

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

LAW OFFICE OF JAMES B. CARP
ONE PROFESSIONAL CENTER
SUITE 215 CARTER
CROWN POINT, IN 46307
RECORDER

99029952

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

66055A
**FOR
THE TOWNHOMES AT WHITE OAK ESTATES OF HIGHLAND**

Document is

THIS SUPPLEMENTAL AMENDMENT DECLARATION, made and entered into this *30th*
day of *March*, 1999, by McFarland Homes I, LLC, an Indiana limited liability company,
organized under the laws of the State of Indiana, (hereinafter referred to "Declarant").

the Lake County Recorder!

WITNESSETH:

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. 97-019662 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

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PETER BENJAMIN
LAKE COUNTY AUDITOR

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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

Document is
General Provisions
NOT OFFICIAL!

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.

Document is
ARTICLE IV
NOT OFFICIAL!
Effect of Amendment

This Document is the property of

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 30th day of March, 1999.

McFarland Homes I, LLC



By:

Ronald W. 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 30th day of March, 1999.

My Commission Expires:

Nov. 20, 2000

Notary Public

Printed: Peggy L. Cantwell

County of Residence: Lake

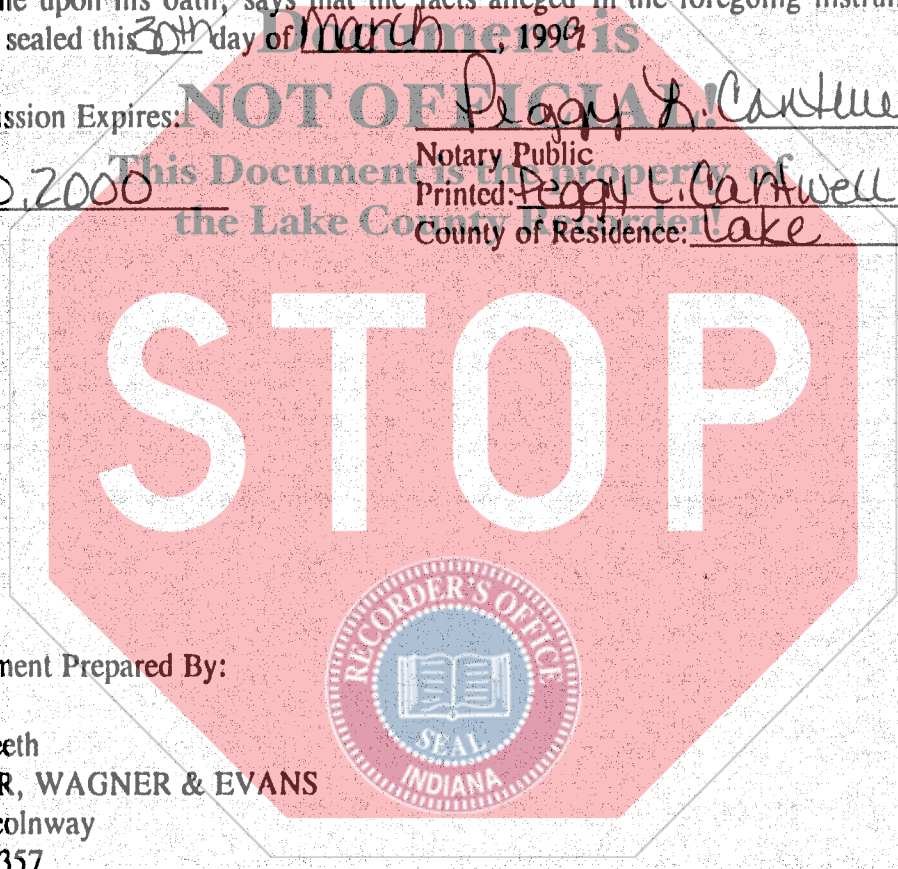
(SEAL)

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\NTAL\McFarland\Supp_Dcc_White_Oak.wpd



**LEGAL DESCRIPTION
EXHIBIT A**

THE EAST 58.9 FEET (BY PARALLEL LINES AND MEASURED AT RIGHT ANGLES FROM THE EAST LINE) OF LOT 1, 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.

