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RECORDED: 12/20/2019 08:37:24 AM

ANITA MATHER
ALLEN COUNTY RECORDER
FORT WAYNE, IN

**THIRTY-SIXTH AMENDMENT TO DECLARATION OF
HORIZONTAL PROPERTY OWNERSHIP FOR
JEFFERSON PLACE CONDOMINIUM HORIZONTAL PROPERTY REGIME
[Cross-Reference to 86-049708, Book 9 Pages 58-78.]**

The undersigned, being the Owners of at least seventy-five percent (75%) of the Homes in Jefferson Place Condominiums a horizontal property regime, or condominium development in Aboite Township, Allen County, Fort Wayne, Indiana being not less than the fifty-four (54) required to make an amendment to the Declaration of Horizontal Property Ownership Jefferson Place Condominiums Horizontal Property Regime (recorded as Document No. 86-049708) (the "Declaration") pursuant to Section 25 of the Declaration do hereby consent to this Thirty-Sixth Amendment to the Declaration ("Thirty-Sixth Amendment").

I. Section 31 to the Declaration was added by the Thirty-Fifth Amendment thereto. Under this Thirty-Sixth Amendment, Section 31 shall be deleted in its entirety and replaced as follows:

31. OWNER OCCUPANCY, LEASING, AND RENTAL OF HOMES

A. Purpose. The purpose of this Section 31 is to: (1) be in the best interest of all Owners all of whom have similar proprietary (property) interests in their Homes; (2) protect the Owners' long-term investment in their Homes; (3) preserve high standards of accountability and responsibility for the maintenance and care of the Jefferson Place Condominiums between and among the Owners; (4) avoid the temporary and transient nature of leasing Homes and to encourage a low turnover of occupancy; and (5) to encourage and realize the other benefits that accrue from restricting the Jefferson Place Condominiums to single family residential use and to avoid the commercialization of the Jefferson Place Condominiums caused by using or occupying the Homes solely for rental or leasing purposes.

B. Nonowner Occupied Homes in Jefferson Place Condominiums. In accordance with the purposes set forth in Section 31(A) above, no Home shall be

used or occupied as a Nonowner Occupied Home as defined in the Declaration, except as provided in Section 31(C) below.

C. Pre-Existing Nonowner Occupied Homes. Any home that was registered as a Nonowner Occupied Home with the Board of Directors prior to November 5, 2014 may continue to be used as a Nonowner Occupied Home under this Declaration. No other Nonowner Occupied Homes shall be permitted. Should an Owner of a registered Nonowner Occupied Home cease to be the Owner for any reason, the pre-existing permitted status of the Home shall cease, and it shall thereafter be used as an owner occupied Home exclusively.

II. The capitalized terms in this Thirty-Sixth Amendment shall have the same meanings as those terms defined in the Declaration, and its amendments, unless a contrary or alternate meaning is clearly ascribed by the context of this Thirty-Sixth Amendment.

III. The Thirty-Sixth Amendment shall be effective upon recordation of same in the Office of the Recorder for Allen County, Indiana.

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**Certificate of Adoption
36th Amendment to Declaration**

The undersigned President and Secretary of the Board of Directors of Jefferson Place Condominiums Association, Inc., hereby certify that the THIRTY-SIXTH AMENDMENT TO DECLARATION OF HORIZONTAL PROPERTY OWNERSHIP FOR JEFFERSON PLACE CONDOMINIUMS HORIZONTAL PROPERTY REGIME, ABOITE TOWNSHIP, ALLEN COUNTY, INDIANA was acted on according to a vote of the Owners of Homes in attendance at a meeting on October 1, 2019, conducted for the purpose of voting on this Amendment, or by duly authorized proxy ballot. The Board has tallied the vote and finds 54 votes for and 6 votes against, comprising 76.06 percent of the entire membership (71 members) in favor of this Amendment.

JEFFERSON PLACE CONDOMINIUMS
ASSOCIATION, INC.

By: *Candace Schuler*
President, Board of Directors

Printed Name: Candace L. Schuler

By: *Stephen Smith*
Secretary, Board of Directors

Printed Name: STEPHEN SMITH

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

SARAH KATHLEEN CONRAD
NOTARY PUBLIC
SEAL
RESIDENT OF ALLEN COUNTY, IN
MY COMMISSION EXPIRES: AUG. 18, 2023

Before me, the undersigned, a Notary Public, in and for said County and State, on this 25 day of November, 2019, personally appeared Candace Schuler, the President of Jefferson Place Condominiums Association, Inc., and Stephen Smith, the Secretary of Jefferson Place Condominiums Association, Inc. The above signatures were executed by said individuals as a free act and deed in my presence on this date.

My Commission Expires:
August 18, 2023

Sarah K. Conrad
Sarah K Conrad, Notary Public
Resident of Allen County, Indiana

This instrument prepared by Patrick R. Hess, Attorney at law, Beckman Lawson, LLP, 201 W. Wayne St., Fort Wayne, Indiana 46802.

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. Patrick R. Hess