

Fred M. Stults
3637 Grant St
May, In 46408

KEY # 10-85-1, 10446
DULY ENTERED FOR TAXATION SUBJECT TO
FINAL ACCEPTANCE FOR TRANSFER.
KEY # 10-89-1, 2, 4, 108

096200

SIXTH AMENDMENT TO
DECLARATION OF LAKE HOLIDAY CONDOMINIUMS

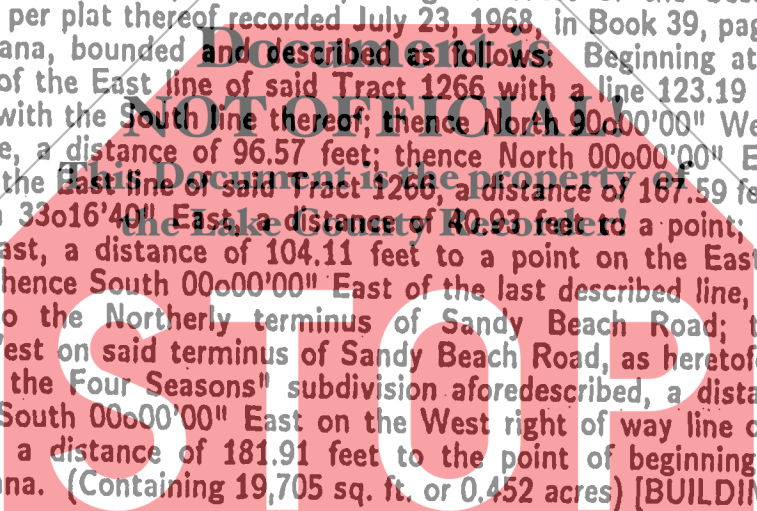
APR 18 1990
KEY # 10-91-2, 105, 7, 8
James N. Antonio
AUDITOR LAKE COUNTY

WHEREAS, Lake County Trust Company, as Trustee under Trust Agreement dated February 1, 1980, and known as Trust Number 2940, has previously executed a Declaration of Lake Holiday Condominiums, recorded in the Recorder of Deeds Office of Lake County, Indiana, as Document Numbers 644345 and 644346, and further recorded in the Recorder of Deeds Office in Porter County, Indiana, as Liber 054, Page 04, and

WHEREAS, the first increment comprised of land described as follows:

That part of Tract 1266 in Lakes of the Four Seasons (being a subdivision of part of Section 16, Township 34 North, Range 7 West of the Second Principal Meridian) as per plat thereof recorded July 23, 1968, in Book 39, page 12, in Lake County, Indiana, bounded and described as follows: Beginning at the point of intersection of the East line of said Tract 1266 with a line 123.19 feet North of and parallel with the South line thereof; thence North 90°00'00" West of the last described line, a distance of 96.57 feet; thence North 00°00'00" East on a line parallel with the East line of said Tract 1266, a distance of 167.59 feet to a point; thence North 33°16'40" East, a distance of 40.93 feet to a point; thence North 90°00'00" East, a distance of 104.11 feet to a point on the East line of said Section 16, thence South 00°00'00" East of the last described line, a distance of 20.00 feet to the Northerly terminus of Sandy Beach Road; thence North 90°00'00" West on said terminus of Sandy Beach Road, as heretofore dedicated in "Lakes of the Four Seasons" subdivision aforescribed, a distance of 38.20 feet; thence South 00°00'00" East on the West right of way line of said Sandy Beach Road, a distance of 181.91 feet to the point of beginning; all in Lake County, Indiana. (Containing 19,705 sq. ft. or 0.452 acres) [BUILDING NO. 8]

STATE OF INDIANA vs. No. LAKE COUNTY RECORD
APR 20 9 59 AM '90



WHEREAS, the Declarant/Developer reserved the right to add additional incremental development to the condominium project as provided for in Article XIII of the original Declaration of Lake Holiday Condominiums, described above and to be within the following area:

