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**First Supplemental Declaration of Covenants, Conditions,  
and Restrictions For First Metropolitan's Estates of White Oak,  
in the Town of Munster, Lake County, Indiana.**

2007  
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This First Supplemental Declaration (the "First Supplemental Declaration") is made as of the 14th day of February 2003, by Mercantile National Bank, Trustee of Trust No: 6141 d/b/a First Metropolitan's Estates of White Oak (the "Developer"), as owner of record of the real estate subject to this First Supplemental Declaration.

**WITNESSETH:**

**WHEREAS**, Developer has heretofore executed and caused to be recorded that certain Declaration of Covenants, Conditions and Restrictions for First Metropolitan's Estates of White Oak in the Town of Munster, Lake County, Indiana, dated November 12, 2002, recorded on December 18, 2002, as Document No: 2002117417; and re-recorded on June 26, 2003, as Document No: 2003066345; and

**WHEREAS**, the Declaration permits the Developer, so long as it owns any lots in the Development to name all members and the Board of Directors and further have an irrevocable proxy from all homeowners to vote pursuant to the Declaration; and

**WHEREAS**, the Developer did, pursuant to the Declaration meet and approve an amendment to the Declaration designated as First Supplemental Declaration of Covenants, Conditions or Restrictions, for First Metropolitan's Estates of White Oak, in Munster, Lake County, Indiana,

**NOW THEREFORE**, Developer hereby declares that the First Supplemental Declaration to modify Article II (F), to delete Sections (1)(C), and (D) and Sections 2(C), and (D), and to further provide that all residential units shall be one story, one and one-half story, or two story with the minimum square footage provided in Article II (F) (1) (a), (b) and (e) and (2) (a), (b) and (e).

**IN WITNESS WHEREOF**, Developer has caused this instrument to be signed by its agent and further Estates of White Oak Property Owners Association, Inc., has caused this instrument to be signed by its President and Secretary and its seal to be hereunto affixed this 14th day of February, 2003.

Estates of White Oak Property  
Owners Association, Inc.,

by: [Signature]

President

Attest

by: [Signature]

Secretary



**FILED**

**MAR 02 2007**

PEGGY HOLINGA  
LAKE COUNTY AS...

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STATE OF INDIANA  
LAKE COUNTY  
RECORDER OF DEEDS  
MUNSTER, INDIANA

STATE OF INDIANA )  
 )SS:  
COUNTY OF LAKE )

Before me, a Notary Public, in and for said County and State, personally appeared Allan Fefferman and Jack Lieser, the President and Secretary of Estates of White Oak Property Owners Association, Inc., organized and existing under the laws of the Sate of Indiana and acknowledge the execution of the foregoing instrument for and on behalf of Estates of White Oak Property Owners Association, Inc., and who having been duly sworn, stated that the representations therein are true.

Witness my hand and Notarial Seal this 14th day of February, 2003.

Donna M. Pearson  
Notary Public

Donna M. Pearson

Printed Name

My Commission Expires: 09/14/06  
Resident Lake This County, Indiana

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW."

PREPARED BY: u

MERCANTILE NATIONAL BANK AND TRUST  
not personally, but solely as Trustee of Trust No: 6141  
d/b/a First Metropolitan's Estates of White Oak

by: SEE SIGNATURE PAGE ATTACHED

Title: \_\_\_\_\_

STATE OF INDIANA )  
 )  
COUNTY OF LAKE )



I, \_\_\_\_\_, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that \_\_\_\_\_ of Mercantile National Bank, personally known to me to be the same person(s) whose name(s) are subscribed to the foregoing instrument as such \_\_\_\_\_, appeared before me this day in person and  
1st Supp-Decl of Cov's -REVISED by DP to add 1.5 story

acknowledged that they signed and delivered the same instrument as their own free and voluntary act, for the uses and purposes therein set forth; and as the free and voluntary act of said Bank for the uses and purposes therein set forth.

Given under my hand and notarial seal this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Name

My Commission Expires:

Resident \_\_\_\_\_ County, Indiana.



1st Supp-Decl of Cov's -REVISED by DP to add 1.5 story

This FIRST SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FIRST METROPOLITAN'S ESTATES OF WHITE OAK, IN THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA is executed by the undersigned Trustee, not personally, but solely as Trustee under the terms of that certain agreement dated April 18, 1996, creating trust number 6141; 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, agreements and liabilities, herein made are made and are intended, not as personal covenants, undertakings, representations, agreements and liabilities, of the Trustee, individually, or for the purpose of binding it personally, but this instrument is executed and delivered by the MERCANTILE NATIONAL BANK OF INDIANA, 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 MERCANTILE NATIONAL BANK OF INDIANA, on account hereof, or on account of any covenant, undertaking, representation or agreement herein, either expressed or implied, all such personal liability, if any, being 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 shall be construed as creating any liability upon MERCANTILE NATIONAL BANK OF INDIANA, personally under the provisions of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) or the Indiana Responsible Property Transfer Law (the "Act") as amended from time to time or any other federal, state or local law, rule or regulation. MERCANTILE NATIONAL BANK OF INDIANA, personally, is not a "Transferor or Transferee" under the Act 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.

Furthermore, the information contained in this instrument has been furnished to the undersigned by the beneficiary/beneficiaries under aforesaid Trust and the statements made therein are made solely in reliance thereon and no responsibility is assumed by the undersigned in its individual capacity for the truth or accuracy of the facts herein stated.

IN WITNESS WHEREOF, said MERCANTILE NATIONAL BANK OF INDIANA, has caused its name to be signed to these presents by an Assistant Vice President and Trust Officer and attested by its Assistant Vice President and Trust Officer the day and year first above written.

**Document is NOT OFFICIAL!**  
**This Document is the property of the Lake County Recorder!**

MERCANTILE NATIONAL BANK OF INDIANA, AS TRUSTEE  
AFORESAID AND NOT PERSONALLY!

By: *Claudia Phalen*  
Claudia Phalen, Assistant Vice President and Trust Officer

ATTEST:

*Michael Cava*  
Michael Cava,  
Vice President and Trust Officer

STATE OF INDIANA, COUNTY OF LAKE ) s.s.

Before me, a Notary Public in and for said County, in the State aforesaid, personally appeared before me, Claudia Phalen, Assistant Vice President and Trust Officer, and Michael Cava, Vice President & Trust Officer, of MERCANTILE NATIONAL BANK OF INDIANA, a national banking association, who acknowledged the execution of the foregoing instrument as the free and voluntary act of said national banking association, and as their free and voluntary act, on behalf of said national banking association, as Trustee.

Given under my hand and notarial seal this 18th day of February, 2003.

Signed: *Janet E. Dremonas*  
Janet E. Dremonas, Notary Public

