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ANITA MATHER

ALLEN COUNTY RECORDER

FORT WAYNE, IN

**THIRTY-SEVENTH 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-Seventh Amendment to the Declaration ("Thirty-Seventh Amendment").

I. The Declaration shall be amended by deleting Section 18 to the Declaration in its entirety and replacing it as follows:

18. INSURANCE. The Association, acting through its Board of Directors, shall obtain fire and extended coverage insurance insuring each Home on the Property in an amount equal to the full replacement cost thereof as determined by a qualified appraiser, the amount determined and the insurance renewed annually. The cost of any appraisal shall be a Common Expense. Such insurance shall: (1) provide that, notwithstanding any provision thereof giving the insurer an election to restore damage in lieu of a cash settlement, such option shall not be exercisable in the event the Owners do not elect to restore pursuant to paragraph 19, (2) contain a "replacement cost endorsement", (3) provide full coverage for replacement on any Home regardless of what damage, if any, is sustained by any other Home, and (4) provide that the insurance carrier waives rights of subrogation against the Association, the Board of Directors, the contract manager, if any, and their respective agents and employees and the Owners and their respective agents and guests, as same may be available. Such insurance coverage shall be for the benefit of each Owner in accordance with the replacement cost established for each respective Home, and, if applicable, the Owner's mortgage, or, in the case of a non-residential building, for the benefit of the Association. The proceeds shall be payable to the Association, and the Board of Directors shall hold such proceeds as trustee for the individual Owners, after

first paying out of the respective shares of the condominium unit Owners, to the extent sufficient for the purpose, all liens on the undivided interest in the Property owned by each Owner.

The Association shall also obtain comprehensive public liability insurance in such limits as the Board of Directors shall deem appropriate, together with workmen's compensation insurance and other liability insurance deemed necessary or appropriate by them. Such insurance shall inure to the benefit of each individual Owner, the Association, the Board of Directors, and any managing agent, or company, acting on behalf of the Association. Such insurance coverage shall also cover cross-liability claims of one insure against the other.

The premiums for all insurance shall be paid by the Association the same as the Common Expenses. The premiums for the fire and extended coverage shall be apportioned as follows: The Association shall be responsible for forty percent (40%) of this premium, and the Owners shall be responsible for sixty percent (60%). The Association shall allocate the sixty percent (60%) to the Owners on a ratio equal to the square footage of each Owner's Home to the combined square footage of all the homes in the Project, as depicted in Exhibit "B." In all other matters the fractional interest attributable to each Owner shall be as set forth in Section 9 of the Declaration. The Board shall further have the right to notify the respective Home Owners that insurance premiums shall be paid in whole or in part directly by the mortgagee, where appropriate, and such direction shall be followed by the Home Owners. Such apportioned insurance premiums, upon submission to each Owner, shall in all respects be enforceable against the Homes to which they apply, and the Owners thereof, in the same manner as Common Expenses shall be enforceable against all Homes and Owners according to this Declaration and the Bylaws.

Each Owner shall have the right to purchase any additional insurance he or she may deem necessary, such policy shall contain provisions prohibiting any right of contribution against the insurance purchased by the Association, and each Owner shall be solely responsible for insurance on the personal property contents of his or her own Home and his or her personal property stored elsewhere on the Property.

II. The Declaration shall be amended by replacing the Exhibit "B" attached thereto with the new Exhibit "B" attached to this Thirty-Seventh Amendment. In 1986, the Declarant contemplated building 83 homes. Only 71 were ever built, and there is no room for further expansion. The amended Exhibit "B" correctly shows the Fractional Interest of the Homes.

III. The capitalized terms in this Thirty-Seventh 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-Seventh Amendment.

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

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EXHIBIT "B"