All of Tract 1266, Lakes of the Four Seasons, Unit No. 6, as shown in Plat Book 39, page 12, in the Recorder's Office of Lake County, Indiana, except for that part of Tract 1266 in "Lakes of the Four Seasons" (being a subdivision of part of Section 16, Township 34 North, Range 7 West of the Second Principal Meridian) as per plat thereof recorded July 23, 1968, in Book 39, Page 12, in Lake County, Indiana, bounded and described as follows: Beginning at the point of intersection of the East line of said Tract 1266 with a line 123.19 feet North of and parallel with the South line thereof; thence North 90°00'00" West of the last described line, a distance of 96.57 feet; thence North 00°00'00" East on a line parallel with the East line of said Tract 1266, a distance of 167.59 feet to a point thence North 33°16'40" East, a distance of 40.93 feet to a point thence North 90°00'00" East, a distance of 104.11 feet to a point on the East line of said Section 16, thence South 00°00'00" East, on the last described line, a distance of 20.00 feet to the Northerly terminus of Sandy Beach Road; thence North 90°00'00" West on said terminus of Sandy Beach Road, as heretofore dedicated in "Lakes of the Four

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Seasons" subdivision asforescribed, a distance of 30.00 feet; thence South 00°00'00" East on the West right of way line of said Sandy Beach Road, a distance of 181.81 feet to the point of beginning; all in Lake County, Indiana (Containing 19,705 sq. ft. or 0.452 acres) and Tract M, Lakes of the Four Seasons; Unit No. 5, Porter County, Indiana, as shown on Plat in Plat Book 3, Page 106 in the Recorder's Office of Porter County, Indiana.

WHEREAS, a First Amendment to Declaration of Lake Holiday Condominiums was recorded in the Recorder of Deeds Office of Lake County, Indiana, on August 10, 1982, as Document Numbers 677329 and 677330, adding Lake Holiday Condominiums Building No. 2.

WHEREAS, a Second Amendment to Declaration of Lake Holiday Condominiums was recorded in the Recorder of Deeds Office of Lake County, Indiana, on February 27, 1989, as Document Numbers 024499 and 024500, adding Lake Holiday Condominiums Building No. 3.

WHEREAS, a Third Amendment to Declaration of Lake Holiday Condominiums was recorded in the Recorder of Deeds Office of Lake County, Indiana, on May 23, 1989, as Document Numbers 038016 and 038017, and re-recorded in the Recorder of Deeds Office of Lake County, Indiana, on June 1, 1989, as Document Number 039603, adding Lake Holiday Condominiums Building No. 4.

WHEREAS, a Fourth Amendment to Declaration of Lake Holiday Condominiums was recorded in the Recorder of Deeds Office of Lake County, Indiana, on September 26, 1989, as Document Numbers 059778 and 059779, adding Lake Holiday Condominiums Building No. 1.

WHEREAS, a Fifth Amendment to Declaration of Lake Holiday Condominiums was recorded in the Recorder of Deeds Office of Lake County, Indiana, on February 9, 1990, as Document Numbers 083896 and 083897, adding Lake Holiday Condominiums Building No. 5.

WHEREAS, the Declarant/Developer wishes to add and submit additional property to the original Declaration of Lake Holiday Condominiums.

NOW THEREFORE, Declarant/Developer hereby declares on behalf of himself, his successors, grantees and assigns as follows:

1. The Declarant/Developer has erected and constructed one (1) boat dock consisting of eighteen (18) boat slips, together with walkways and ramp and other appurtenances, adjacent to Building No. 2 and Building No. 3 of the Lake Holiday Condominiums.

2. The Declarant/Developer by the execution of this Sixth Amendment to Declaration wishes to add and submit this boat dock(s) as a successive phase in the original Declaration of Lake Holiday Condominium.

