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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORDS

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DAVID PERKINS & SONS, CORP.  
ONE PROFESSIONAL CENTER  
SUITE 215  
CROWN POINT, IN 48307

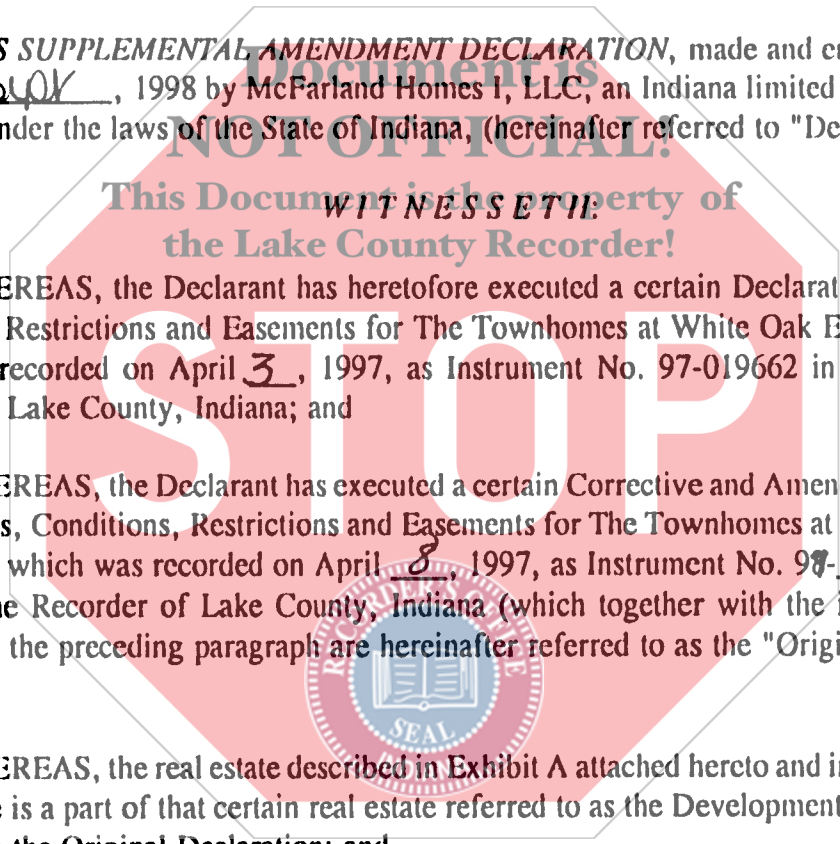
**SUPPLEMENTAL AMENDMENT  
DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS**

65075A

**FOR**

**THE TOWNHOMES AT WHITE OAK ESTATES OF HIGHLAND**

*THIS SUPPLEMENTAL AMENDMENT DECLARATION*, made and entered into this 2<sup>nd</sup>  
\_\_ day of SEP, 1998 by McFarland Homes I, LLC, an Indiana limited liability company,  
organized under the laws of the State of Indiana, (hereinafter referred to "Declarant").



**WITNESSETH**  
**the Lake County Recorder!**

WHEREAS, the Declarant has heretofore executed a certain Declaration of Covenants, Conditions, Restrictions and Easements for The Townhomes at White Oak Estates of Highland which was recorded on April 3, 1997, as Instrument No. 97-019662 in the Office of the Recorder of Lake County, Indiana; and

WHEREAS, the Declarant has executed a certain Corrective and Amendatory Declaration of Covenants, Conditions, Restrictions and Easements for The Townhomes at White Oak Estates of Highland which was recorded on April 8, 1997, as Instrument No. 98-019662 in the Office of the Recorder of Lake County, Indiana (which together with the initial Declaration described in the preceding paragraph are hereinafter referred to as the "Original Declaration"); and

WHEREAS, the real estate described in Exhibit A attached hereto and incorporated herein by reference is a part of that certain real estate referred to as the Development Area described in Exhibit A to the Original Declaration; and

WHEREAS, the Original Declaration provided for the addition of other real estate and the expansion of the real estate submitted to the provisions of the Original Declaration pursuant to Article XVII of the Original Declaration; and

**FILED**

SEP 4 1998

SAM ORLICH  
RECORDER LAKE COUNTY

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WHEREAS, Declarant desires to reaffirm said submission and intent that the several owners, mortgagees, occupants and other persons hereinafter acquiring any interest in the real estate described on Exhibit A attached hereto shall hold their interest subject to the rights, easements, privileges and restrictions hereinafter set forth and contained in the Original Declaration.

NOW, THEREFORE, the Declarant, as the owner of the real estate described on Exhibit A attached hereto and for purposes set forth herein, hereby amends and supplements the Original Declaration and further declares as follows:

## ARTICLE I

### General Provisions

1.01. Definitions: Words and terms not defined herein shall have the same meaning as set forth in the Original Declaration.

1.02. Purpose and Intent: It is the purpose and intent of the Declarant that this Declaration have the effect of adding the real estate described on Exhibit A hereto as though submitted to the provisions of the Original Declaration without retroactive obligations on the Owners of a Lot or Parcel in the Project. Interpretation of this Declaration and the Original Declaration shall be made so as to effect this intent. The Declarant, pursuant to Section 17.01 of the Original Declaration, is granted the implied consent of each Owner and has the right and authority to execute each and every act in this Declaration.

