

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

2017 071139

2017 OCT 20 PM 2:30

MICHAEL B. BROWN
RECORDER

**FIRST AMENDMENT TO DECLARATIONS OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR LYNNWAY COTTAGE HOMES**

This First Amendment to Declarations of Covenants, Conditions, Restrictions and Easements for Lynnsway Cottage Homes (this "Amendment") shall be read and construed together with the Declarations of Covenants, Conditions, Restrictions and Easements for Lynnsway Cottage Homes (hereinafter, the "Original Declaration"), which was recorded on August 17, 2015 as Document No. 2015 055169 in the Office of the Recorder of Lake County, Indiana.

WITNESSETH:

WHEREAS, LYNNWAY DEVELOPMENT, LLC, an Indiana limited liability company (hereinafter, "Declarant") established and recorded the Original Declaration, with the real estate subject to the Original Declaration described as the "Submitted Parcel" (as defined in the Original Declaration), as legally described in Exhibit "A" to the Original Declaration;

WHEREAS, the "Submitted Parcel" included but was not limited to the following real estate:

Lots 127, 200, 203 and 218 in Lynnsway Unit 3, a subdivision in the Town of Cedar Lake, Indiana, as per plat thereof recorded in Plat Book 98, Page 29, on October 19, 2005 as Document No 2005-092116, as amended by Recorded Certificate on November 28, 2007 in Plat Book 102, Page 22, as Document No. 2007-093897 and supported by Exhibit Document No. 2007-093898, all in the Office of the Recorder of Lake County, Indiana (collectively, "Additional Lots");

WHEREAS, the Declarant has never held title to the Additional Lots and did not have any ownership or any rights to the Additional Lots at the time that the Original Declaration was executed and recorded nor at any time thereafter; and

WHEREAS, Declarant hereby desires to amend the Original Declaration pursuant to its power and authority under Section 12.01(d)(1) of the Original Declaration to correct this scrivener's error and minor defect.

NOW, THEREFORE, Declarant, on behalf of itself and its successors and assigns in interest, hereby supplements and amends the Original Declaration as follows pursuant to Declarant's sole authority under Section 12.01(d)(1) of the Original Declaration:

FILED

OCT 20 2017

JOHN E. PETALAS
LAKE COUNTY AUDITOR

042521

25-
1344
OK B

I.

Declarant hereby deletes Section 1.09 entitled, "Lot", of the Original Declaration in its entirety and replaces such Section with the following:

"Section 1.09. "Lot" shall mean and refer to any lot in the Subdivision hereinbefore described, together with any and all improvements thereon, as shown on the plat or plats thereof and designated thereon with a number for identification on which a Cottage Home could be constructed, whether or not one has been constructed, and currently consist of Lots 1 through 36 on the Plat, as well as Lots 128 through 130, Lots 199, 204, and Lots 215 through 217 as described and set forth on Exhibit A."

II.


Declarant hereby deletes in its entirety Exhibit "A" of the Original Declaration (Legal Description, Development Area, Submitted Parcel and Subdivision) and inserts in its place Exhibit "A", which is attached hereto and made a part hereof.

III.

The recitals to this Amendment are incorporated by reference and made an integral part of this Amendment. Except as modified, expanded or amended herein, all the terms, covenants and conditions of the Original Declaration shall remain in full force and effect. In the event of any inconsistencies within or between parts of this Amendment and the Original Declaration, the terms and conditions of the Amendment shall prevail and control.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed and attested to as of this 13th day of OCTOBER, 2017.

LYNNSWAY DEVELOPMENT, LLC ("Declarant")

By:  MARVIN CROOK
Its: MANAGER

STATE OF INDIANA)
)
COUNTY OF LAKE)

SS:

BEFORE ME, a Notary Public in and for said County and State, personally appeared Lynnsway Development, LLC, an Indiana limited liability company, by MARVIN CROOK, and acknowledged the execution of the foregoing instrument to be its free and voluntary act.

Given under my hand and notarial seal this 13th day of OCTOBER, 2017.

T. K.
TODD C. KLEVEN, Notary Public

My Commission Expires: 6-2-2022
County of Residence: LAKE

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/ Mark R. Anderson
Printed Name: Mark R. Anderson

This instrument prepared by:

Mark R. Anderson, #21524-53
Anderson & Anderson, P.C.
9211 Broadway
Merrillville, IN 46410
(219) 769-1892



EXHIBIT "A"

**LEGAL DESCRIPTION
DEVELOPMENT AREA, SUBMITTED PARCEL AND SUBDIVISION**

Secondary (Final) Plat of Lynnsway Cottage Homes, being a Resubdivision of Lots 131, 132, 193 Through 198, and 205 Through 214 in Lynnsway Unit 3, a subdivision in the Town of Cedar Lake, Indiana, as per plat thereof recorded in Plat Book 108, Page 06, on April 2, 2015 as Document No. 2015-019572 in the Office of the Recorder of Lake County, Indiana.

Lots 128 Through 130, Lots 199, 204, and Lots 215 Through 217 in Lynnsway Unit 3, a subdivision in the Town of Cedar Lake, Indiana, as per plat thereof recorded in Plat Book 98, Page 29, on October 19, 2005 as Document No. 2005-092116, as amended by Recorded Certificate on November 28, 2007 in Plat Book 102, Page 22, as Document No. 2007-093897 and supported by Exhibit Document No. 2007-093898, all in the Office of the Recorder of Lake County, Indiana.

Outlot D in Lynnsway Unit 2, a subdivision in the Town of Cedar Lake, Indiana, as per plat thereof recorded in Plat Book 98, Page 28, on October 19, 2005 as Document No. 2005-092115 in the Office of the Recorder of Lake County, Indiana.