3. The Declarant/Developer, by the execution of this Sixth Amendment to Declaration, hereby designates said boat dock facility as a limited common area as provided for in Article III (g) of the original Declaration of Lake Holiday Condominium and benefiting owners of units numbered 5000-B, C, D and 5005-A, C, D of Building No. 1, 5020-A, B, C, D and 5025-B of Building No. 3, and 5030-A, B, D and 5035-A, B, C, D of Building No. 4, and to

the exclusion of other units, and each unit owner listed hereinabove shall be entitled to and own one boat slip, as they are set forth on the plans for said boat docks, and an undivided interest in the walkways and ramp for said boat dock facility, and the Lake Holiday (Sandy Beach) Condominium Association shall be responsible and provide for the maintenance, insurance and otherwise regulate the use of said boat docks.

4. This Amendment is exercised pursuant to Article XIII, of the original Declaration of Lake Holiday Condominiums, recorded in the Recorder of Deeds in Lake County, Indiana, as Document Number 644346, and recorded in the Recorder of Deeds in Porter County, Indiana, as Liber 054, Page 04.

5. After the recording of this Sixth Amendment, the percentage of ownership of undivided interest in the common areas and facilities of each unit shall not be adjusted and that each Unit possesses, for all purposes, including but not limited to, assessments and voting rights, a percentage equal to every unit in the phase; to wit, 2.08% (1/48th).

6. An "as built" drawing of said Lake Holiday Condominiums boat dock(s) will be recorded with the Recorder of Deeds of Lake County, Indiana, showing in detail the dimensions of said boat dock(s).

7. The Declarant/Developer reserves the right to add and submit additional increments as provided for in the original Declaration of Lake Holiday Condominiums, and further that the Declarant, Developer, declares that this additional phase shall be subject to all of the provisions of the original Declaration of Lake Holiday Condominiums, as recorded in the Recorder of Deeds Office of lake County, Indiana, as Document Number 644346, and recorded in the Recorder of Deeds of Porter County, Indiana, as Liber 054, Page 04.

8. Except as restricted by Article III, Paragraph E, of the original Declaration, which defines limited common areas and facilities, each Owner shall have the right to use the common areas and facilities in common with all other Owners, as may be required for the purpose of ingress and egress to, and use, occupancy and enjoyment of, the respective unit owned by the Owner.

IN WITNESS WHEREOF, Declarant/Developer has caused this Sixth Amendment to the Declaration of Lake Holiday Condominiums to be executed this _____ day of _____, 1990, by Lake County Trust Company as Trustee under Trust No. 2940, dated February 1, 1980.

