

#205031785
 Recorded
 05/24/2005 10:56:12
 RECORDER
 PATRICIA J CRICK
 ALLEN COUNTY, IN
 Receipt No. 15465
 DCFD 3.00
 MSL 8.00
 MSL 4.00
 MSL 2.00
 TOTAL 17.00

Certificate of First Amendment to Covenants – Wallen Chase

THE FIRST AMENDMENT TO DEDICATION AND DECLARATION OF PROTECTIVE
 RESTRICTIONS, COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO
 AS PART OF THE DEDICATION AND PLAT OF:

- WALLEN CHASE, SECTION I, (Plat Cab. C, P. 120);
 - WALLEN CHASE, SECTION II (Plat Cab. D, P. 4);
 - WALLEN CHASE, SECTION III (Plat Cab. E, P. 46); and,
 - WALLEN CHASE, SECTION IV (Plat Cab. E, P. 80),
- A SUBDIVISION IN ST. JOSEPH TOWNSHIP, ALLEN COUNTY, INDIANA (collectively "Wallen Chase").

Karen Morning, after first being duly sworn upon her oath, says and certifies:

1. She is the duly elected and acting Secretary of the Wallen Chase Community Association, Inc., ("Association") and makes this First Amendment from the books and records of the Association and her own personal knowledge.

2. After due notice to the Members of the Association as required by the Bylaws of the Association, there was held a Special Meeting of the Members of the Association on February 14, 2005, at which a quorum of the Members was present, in person and by proxy, and at which the following resolution amending the Protective Restrictions, Covenants, Limitations, Easements and Approvals appended to as part of the Dedication and Plat of Wallen Chase, Sections I, II, III and IV ("Covenants") as previously approved by the Board of Directors of the Association was approved and adopted by resolution of the Members:

RESOLVED that:

Covenants for Wallen Chase, Sections I and III, Article VI, GENERAL PROVISIONS, Section 19; Covenants for Wallen Chase, Section II, Article VI, GENERAL PROVISIONS, Section 20; and, Covenants for Wallen Chase, Section IV, Article VIII, GENERAL PROVISIONS, Section 18, SHALL READ AND PROVIDE:

Radio and Television Antennas and No Solar Panels. No radio or television antenna with more than thirty (30) square feet of grid area or which attains a height of six (6) feet above the highest point of the roof shall be attached to any Dwelling Unit. No free standing radio or television antenna shall be permitted on any Lot. The use of one (1) small satellite dish no larger than three (3) feet in diameter shall be permitted, provided that it is attached directly onto the Dwelling Unit. No free standing television receiving disk or dish shall be permitted on any Lot. No solar panels attached or detached shall be permitted

Covenants for Wallen Chase, Sections I, II and III, Article VI, GENERAL PROVISIONS, Section 27; and, Covenants for Wallen Chase, Section IV, Article VIII, GENERAL PROVISIONS, Section 26, SHALL READ AND PROVIDE:

Use of Other Structures and Vehicles. a. Other Structures. No structure of a

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Mail to: Holleran & Trexler, 4630 West Jefferson Blvd., Fort Wayne, IN 46804

AUDITOR'S OFFICE
 Duly entered for payment of funds
 to final acceptance for transfer.

05-21-30
 NUMBER

1542

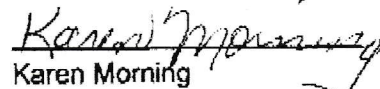
temporary character, tent, shack, garage, barn, dog house, basement, or other outbuilding shall be either used or located on any Lot, or adjacent to any Lot, public street, or right-of-way within the Subdivision at any time, nor shall these nor any vehicle, trailer, boat trailer, recreational vehicle, camper shell, all terrain vehicle (ATV), camper or camping trailer be used as a residence either temporarily or permanently.

(i) Nothing in this section shall prohibit the keeping of a Deck Box or similar container designed for outdoor use and kept completely behind the dwelling unit on a deck or patio, with a total internal dimension of no more than 30 cubic feet.

Covenants for Wallen Chase, Sections I, II and III, Article VI, GENERAL PROVISIONS, Section 38; and, Covenants for Wallen Chase, Section IV, Article VIII, GENERAL PROVISIONS, Section 37, SHALL READ AND PROVIDE:

Pond Use. Pond usage by residents is not permitted at any time for any purpose, including, but not limited to, swimming, wading, boating, ice skating, and fishing. Lot Owners whose Lots border on the edge of the pond, and those with express permission of a Lot Owner whose Lot borders on the edge of the pond shall be permitted to fish from the Lot Owner's property.

3. Pursuant to the Bylaws of the Association, the Members of the Association have full and complete authority as of the date of the Resolution to change or amend the Covenants; and, all proceedings with respect to the above-referenced Resolution amending the Covenants were in accordance with the Bylaws of the Association. The undersigned has full and complete authority to make this Certificate in accordance with the Bylaws of the Association.

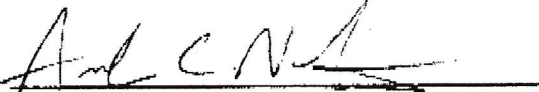

Karen Morning

State of Indiana)
County of Allen) SS:

Before me, a Notary Public in and for the county and state, this 16 day of May, 2005, personally appeared before me Karen Morning, who after first being duly sworn stated that the matters set forth in this instrument are true and who acknowledged the execution of this instrument as her willful act and deed as Secretary and on behalf of Wallen Chase Community Association,

My commission expires: 10-21-12

County of Residence: Allen


(Signature) Notary Public
ANDREW C. NEWTON

The instrument prepared by Stephen H. Trexler, Attorney at Law