

RETURN TO: Richard F. Benne
Attorney at Law
9339 Calumet Avenue
Munster, IN 46321

934076

THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM

This Third Amendment to Declaration of Condominium, made
this 28th day of July, 1987, by GEORGE E. WATSON DEVELOPMENT
CORP., (hereinafter referred to as the "Developer"), affects that
land and all improvements thereon, commonly described as Nos. 225
and 227 St. Andrew's Drive East, Schererville, Indiana, inclu-
sive, a condominium being in the County of Lake and State of
Indiana;

AUG 20 2 33 PM '87

FILED FOR RECORD
LAKE COUNTY RECORDER

LILLIAN BLASTICK
LAKE COUNTY RECORDER

FILED

Old Key 13-350-10
AUG 13 1987

New Key 13-424-16
Carol N. Antos
AUDITOR LAKE COUNTY

RECITALS

WHEREAS, Developer is the sole owner of the fee simple title
to the following described real estate located in Lake County,
Indiana, to-wit:

Part of Tract One in Block One of Briar Ridge Country
Club Addition, Unit 6, a Planned Unit Development in
the Town of Schererville, Indiana, as shown in Plat
Book 54, page 68 in the Office of the Recorder of Lake
County, Indiana, which part of said Tract One is more
particularly described as follows:

Commencing at the Southwest corner of said Tract One;
thence North 90 degrees 00 minutes East, along the
South line of said Tract One, a distance of 172.50
feet; thence North 0 degrees 00 minutes East, parallel
with the East line of a 60 foot wide private roadway
known as St. Andrew's Drive East (West line Tract One),
a distance of 100.00 feet to the place of beginning;
thence North 13 degrees 44 minutes 03 seconds West,
along the centerline of a 50 foot wide Utility Ease-

FOR Plat
SEE DOC. # 934075

BOOK 54
PAGE 68

18.50
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ment, a distance of 125.00 feet; thence North 76 degrees 15 minutes 57 seconds East, at right angles to the centerline of said 50 foot wide utilities easement, a distance of 99.90 feet; thence South 24 degrees 28 minutes 04 seconds East, along the Easterly line of said Tract One, a distance of 127.23 feet to a point lying 142.11 feet Northerly of the Southeast corner of said Tract One, as measured along the Easterly line of said Tract One; thence South 76 degrees 15 minutes 57 seconds West, a distance of 123.59 feet to the place of beginning, containing 0.321 acres, more or less, all in Schererville, Indiana.

(hereinafter referred to as "Additional Real Estate"),

AND WHEREAS, on the 8th day of August, 1983, Developer executed a Declaration of Condominium, subject to the "Horizontal Property Law" of the State of Indiana, which was recorded in the Office of the Recorder of Lake County, Indiana, on the 11th day of August, 1983, as Document No. 720538 with Site Plan and Floor Plan attached as Exhibit "A" and recorded as Document No. 720539 and also found in Plat Book 56, page 03, which Declaration was amended and recorded as Document No. 771380 under date of September 6, 1984, of the records of Lake County, Indiana, with attached Exhibit "B" and recorded as Document No. 771381 and also found in Plat Book 58, page 07, which Declaration was amended and recorded as Document No. 922362 under date of June 11, 1987, of the records of Lake County, Indiana, with attached Exhibit "C" and recorded as Document No. 922363 and also found in Plat Book 62, page 41. Attached to the Declaration and Amendments are Articles of Incorporation, By-Laws, and Rules and Regulations of Briar Creek Townhome Condominiums Association, Inc. The aforesaid Declaration of Condominium, Articles of Incorporation, By-

Laws, Rules and Regulations, and Amendments are incorporated herein by reference, and all of the terms and definitions as described therein are hereby adopted and shall have the same meaning in this Third Amendment to Condominium Declaration.

NOW, THEREFORE, Developer makes this Third Amendment to Condominium Declaration as follows:

I. AMENDMENT TO DECLARATION. Developer hereby expressly declares that the additional real estate above-described and all appurtenant easements, buildings, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon is hereby annexed to and becomes a part of the Briar Creek Townhome Condominiums, Inc. Horizontal Property Regime, as if such had been originally included in the aforesaid Declaration, and hereafter held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, and provisions of the aforesaid Declaration, the Horizontal Property Law, the Articles of Incorporation, the By-Laws and the Rules and Regulations as adopted by the Board of Directors of the Association, as each may be amended from time to time. Said additional real estate shall hereafter and for all purposes be included in the definition of "Property" as defined in Article I.P. of the Declaration.

II. ADDITIONAL FLOOR PLAN. The Additional Floor Plan and Site Plan attached hereto and made a part hereof as Exhibit "D", depicts the floor plan, lot lines, layout, USGS elevations,

location survey, unit numbers and unit addresses, dimensions of units, and a verified statement from a licensed professional engineer.

There is one (1) building which has been constructed on the aforesaid additional real estate which building contains two (2) units as shown on the Additional Floor Plan. The building consists of two (2) one-story brick veneer units, with basements. All units contain a two-car garage as indicated on the Additional Floor Plan.

III. PERCENTAGE SHARE INTERESTS. The Percentage Share Interests of each unit contained in Briar Creek Townhome Condominiums, Inc. is equal for each unit as indicated in the Declaration, and is amended so that the percentage attributed to each unit, the same being a one-tenth (1/10th) equal share, is a Ten (10%) percent equal share.

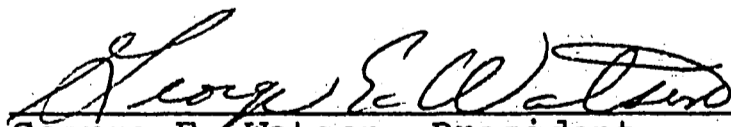
IV. MISCELLANEOUS. The description of Common Areas and Facilities, the description of Limited Common Areas and Facilities, the percentage share interest required to rebuild or restore, the covenants and restrictions as to the additional real estate, the method of amendment, and the By-Laws, shall all remain the same as the aforesaid Declaration, together with attachments, and all of the terms and definitions described therein. The same are hereby adopted and shall have the same meaning in this Third Amendment to Condominium Declaration.

V. ACCEPTANCE AND RATIFICATION. The acceptance of a deed of conveyance or the act of occupancy of a condominium unit in Briar Creek Townhome Condominiums, Inc. shall constitute an agreement that the provisions of this Third Amendment to Condominium Declaration, the previous Declaration, the previous Amendments, the Horizontal Property Law, the Articles of Incorporation, the By-Laws, and the Rules and Regulations adopted thereto, as each may be amended from time to time, are accepted and ratified by each owner, or occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a unit or the property as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, or lease thereof.

IN WITNESS WHEREOF, the foregoing Third Amendment to Condominium Declaration was executed the day and year first above written.

GEORGE E. WATSON DEVELOPMENT CORP.

By:


George E. Watson, President

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

Before me, a Notary Public in and for said County and State, personally appeared George E. Watson, who acknowledged the execution of the above and foregoing Third Amendment to the Condominium Declaration of Briar Creek Townhome Condominiums, Inc.

Witness my hand and official seal this 28th day of July, 1987.

My Commission Expires:
June 30, 1991

Nancy H. Shaver

Nancy H. Shaver, Notary Public
Resident of Lake County, Indiana

This Instrument Prepared By: Richard F. Benne, Attorney at Law
9339 Calumet Avenue; Munster, IN 46321