STATE OF INDIANA

SIXTH AMENDMENT TO P.O.A. AGREEMENT RECEDENTATIONS, AND RESTRICTIONS OF PROPERTY OWNERSHIP OF WESTON RIDGE UNIT ONE, TOWN OF ST. JOHN, LAKE COUNTY INDIANA 2005 000477

THIS SIXTH AMENDMENT dated August 18, 2004 to the P.O.A. Agreement, Declarations, and Restrictions of Property Ownership of Weston Ridge Unit One, Town of St. John, Lake County, Indiana, originally dated September 20, 2003, with St. John Westview, LLC (hereinafter referred to as "Developer"), and Peoples Bank SB, as Trustee under the provisions of a Trust Agreement, known as Trust No. 10314, (hereinafter sometimes referred to as "Declarant").

The following Sixth Amendment to said P.O.A. Agreement, Declarations, and Restrictions of Property Ownership as set forth below shall be read and construed together with said Declaration of Covenants, Conditions and Restrictions.

WHEREAS, the Declarant and Developer holds title or an interest in certain property in the Town of St. John, Lake County, Indiana, which is more particularly described as follows:

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN. DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 3481.49 FEET; THENCE SOUTH 0 DEGREES 25 MINUTES 5 SECONDS WEST 180.00 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 5 SECONDS WEST 330.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 330.00 FEET TO A POINT OF BEGINNING ON THE SOUTH LINE OF THE NORTH 660.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE CONTINUING SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 150.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 810.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE SOUTH 39 DEGREES 49 MINUTES 55 SECONDS EAST 308.59 FEET TO A POINT THAT IS 1045.00 FEET SOUTH OF THE NORTH LINE OF SAID SOUTH HALF AND 706.68 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG A LINE THAT IS PARALLEL WITH SAID NORTH LINE, 349.12 FEET TO A POINT LYING ON A STRAIGHT LINE DRAWN FROM THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5 TO A POINT ON THE SOUTH LINE OF SAID SOUTH LYING 1077.55 FEET (AS MEASURED ALONG SAID STRAIGHT LINE) SOUTHEAST QUARTER OF SAID SECTION 5. THENCE SOUTH 14 DEGREES 41 MINUTES 13 SECONDS WEST, ALONG SAID STRAIGHT LINE) SOUTHEAST QUARTER OF SAID SECTION 5. THENCE SOUTH 14 DEGREES 41 MINUTES 13 SECONDS WEST, ALONG SAID STRAIGHT LINE, SOUTHEAST QUARTER OF SAID SECTION 5. THENCE SOUTH 14 DEGREES 41 MINUTES 13 SECONDS WEST, ALONG SAID STRAIGHT LINE, SOUTHEAST QUARTER OF SAID SECTION 5. THENCE SOUTH 14 DEGREES 41 MINUTES 13 SECONDS WEST, ALONG SAID STRAIGHT LINE, 303.59 FEET TO THE NORTHEAST CORNER OF THE WOODS OF WESTON RIDGE PLANNED UNIT DEVELOPMENT, ACCORDING TO THE PLANT THEREOF RECORDED DECEMBER 9,

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STEPHEN R. STIGLICH LAKE COUNTY AUDITOR