Fractional Interest per Home and Insurance Calculation

Home #	ADDRESS	BLDG #	TOTAL BLDG UNITS	SQ FT	% PREM	OWNERSHIP INTEREST
1	4304 PIAZZA CIR	2	4	1685	1.3058%	1/71
2	4310 PIAZZA CIR	2	4	1422	1.1020%	1/71
3	4316 PIAZZA CIR	2	4	1460	1.1469%	1/71
4	4322 PIAZZA CIR	2	4	1605	1.2438%	1/71
5	4410 PIAZZA CIR	3	5	1651	1.2794%	1/71
6	4416 PIAZZA CIR	3	5	1486	1.1516%	1/71
7	4422 PIAZZA CIR	3	5	1487	1.1524%	1/71
8	4428 PIAZZA CIR	3	5	1643	1.2732%	1/71
9	4434 PIAZZA CIR	3	5	1682	1.3035%	1/71
10	4512 PIAZZA CIR	4	4	1821	1.1787%	1/71
11	4518 PIAZZA CIR	4	4	1588	1.2306%	1/71
12	4524 PIAZZA CIR	4	4	1883	1.4592%	1/71
13	4530 PIAZZA CIR	4	4	2116	1.6398%	1/71
14	4307 PIAZZA CIR	5	3	1380	1.0694%	1/71
15	4323 PIAZZA CIR	5	3	1550	1.2012%	1/71
16	4415 PIAZZA CIR	5	3	2408	1.8661%	1/71
17	4425 PIAZZA CIR	6	2	1670	1.2942%	1/71
18	4431 PIAZZA CIR	6	2	1759	1.3631%	1/71
19	4529 PIAZZA CIR	6	1	1707	1.3228%	1/71
20	6835 CHARLOTTESVILLE ROW	7	3	1616	1.2523%	1/71
21	6827 CHARLOTTESVILLE ROW	7	3	1538	1.1919%	1/71
22	6819 CHARLOTTESVILLE ROW	7	3	1715	1.3290%	1/71
23	6731 CHARLOTTESVILLE ROW	8	2	1636	1.2678%	1/71
24	6725 CHARLOTTESVILLE ROW	8	2	1587	1.2289%	1/71
25	6719 CHARLOTTESVILLE ROW	9	2	1669	1.2159%	1/71
26	6713 CHARLOTTESVILLE ROW	9	2	1696	1.2368%	1/71
27	6707 CHARLOTTESVILLE ROW	10	2	1674	1.2973%	1/71
28	6701 CHARLOTTESVILLE ROW	10	2	1674	1.2973%	1/71
29	6702 CHARLOTTESVILLE ROW	11	2	1774	1.3748%	1/71
30	6706 CHARLOTTESVILLE ROW	11	2	2242	1.7374%	1/71
31	6710 CHARLOTTESVILLE ROW	12	2	1588	1.2306%	1/71
32	6714 CHARLOTTESVILLE ROW	12	2	1604	1.2120%	1/71
33	6828 CHARLOTTESVILLE ROW	13	2	1761	1.3569%	1/71
34	6838 CHARLOTTESVILLE ROW	13	2	1399	1.0842%	1/71
35	4417 OCTAGON SQ	14	1	1792	1.3887%	1/71
36	4413 OCTAGON SQ	15	1	1880	1.4569%	1/71
37	4409 OCTAGON SQ	16	1	1738	1.3453%	1/71
38	4327 OCTAGON SQ	17	1	3376	2.6162%	1/71
39	4319 OCTAGON SQ	18	2	1457	1.1201%	1/71
40	4315 OCTAGON SQ	18	2	1457	1.1291%	1/71
41	4307 OCTAGON SQ	19	2	1700	1.3244%	1/71
42	4303 OCTAGON SQ	19	2	1751	1.3569%	1/71
43	4221 OCTAGON SQ	20	1	1797	1.3926%	1/71
44	4209 OCTAGON SQ	21	2	1652	1.2027%	1/71
45	4205 OCTAGON SQ	21	2	1875	1.4530%	1/71
46	4208 OCTAGON SQ	22	3	1731	1.3414%	1/71
47	4318 OCTAGON SQ	22	3	1584	1.2275%	1/71
48	4322 OCTAGON SQ	22	3	1584	1.2275%	1/71
49	6908 PALLADIO SQ	23	3	1465	1.1353%	1/71
50	6912 PALLADIO SQ	23	3	1721	1.3337%	1/71
51	6916 PALLADIO SQ	23	3	2346	1.8180%	1/71
52	6920 PALLADIO SQ	1	2	2776	2.1513%	1/71
53	6924 PALLADIO SQ	1	2	3302	2.5509%	1/71
54	6928 PALLADIO SQ	24	3	1637	1.2686%	1/71
55	6932 PALLADIO SQ	24	3	1900	1.5189%	1/71
56	6936 PALLADIO SQ	24	3	3519	2.7271%	1/71
57	7010 PALLADIO SQ	25	4	2174	1.6847%	1/71
58	7014 PALLADIO SQ	25	4	1731	1.3414%	1/71
59	7018 PALLADIO SQ	25	4	1769	1.3709%	1/71
60	7022 PALLADIO SQ	25	4	2332	1.8072%	1/71
61	7026 PALLADIO SQ	26	2	1488	1.1531%	1/71
62	7030 PALLADIO SQ	26	2	1634	1.2663%	1/71
63	7106 PALLADIO SQ	27	5	1537	1.1911%	1/71
64	7112 PALLADIO SQ	27	5	2859	2.2156%	1/71
65	7118 PALLADIO SQ	27	5	1675	1.2206%	1/71
66	7124 PALLADIO SQ	27	5	1676	1.2206%	1/71
67	7130 PALLADIO SQ	27	5	2102	1.6290%	1/71
68	7127 PALLADIO SQ	28	2	1750	1.3562%	1/71
69	6909 PALLADIO SQ	28	2	1641	1.2717%	1/71
70	7021 PALLADIO SQ	29	2	1858	1.4399%	1/71
71	7011 PALLADIO SQ	29	2	2362	1.8304%	1/71
	total square feet of units			129040	100%	
POOL, ETC	7107 STATESMAN WAY			3706	2.8720%	
	OWNER PREMIUM (60%)					
	ASSOCIATION PREMIUM (40%)					

END OF EXHIBIT "B"

**Certificate of Adoption
37th Amendment to Declaration**

The undersigned President and Secretary of the Board of Directors of Jefferson Place Condominiums Association, Inc., hereby certify that the THIRTY-SEVENTH 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 56 votes for and 2 votes against, comprising 78.87 percent of the entire membership (71 members) in favor of this Amendment.

JEFFERSON PLACE CONDOMINIUMS
ASSOCIATION, INC.

By: *Candace L. 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 L. 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