

2

**SIXTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR THE ESTATES OF AUBURN MEADOW**

2005 04 19 975

THIS SIXTH AMENDMENT is entered into this 9 day of June, 2005, by The Estates of Auburn Meadow Development, LLC (hereinafter referred to as "Declarant").

WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions, Restrictions and Easements for The Estates of Auburn Meadow recorded in the Office of the Recorder of Lake County, Indiana on November 7, 2002 as instrument no. 2002 101438 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:

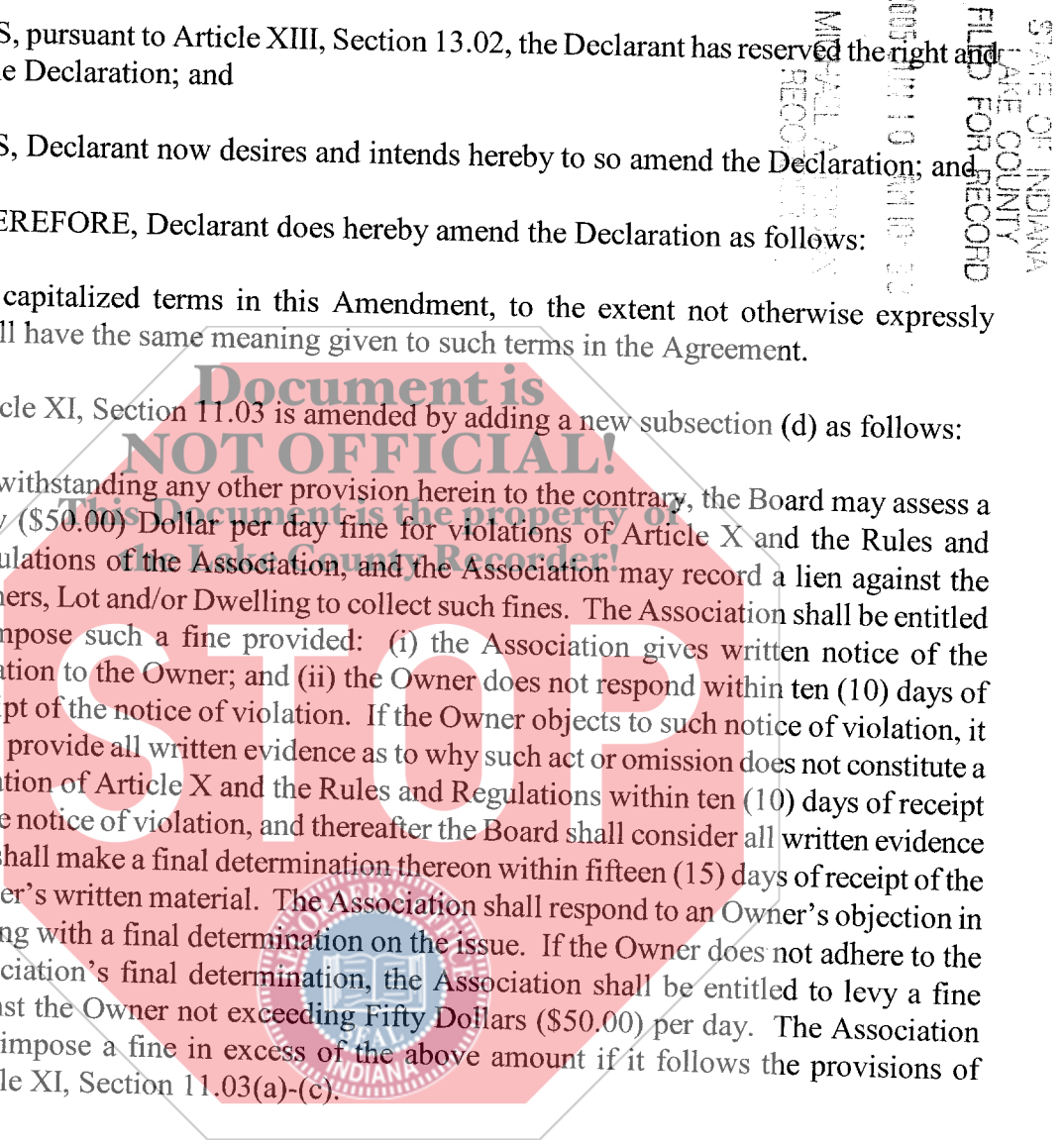
1. All capitalized terms in this Amendment, to the extent not otherwise expressly defined herein, shall have the same meaning given to such terms in the Agreement.

2. Article XI, Section 11.03 is amended by adding a new subsection (d) as follows:

Notwithstanding any other provision herein to the contrary, the Board may assess a Fifty (\$50.00) Dollar per day fine for violations of Article X and the Rules and Regulations of the Association, and the Association may record a lien against the Owners, Lot and/or Dwelling to collect such fines. The Association shall be entitled to impose such a fine provided: (i) the Association gives written notice of the violation to the Owner; and (ii) the Owner does not respond within ten (10) days of receipt of the notice of violation. If the Owner objects to such notice of violation, it shall provide all written evidence as to why such act or omission does not constitute a violation of Article X and the Rules and Regulations within ten (10) days of receipt of the notice of violation, and thereafter the Board shall consider all written evidence and shall make a final determination thereon within fifteen (15) days of receipt of the Owner's written material. The Association shall respond to an Owner's objection in writing with a final determination on the issue. If the Owner does not adhere to the Association's final determination, the Association shall be entitled to levy a fine against the Owner not exceeding Fifty Dollars (\$50.00) per day. The Association may impose a fine in excess of the above amount if it follows the provisions of Article XI, Section 11.03(a)-(c).

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

13  
ZP  
CS



IN WITNESS WHEREOF, the Declarant has executed this Declaration this 9 day of June, 2005.

**THE ESTATES OF AUBURN MEADOW DEVELOPMENT, LLC**

By: Frederick A. Olthof  
Its: FREDERICK A. OLTHOF PRES OF  
OD ENTERPRISES INC ITS MANAGER

STATE OF INDIANA        )  
  ) SS  
COUNTY OF LAKE        )

On before me, a Notary Public in and for said County and State, personally appeared Frederick A. Olthof as President of The Estates of Auburn Meadow, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as officer of the company, and that by his signature on the instrument that he executed same on behalf of the company.

DATED this 9 day of June, 2005.

Andrea Repasky  
NOTARY PUBLIC

My Commission Expires:



This instrument was prepared by Greg Bouwer, of Koransky & Bouwer, P.C., 425 Joliet Street, Suite 425, Dyer, IN 46311

