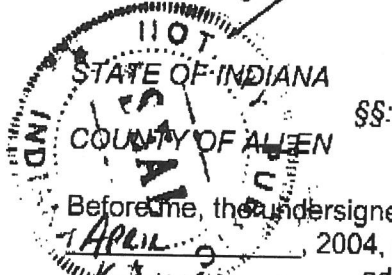
[Signature]
Notary Public

My Commission Expires:
8-24-2011

Printed: John Lember #527161
County of Residence: ALLEN

Lot 413 [Signature]
[Signature]

Dated: 4/27/04
Dated: 4-27-04



Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of April, 2004, personally appeared Wim Kluniger and Janice Kluniger, adults over the age of eighteen (18) years, acknowledge the execution of the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[Signature]
Notary Public

My Commission Expires:
8-24-2011

Printed: John Lember #527161
County of Residence: ALLEN

Lot 449 Ronald B Hess
Nebra L Hess

Dated: 4/27/04
Dated: 4/27/04

STATE OF INDIANA

§§:

COUNTY OF ALLEN

Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of APRIL, 2004, personally appeared RONALD B. HESS and DEBRA L. HESS, adults over the age of eighteen (18) years, acknowledge the execution of the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Notary Public

Printed: JOHN LEMLER #527161

County of Residence: ALLEN

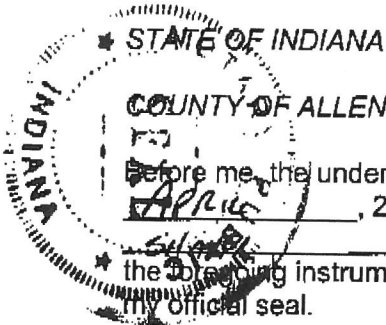
My Commission Expires:

8-24-2011

Lot 416 Hope M Shaver
[Signature]

Dated: 4-27-04

Dated: 4/27/04



STATE OF INDIANA

§§:

COUNTY OF ALLEN

Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of APRIL, 2004, personally appeared HOPE M. SHAVEN and DAVE, adults over the age of eighteen (18) years, acknowledge the execution of the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Notary Public

Printed: John Lemler #527161

County of Residence: ALLEN

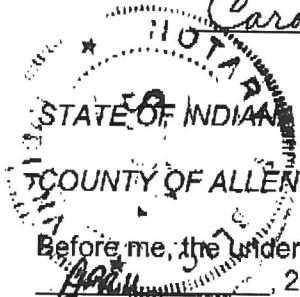
My Commission Expires:

8-24-2011

Lot 450 Keith Walda
Carolyn Walda

Dated: 4-27-04

Dated: 4-27-04



STATE OF INDIANA

§§:

COUNTY OF ALLEN

Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of APRIL, 2004, personally appeared KEITH WALDA and CAROLYN WALDA, adults over the age of eighteen (18) years, acknowledge the execution of

the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[Signature]
Notary Public

My Commission Expires:

8-24-2011

Printed: JOHN LEMLER #527161

County of Residence: ALLEN

Lot ~~419~~ ⁴¹⁹ Catherine M. Wess

Dated: 4/27/2004

George Wess

Dated: 4/27/2004



SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of April, 2004, personally appeared CATHERINE WESS and GEORGE WESS, adults over the age of eighteen (18) years, acknowledge the execution of the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[Signature]
Notary Public

My Commission Expires:

8-24-2011

Printed: JOHN LEMLER #527161

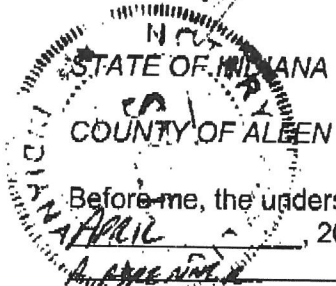
County of Residence: ALLEN

Lot 417 Timothy P Breaux

Dated: 4-27-04

Janet P Breaux

Dated: 4-27-04



SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 27 day of April, 2004, personally appeared TIMOTHY BREAU and JANET BREAU, adults over the age of eighteen (18) years, acknowledge the execution of the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[Signature]
Notary Public

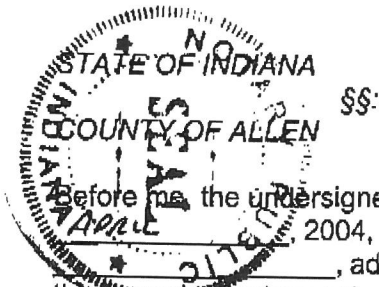
My Commission Expires:

8-24-2011

Printed: John Lemler #527161

County of Residence: ALLEN

Lot 414 [Signature] Dated: April 28, 04
Dated: _____



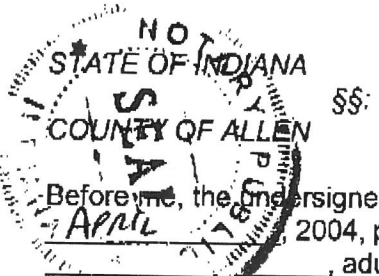
Before me, the undersigned, a Notary Public in and for said County and State, this 28 day of April, 2004, personally appeared LEROY LENGACKE and _____, adults over the age of eighteen (18) years, acknowledge the execution of the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[Signature]

My Commission Expires:
8-24-2011

Notary Public
Printed: John Lenter #527161
County of Residence: ALLEN

Lot 453 [Signature] Dated: April 28, 04
Dated: _____



Before me, the undersigned, a Notary Public in and for said County and State, this 28 day of April, 2004, personally appeared LEROY LENGACKE and _____, adults over the age of eighteen (18) years, acknowledge the execution of the foregoing instrument. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

[Signature]

My Commission Expires:
8-24-2011

Notary Public
Printed: John Lenter #527161
County of Residence: ALLEN

Prepared by:
Dennis D. Sutton, Attorney at Law - Attorney I.D. No. 764-02