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2003, IN BOOK 94, PAGE 82, AS DOCUMENT NUMBER 2003130117; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST, ALONG THE NORTH LINE OF SAID WOODS OF WESTON RIDGE, 1345.06 TO THE NORTHWEST CORNER OF LOT 1 IN SAID WOODS; THENCE NORTH 0 DEGREES 34 MINUTES 5 SECONDS EAST, ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1, 2.34 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY, ALONG A CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 33.50 FEET AND A 34.46 FOOT CHORD BEARING NORTH 31 DEGREES 31 MINUTES 30 SECONDS EAST, AN ARC DISTANCE OF 36.20 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, ALONG A CURVE CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 112.00 FEET AND A 63.56 FOOT CHORD BEARING NORTH 45 DEGREES 59 MINUTES 56 SECONDS EAST, AN ARC DISTANCE OF 64.44 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, ALONG A CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 33.50 FEET AND A 33.36 FOOT CHORD BEARING NORTH 59 DEGREES 22 MINUTES 49 SECONDS EAST, AN ARC DISTANCE OF 34.92 FEET TO A POINT OF TANGENCY; THENCE NORTH 89 DEGREES 14 MINUTES 42 SECONDS EAST 39.94 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 42 SECONDS EAST 72.74 FEET; THENCE NORTH 88 DEGREES 21 MINUTES 49 SECONDS EAST 39.94 FEET TO A POINT OF CURVATURE; THENCE NORTH 88 DEGREES 21 MINUTES 42 SECONDS EAST 39.94 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, ALONG A CURVE CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 33.50 FEET AND A 33.36 FOOT CHORD BEARING NORTH 58 DEGREES 21 MINUTES 42 SECONDS WEST, AN ARC DISTANCE OF 34.92 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, ALONG A CURVE CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 31.50 FEET AND A 33.36 FOOT CHORD BEARING NORTH 55 DEGREES 29 MINUTES 26 SECONDS WEST, AN ARC DISTANCE OF 34.92 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY, ALONG A CURVE CONVEX TO THE SOUTHWEST AND A 61.75 FOOT CHORD BEARING NORTH 44 DEGREES 37 MINUTES 41 SECONDS WEST, AN ARC DISTANCE OF 36.63 FEET TO A POINT OF TANGENCY; THENCE NORTH AS A SECONDS WEST, AN ARC DIS

THENCE NORTH 0 DEGREES 13 MINUTES 7 SECONDS EAST 232.33 FEET TO THE SOUTH LINE OF THE NORTH 810.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG SAID SOUTH LINE, 150.00 FEET; THENCE NORTH 0 DEGREES 34 MINUTES 5 SECONDS EAST 150.00 FEET TO THE SOUTH LINE OF THE NORTH 660.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG SAID SOUTH LINE, 720.00 FEET TO THE POINT OF BEGINNING; ALL IN LAKE COUNTY, INDIANA.

AREA = 726,148 SF = 16.670 AC(more or less)

hereinafter the "Additional Real Estate"; and

WHEREAS, Declarant and Developer did cause to be recorded in the office of the Recorder of Lake County, Indiana, that certain P.O.A. Agreement, Declarations, and Restrictions of Property Ownership of Weston Ridge Unit One, dated September 20, 2003, and duly recorded on October 20, 2003 in the Office of the Recorder

of Lake County, Indiana, as Document No. 2003112889 (herein the "Declaration"); and

WHEREAS, Declarant and Developer desire to amend the Declaration for the purpose of expanding the Project (as defined in the Declaration) to include Additional Real Estate.

NOW, THEREFORE, Declarant and Developer, do hereby amend the Declaration as follows:

EXPANSION TO INCORPORATE ADDITIONAL REAL ESTATE. Pursuant to the provisions of Section K, ¶¶1 through 8 and Section L of the Declaration; the Declaration is hereby amended to add thereto the following described real estate:

LEGAL DESCRIPTION

THAT PART OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 5, 3481.49 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 180.00 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 55 SECONDS WEST 330.00 FEET; THENCE SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 480.00 FEET TO A POINT OF BEGINNING ON THE SOUTH LINE OF THE NORTH 660.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE CONTIVUING SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 480.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE CONTIVUING SOUTH 0 DEGREES 34 MINUTES 5 SECONDS WEST 150.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 810.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE SOUTH 39 DEGREES 49 MINUTES 55 SECONDS EAST 308.59 FEET TO A POINT THAT IS 1045.00 FEET SOUTH OF THE NORTH LINE OF SAID SOUTH HALF AND 706.68 FEET EAST OF THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 39 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG A LINE THAT IS PARALLEL WITH SAID NORTH LINE, 349.12 FEET TO A POINT LYING ON A STRAIGHT LINE DRAWN FROM THE NORTHEAST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER, 646.83 FEET (AS MEASURED ALONG SAID SOUTH LINE) EAST OF THE SOUTHWEST CORNER OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 14 DEGREES 41 MINUTES 13 SECONDS WEST, ALONG SAID STRAIGHT LINE) SOUTHWEST OF SAID SECTION 5; THENCE SOUTH 14 DEGREES 41 MINUTES 13 SECONDS WEST, ALONG SAID STRAIGHT LINE, 303.59 FEET TO THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 14 DEGREES 41 MINUTES 13 SECONDS WEST, ALONG SAID STRAIGHT LINE, 303.59 FEET TO THE NORTHEAST QUARTER OF SAID SECTION 5; THENCE SOUTH 14 DEGREES 41 MINUTES 13 SECONDS WEST, ALONG SAID STRAIGHT LINE, 303.59 FEET TO THE NORTHEAST CORNER OF THE WOODS OF WESTON RIDGE, 1345.06 TO THE NORTHWEST CORNER OF LOT 1 NORTHEAST CORNER

31 DEGREES 31 MINUTES 30 SECONDS EAST, AN ARC DISTANCE OF 36.20 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, ALONG A CURVE CONVEX TO THE SOUTHEAST AND HAVING A RADIUS OF 112.00 FEET AND A 63.56 FOOT CHORD BEARING NORTH 45 DEGREES 59 MINUTES 56 SECONDS EAST, AN ARC DISTANCE OF 64.44 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHEASTERLY, ALONG A CURVE CONVEX TO THE NORTHWEST AND HAVING A RADIUS OF 33.50 FEET AND A 33.36 FOOT CHORD BEARING NORTH 59 DEGREES 22 MINUTES 49 SECONDS EAST, AN ARC DISTANCE OF 34.92 FEET TO A POINT OF TANGENCY; THENCE NORTH 89 DEGREES 14 MINUTES 42 SECONDS EAST 39.94 FEET; THENCE NORTH 0 DEGREES 26 MINUTES 42 SECONDS EAST 39.94 FEET; THENCE NORTH 88 DEGREES 21 MINUTES 19 SECONDS WEST 39.94 FEET; THENCE NORTH 88 DEGREES 21 MINUTES 19 SECONDS WEST 39.94 FEET TO A POINT OF CURVATURE; THENCE NORTHWESTERLY, ALONG A CURVE CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 33.50 FEET AND A 33.36 FOOT CHORD BEARING NORTH 58 DEGREES 29 MINUTES 26 SECONDS WEST, AN ARC DISTANCE OF 34.92 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY, ALONG A CURVE CONVEX TO THE NORTHEAST AND HAVING A RADIUS OF 112.00 FEET AND A 61.75 FOOT CHORD BEARING NORTH 44 DEGREES 37 MINUTES 41 SECONDS WEST, AN ARC DISTANCE OF 62.56 FEET TO A POINT OF REVERSE CURVATURE; THENCE NORTHWESTERLY, ALONG A CURVE CONVEX TO THE SOUTHWEST AND HAVING A RADIUS OF 33.50 FEET AND A 33.97 FOOT CHORD BEARING NORTH 30 DEGREES 9 MINUTES 54 SECONDS WEST, AN ARC DISTANCE OF 36.63 FEET TO A POINT OF TANGENCY; THENCE NORTH 0 DEGREES 18 MINUTES 4 SECONDS EAST 39.06 FEET TO A POINT THAT IS 1042.32 FEET SOUTH OF THE NORTH LINE OF SAID SOUTH HALF OF SECTION 5 AND 361.89 FEET WEST OF THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5;

THENCE NORTH 0 DEGREES 13 MINUTES 7 SECONDS EAST 232.33 FEET TO THE SOUTH LINE OF THE NORTH 810.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG SAID SOUTH LINE, 150.00 FEET; THENCE NORTH 0 DEGREES 34 MINUTES 5 SECONDS EAST 150.00 FEET TO THE SOUTH LINE OF THE NORTH 660.00 FEET OF SAID SOUTH HALF OF SECTION 5; THENCE SOUTH 89 DEGREES 25 MINUTES 55 SECONDS EAST, ALONG SAID SOUTH LINE, 720.00 FEET TO THE POINT OF BEGINNING; ALL IN LAKE COUNTY, INDIANA.

