



2008009962

RECORDED ON
02/29/2008 08:16:40AM
JOHN MCGAULEY
ALLEN COUNTY RECORDER
FORT WAYNE, IN

REC FEE: 14.00
TRANS # 22630

FIRST AMENDMENT OF
DEDICATION, PROTECTIVE RESTRICTIONS,
COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS
OF THE PLAT OF THE **MORGAN CREEK, SECTION V**,
A SUBDIVISION IN WASHINGTON TOWNSHIP, ALLEN COUNTY, INDIANA

Steeplchase Development Corp., an Indiana Corporation, by Joseph L. Zehr, its President, as Developer of Morgan Creek, Section I, a subdivision in Washington Township, Allen County, Indiana, according to the plat thereof, in Plat Cabinet F, page 178 and as Document No. 2007060098 in the Office of the Recorder of Allen County, Indiana ("Subdivision"). Pursuant to the power of amendment of the Plat and the Covenants reserved in the Developer, as set forth in the original Covenants in Section 6.26, the Developer completely amends and restates in their entirety the amended and restated Plat and Covenants, and henceforth, the Real Estate shall be subject to all of the terms and conditions of this amended and restated Plat and Covenants Dedication, Protective Restrictions Covenants, Limitations, Easements and Approvals ("Covenants") of the plat of the Subdivision as follows:

1. The original Section 1.10 and Section 6.3 is deleted in its entirety, and Section 1.10 and Section 6.3 is amended and restated in its entirety as follows:

1.10 "Lot", and in plural form, "Lots". Any of the platted lots in the Plat, or any tract(s) of Real Estate which may consist of one or more Lots or part(s) of them upon which a residence is erected in accordance with the Covenants, or such further restrictions as may be imposed by any applicable zoning ordinance; provided, however, that no tract of land consisting of part of a Lot, or parts of more than one Lot, shall be considered a "Lot" under these Covenants unless the tract has a frontage of at least 50 feet in width at the established front building line as shown on the Plat and further meets the requirements of Section 6.4.

6.3 No residence shall be located on a Lot nearer to the front building setback line, or nearer to the side yard building setback line than the minimum building setback lines shown on the Plat. No residence shall be located nearer than a distance of 5 feet to an interior Lot line provided however the aggregate of both side yards shall be a minimum of 12 feet. No dwelling shall be located on an interior Lot nearer than 25 feet to the rear Lot line.

IN WITNESS WHEREOF, Steeplchase Development Corp., an Indiana corporation, by its duly authorized President, Joseph L. Zehr, has signed this document on this 17th day of December, 2007.

Steeplchase DEVELOPMENT CORP.

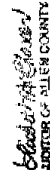
By: 
Joseph L. Zehr, President

STATE OF INDIANA)
) SS:
COUNTY OF INDIANA)

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ALLEN COUNTY RECORDER
Date signed: Feb 28, 2008, Substg
No. 2008009962, Title: 2008009962

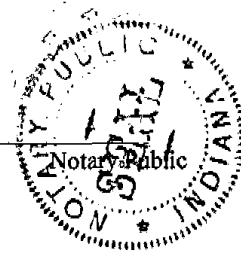
FEB 28 2008


AUDITOR OF ALLEN COUNTY

Box: Titan Title

Before me, a Notary Public, in and for said County and State, this 17th day of December, 2007, personally appeared Joseph L. Zehr, known by me to be the duly elected and acting President of Steeplchase Development Corp., an Indiana corporation, and acknowledged the execution of the foregoing document as his voluntary act and deed and on behalf of said corporation for the purposes and uses set forth in this document.


Lisa A. Downey,
Resident of Allen County, Indiana



My Commission Expires:

November 04, 2011

This instrument prepared by Vincent J. Heiny, Attorney at Law, Haller & Colvin, P.C., 444 East Main Street, Fort Wayne, Indiana 46802, Telephone: (260) 426-0444

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 Lisa Downey.