LAKE COUNTY TRUST COMPANY, as Trustee under Trust No. 2940

By: SEE SIGNATURE PAGE ATTACHED

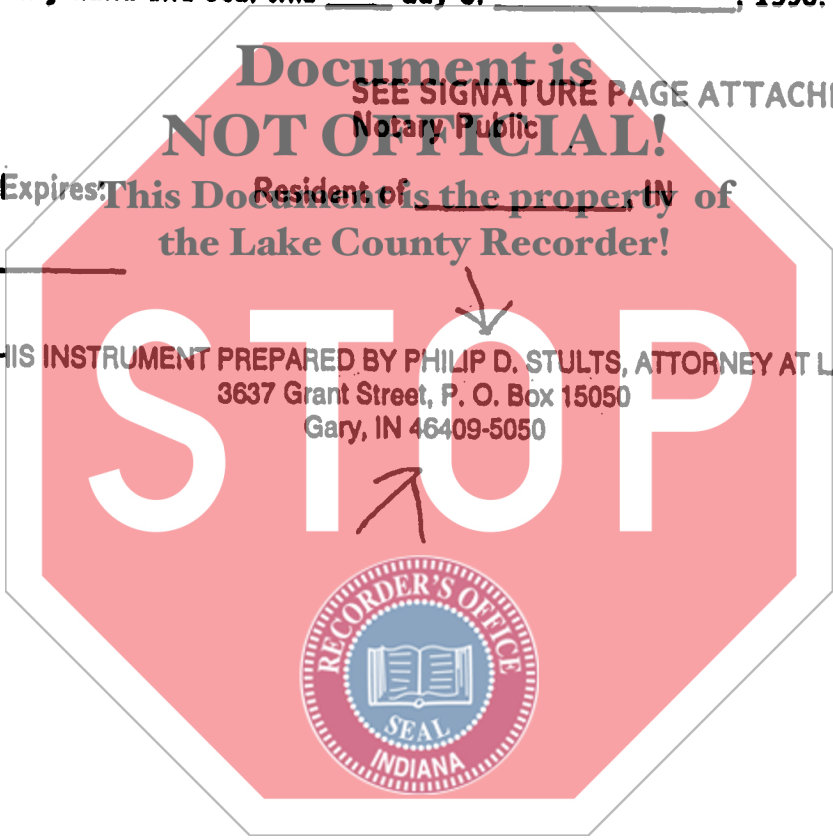
ATTEST: SEE SIGNATURE PAGE ATTACHED

STATE OF
COUNTY OF

} SS:
:

Before me, the undersigned, a Notary Public in an for said County and State personally appeared the within named _____, as Trust Officer and _____ as Assistant Secretary of the Lake County Trust Company, who acknowledge the execution of the foregoing instrument as the free and voluntary act of said corporation and as their free and voluntary act acting for such corporation, as Trustee.

WITNESS my hand and seal this _____ day of _____, 1990.



My Commission Expires: _____ Resident of _____ IN

THIS INSTRUMENT PREPARED BY PHILIP D. STULTS, ATTORNEY AT LAW
3637 Grant Street, P. O. Box 15050
Gary, IN 46409-5050

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the warranties, indemnities, representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be the warranties, indemnities, representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal warranties, indemnities, representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally but are made and intended for the purpose of binding only that portion of the trust property specifically described herein, and this instrument is executed and delivered by said Trustee not in its own right, but solely in the exercise of the powers conferred upon it as such Trustee; and that no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against LAKE COUNTY TRUST COMPANY on account of this instrument or on account of any warranty, indemnity, representation, covenant, undertaking or agreement of the said Trustee in this instrument contained, either expressed or implied, all such personal liability, if any, being expressly waived and released.

Nothing contained herein shall be construed as creating any liability on LAKE COUNTY TRUST COMPANY, personally under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or the Indiana Responsible Property Transfer Law (the Act) as amended from time to time or any other Federal, State or local law, rule or regulation. LAKE COUNTY TRUST COMPANY, personally is not a "Transferor" under the Act and makes no representations concerning any possible environmental defects. In making any warranty herein the Trustee is relying solely on information furnished to it by the beneficiaries and not of its own knowledge and specifically exculpates itself from any liabilities, responsibilities or damages as a result of including any warranty in this instrument.

The information contained in this instrument has been furnished the undersigned by the beneficiary under aforesaid Trust and the statements made therein are made solely in reliance thereon and no responsibility is assumed by the undersigned, in its individual capacity for the truth or accuracy of the facts herein stated.

IN WITNESS WHEREOF, LAKE COUNTY TRUST COMPANY, not personally but as Trustee as aforesaid, has caused these presents to be signed by its Trust Officer and attested by its Assistant Secretary this 13th day of April, 1990.

LAKE COUNTY TRUST COMPANY, not personally but as Trustee under the provisions of a Trust Agreement dated February 1, 1980 and known as Trust No. 2940

BY: Karyn Zasada
Karyn Zasada, Trust Officer

ATTEST:

BY: Charlotte L. Kellman
Charlotte L. Kellman, Assistant Secretary

STATE OF INDIANA

COUNTY OF LAKE

} SS:



I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that the abovenamed Trust Officer and Assistant Secretary of the Lake County Trust Company, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such Trust Officer and Assistant Secretary respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.

Witness my hand and seal this 17th day of April, 1990.

Angela Newcomb
Angela Newcomb Notary Public

Resident: Lake County, Indiana

My Commission Expires:

April 27, 1994

