

**2021072308**  
**RECORDED: 10/27/2021 08:15:03 AM**  
**ANITA MATHER**  
**ALLEN COUNTY RECORDER**  
**FORT WAYNE, IN**

**FIRST AMENDMENT OF THE COVENANTS, CONDITIONS, RESTRICTIONS AND  
EASEMENTS FOR COTTAGES OF CATANIA IN WASHINGTON TOWNSHIP,  
ALLEN COUNTY, INDIANA**

**WHEREAS**, North Eastern Development Corp. (“Declarant”) executed and recorded the Declaration of Covenants, Conditions, Restrictions and Easements for Cottages of Catania platted at Document No. 2020049559 and Plat Cabinet H page 84 in the Allen County Recorder’s Office (each individually a “Declaration” and collectively the “Declarations”); and

**WHEREAS**, pursuant to the Declarations including Section 7.29.2, the Declarant currently has the right to amend the Declarations; and

**WHEREAS**, capitalized terms as used herein shall have the same meaning ascribed to them or defined in the Declaration unless otherwise specifically defined herein.

NOW, THEREFORE, the Declarant hereby amends the Declaration as follows:

**1. AMENDMENT OF SECTION 7.10**

The second sentence of Section 7.10 in the Declaration for Cottages of Catania is deleted and removed from Section 7.10 of each of the Declarations (the “Deleted Sentences”). The Deleted Sentences in each of the Declarations are each replaced with the following new sentence: “Prohibited structures include, by way of illustration and not limitation, detached garage, shack storage and above ground pool, and in ground pools may be approved by the Architectural Control Committee.”

**2. MISCELLANEOUS.**

Except as modified herein, the Declarations as amended by this First Amendment remains in full force and effect. This First Amendment and the Amended Sentence pertains to and only affects the first sentence in Section 7.10 of the Declarations for Cottages of Catania.

**IN WITNESS WHEREOF**, the Declarant has executed this First Amendment to the Declaration effective as of this 25th of October, 2021.

NORTH EASTERN DEVELOPMENT CORP.,

METROPOLITAN TITLE OF IN, LLC  
9604 COLDWATER ROAD SUITE 105  
FORT WAYNE, IN 46825

NED1021

An Indiana corporation

By: [Signature]  
Joseph L. Zehr, President

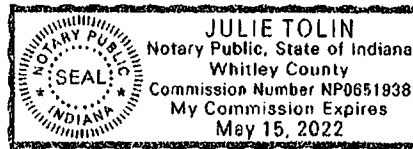
STATE OF INDIANA, COUNTY OF ALLEN SS:

Before me, the undersigned Notary Public in and for said County and State, this 25th day of October, 2021, personally appeared **Joseph L. Zehr as President of North Eastern Development Corp.** known or proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that he executed it as his free act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires: \_\_\_\_\_  
Resident of: \_\_\_\_\_, County

Signature: [Signature]  
Printed: \_\_\_\_\_, Notary Public



This instrument prepared by VINCENT J. HEINY, Attorney at Law, Carson LLP., 301 W. Jefferson Blvd., Suite 200, Fort Wayne, Indiana 46802, Telephone: (260) 423-9411. 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. /s/Vincent J. Heiny