AREA = 726,148 SF = 16.670 AC (more or less)

(herein the "Additional Real Estate"), and accordingly, from and after the recording hereof, the Additional Real Estate shall be considered to be a part of the Property (as defined in the Declaration including but not limited to Section A of the Declaration), and likewise, the Additional Real Estate shall be a part of the Project (as defined in the Declaration including but not limited to Section A of the Declaration).

Effect of Amendment. Each and every term and provision of the Declaration shall remain in full force and effect hereafter, each of which are incorporated herein by reference and made a part hereof as if set forth in full herein.

IN WITNESS WHEREOF, the parties have hereunder set their names acknowledging the Sixth Amendment to the P.O.A. Agreement, Declarations, and Restrictions of Property Ownership of Weston Ridge Unit One, Town of St. John, Lake County, Indiana on the day and year first above written.

"THE P.O.A."

"DECLARANT"

WESTON RIDGE PROPERTY ASSOCIATION, INC.

PEOPLES BANK SB AS TRUSTEE UNDER THE PROVISIONS OF A TRUST AGREEMENT DATED DECEMBER 12, 2001 AND KNOWN AS TRUST NO. 10314

Frunk E Schilling

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STATE OF INDIANA

) SS:

COUNTY OF LAKE

Before me, a Notary Public in and for said County and State, personally appeared WESTON RIDGE PROPERTY OWNERS ASSOCIATION, INC., an Indiana Corporation, by _____ and _____, to me known to be the Vice-President and Secretary/Treasurer of the Corporation, and acknowledged the execution of the foregoing Instrument.

Witness my hand and notarial seal this __ day of December, 2004.

Notary Public

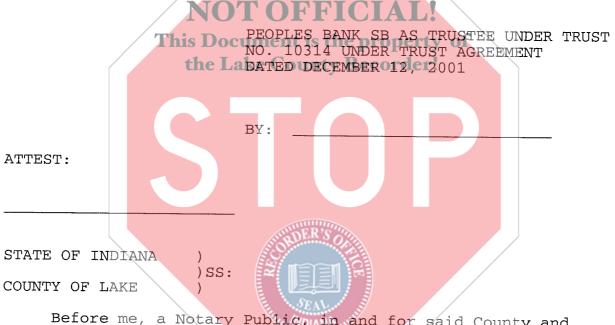
My Commission Expires:

County of Residence:

Lake

This instrument is executed by the undersigned Trustee, not personally, but solely as Trustee under the terms of that certain agreement dated December 12, 2001 creating Trust No. 10314; and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the covenants, undertakings, representations and agreements herein made are made and intend, not as personal covenants, undertakings, representations and agreements of the Trustee, individually, or for the purpose of binding it personally, but this instrument is executed and delivered by PEOPLES BANK SB, as TRUSTEE, solely in the exercise of the powers conferred upon it as such Trustee under said agreement an no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforced against PEOPLES BANK SB, as TRUSTEE, on account hereof, or on account of any covenants, undertaking representation or agreement herein contained, either expressed or implied, all such personal liability, if any, being hereby expressly waived and released by the parties hereto or holder hereof, and by all persons claiming by or through or under said parties or holder hereof.

IN WITNESS WHEREOF, the said PEOPLES BANK SB, as Trustee, a Corporation has caused this instrument to be signed by its _____, and its corporate seal to be hereunto affixed this _____ day of December, 2004.