## ARTICLE II

### Specific Amendment

2.01. Added Property: "Submitted Parcel" as defined by Section 1.23 of the Original Declaration shall mean all the real estate described in Exhibit A to the Original Declaration and Exhibit A to this Supplemental Amendment Declaration, all improvements and structures constructed or contained therein or thereon, and all fixtures and property intended for the mutual use, benefit or enjoyment of the Owners, and all easements, rights and appurtenances belonging thereto.

## ARTICLE III

### Further Supplemental Amendments

3.01. Subject to the limitations contained in the Original Declaration, the Declarant further reserves the right, and by virtue of the Original Declaration is granted the consent of each Owner, to execute and record further amendatory and supplementary declarations to the Original

Declaration and this Supplemental Amendment Declaration, additional Added Property on the real estate described in Exhibit A to the Original Declaration or any other real estate added to the Project pursuant to Paragraph 17.01 of the Original Declaration or as otherwise permitted by the Original Declaration. Said right to execute and record such amendatory and supplemental declarations is reserved by the Declarant in order to permit additional phases to the Project.

ARTICLE IV

Effect of Amendment

Document is  
**NOT OFFICIAL!**

5.01. Scope and Effective Date: This Supplemental Amendment Declaration shall be effective as of the date of recording in the Office of the Recorder of Lake County, Indiana. Except as to those terms expressly modified by this Supplemental Amendment Declaration, the Original Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Supplemental Amendment Declaration to be executed this 2<sup>nd</sup> day of Sept, 1998.

McFarland Homes I, LLC



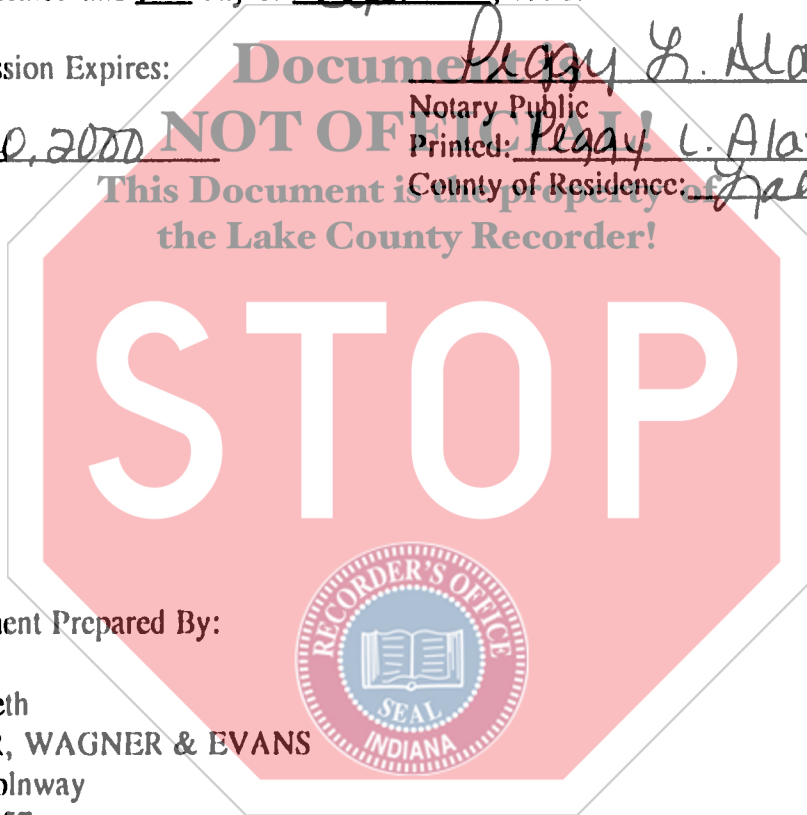
By: Ronald McFarland  
Ronald McFarland  
Manager

STATE OF INDIANA )  
 ) SS:  
COUNTY OF LAKE )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ronald McFarland, Manager of McFarland Homes I, LLC, and he being first duly sworn by me upon his oath, says that the facts alleged in the foregoing instrument are true. Signed and sealed this 2nd day of Sept, 1998.

My Commission Expires: Nov. 20, 2000 Peggy L. Alatorre  
Notary Public  
Printed: Peggy L. Alatorre  
County of Residence: Lake

(SEAL)



This Instrument Prepared By:

Todd A. Leeth  
HOEPPNER, WAGNER & EVANS  
103 E. Lincolnway  
P.O. Box 2357  
Valparaiso, IN 46383  
(219) 464-4961

August 27, 1998  
\\Todd\le\TAL\McFarland\Supp\_Dcc\_White\_Oak.wpd

**EXHIBIT A**

**LEGAL DESCRIPTION OF ADDED PROPERTY**

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**THE EAST 45.9 FEET OF THE WEST 141.2 FEET OF LOT 5, PLAT OF CORRECTION, WHITE OAK ESTATES OF HIGHLAND, BLOCK TWO, TO THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, AS RECORDED IN PLAT BOOK 82, PAGE 15, IN THE OFFICE OF THE RECORDER, LAKE COUNTY, INDIANA.**

**COMMONLY KNOWN AS: 2147 CYPRESS LANE, HIGHLAND, IN 46322**

