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SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR BRIAR CROSSING

THIS 2 AMENDMENT is entered into this 30 day of September, 2002, by Mercantile National Bank, as Trustee under Trust Agreement dated March 10, 1999 and known as Trust No. 6622 (hereinafter referred to as "Declarant").

WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions, Restrictions and Easements for Briar Crossing recorded in the Office of the Recorder of Lake County, Indiana on June 21, 2001 as instrument no. 2001-048051; and

WHEREAS, pursuant to Article XIII, Section 13.02, the Declarant has reserved the right and option to amend the Declaration; and

WHEREAS, Declarant now desires and intends hereby to so amend the Declaration; and

NOW, THEREFORE, Declarant does hereby amend the Declaration as follows:

1. Article X, Section 10.02(p) is amended by adding the following sentence:

The Architectural Review Committee has determined that the fencing design and color must comply with the community standard adopted herein, which is attached to this Amendment as Schedule A.

2. Declarant certifies that it retains the right to appoint and remove directors and officers of the Association, and Declarant approves of this Amendment.

3. Except as expressly set forth herein, the Declaration shall remain in full force and effect in accordance with its terms and conditions.

4. Unless otherwise provided, all capitalized terms herein will have the same meaning as given in the Declaration.

IN WITNESS WHEREOF, the Declarant has executed this Declaration this 30th day of September, 2002.

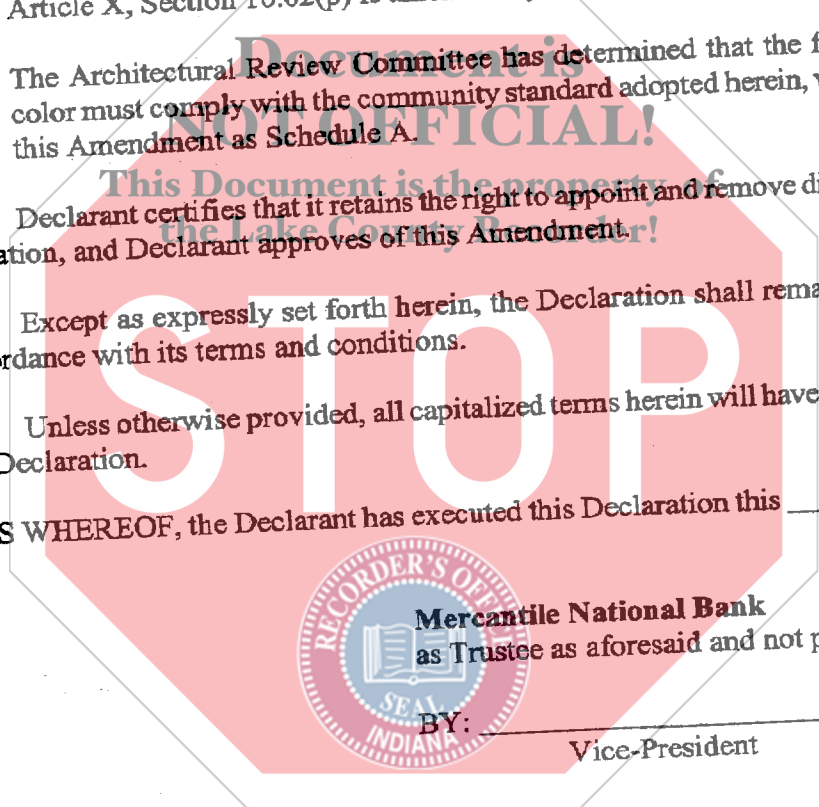
Mercantile National Bank
as Trustee as aforesaid and not personally

BY: _____
Vice-President

Attest:

Trust Officer
Olthof/Briar Crossing/Amendment to Declaration 09.19.02

*Olthof
1945 Gardner Ct.
Fishersville*



2002 09 26 09 55 99

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORDER
2002 NOV 1 PM 1:26
MORRIS W. CARTER
RECORDER

*14
M.H.
@S*

Exhibit D

Height: 72 inches

Color: Tan

Polyvinyl
FENCE SYSTEMS

HIGHER SPECIALTY FENCE CO.

THE TRADEMARK NAME IN VINYL FENCE

Document is
NOT OFFICIAL!

This Document is the property of
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Prestige

48", 60" or 72" High

Looking Past