Before me, a Notary Public, in and for said County and State, this ____ day of December, 2004 personally appeared _____ of PEOPLES BANK SB AS TRUSTEE UNDER TRUST NO. 10314, who acknowledged 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.

GIVEN under my har December, 2004.	d and notarial seal	this day of
		Notary Public
My Commission Expires:	County	of Residence:

It is expressly understood and agreed by and between the parties hereto, anything herein to the contrary notwithstanding, that each and all of the representations, covenants, undertakings and agreements herein made on the part of the Trustee while in form purporting to be and the representations, covenants, undertakings and agreements of said Trustee are nevertheless each and every one of them, made and intended not as personal representations, covenants, undertakings and agreements by the Trustee or for the purpose or with the intention of binding said Trustee personally, but 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 the Trust Company on account of this instrument or on account of any 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.



IN WITNESS WHEREOF, the said St. John Westview, LLC, an Indiana Limited Liability Company has caused this Sixth Amendment to P.O.A. to be approved and executed by Frank E. Schilling, its Manager.

ST. JOHN WESTVIEW, L.L.C.

BY:

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This Instrument Prepared By:

MICHAEL L. MUENICH

Attorney at Law

3235 - 45th Street, Suite 304 Highland, Indiana 46322 219/922-4141

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Attachment to Sixth Amendment to P.O.A. Agreement, Declarations, and Restrictions of Property Ownership of Weston Ridge Unit One, Town of St. John, Lake County, Indiana for Land Trust 10314. THIS INSTRUMENT is executed by the undersigned Trustee, not personally but solely as Trustee under the terms of that certain agreement dated the 12th day of December 2001, creating Trust No. 10314; and it is expressly understood and agreed by the parties hereto, anything herein to the contrary notwithstanding, that each and all of the covenants, undertakings, representations and agreements herein made are made and intended not as personal covenants, undertakings, representations and agreements of the trustee, individually or for the purpose of binding it personally, but this instrument is executed and delivered by Peoples Bank SB f/k/a Peoples Bank, A Federal Savings Bank as trustee, solely in the exercise of the powers conferred upon it as such Trustee under said agreement and no personal liability or personal responsibility is assumed by, nor shall at any time be asserted or enforced against Peoples Bank SB f/k/a Peoples Bank, A Federal Savings Bank, on account hereof, or on account of any covenant, undertaking, representation or agreement herein contained, either expressed or implied, all such personal liability, if any, being hereby expressly waived and released by the parties hereto or holder hereof, and by all persons claiming by or through or under said parties or holder hereof. Nothing contained herein will be construed as creating any liability on said Trustee, personally under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act, (CERCLA) or the Indiana Responsible Property Transfer Law ("RPTL") as amended from time to time or any other federal, state or local law, rule or regulation. Said Trustee, personally, is not a "Transferor" or "Transferee" under RPTL 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. IN WITNESS WHEREOF, Peoples Bank SB f/k/a Peoples Bank, A Federal Savings Bank has caused its name to be signed to these presents by its Vice-President and Trust Officer and attested by its Administrative Secretary the day and year first above written. the Lake County Recorder!

Peoples Bank SB f/k/a Peoples Bank, A Federal Savings Bank as Trustee aforesaid and not personally

Randall H. Walker

Vice-President and Trust Officer

ATTEST:
By: Why Mowy
Audrey Tredway

Administrative Secretary

State of Indiana)

) SS:

County of Lake)

I, Brianne N. Susko a Notary Public in and for said County in the State aforesaid, DO HEREBY CERTIFY, that <u>Randall H. Walker and Audrey Tredway</u> of PEOPLES BANK SB an Indiana Corporation, f/k/a Peoples Bank, A Federal Savings Bank personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such <u>Vice-President and Trust Officer</u> and <u>Administrative Secretary</u>, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary acts, and as the free and voluntary act of the said Indiana Corporation, as Trustee, for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 22nd day of December, 2004.

Notary Public Signature-Brianne N. Susko

Resident of Porter County

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My Commission Expires: December 1, 2010