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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

2011 071951

2011 DEC 13 AM 11:06

MICHELLE P. FAJMAN  
RECORDER

**TENTH AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR SADDLE CREEK ESTATES**

THIS TENTH AMENDMENT is entered into this 2 day of December, 2011, by SADDLE CREEK DEVELOPMENT LLC (hereinafter referred to as "Declarant").

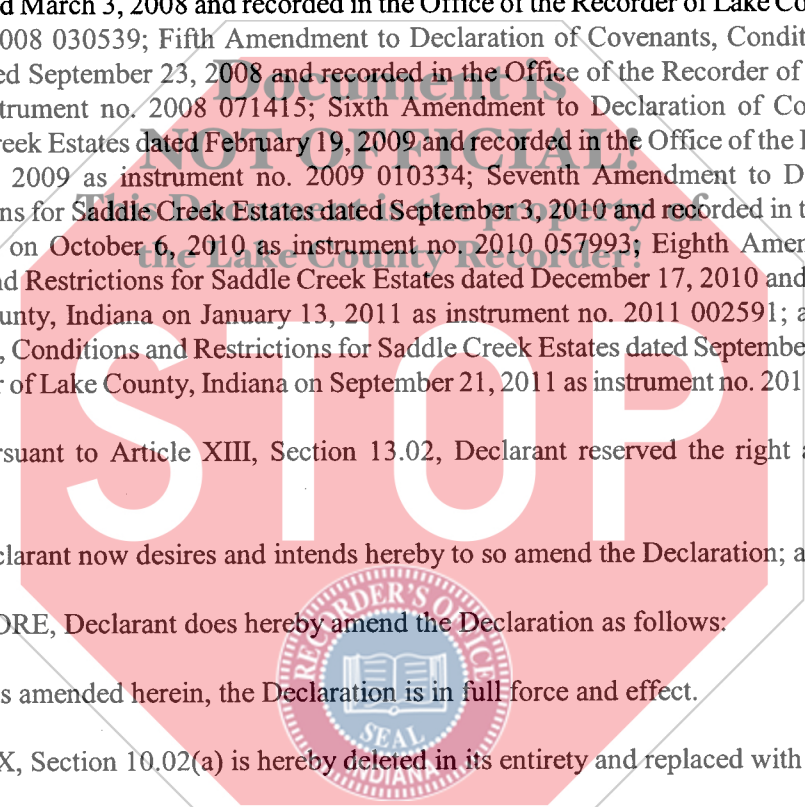
WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates recorded in the Office of the Recorder of Lake County, Indiana on July 7, 2006, as instrument no. 2006 058977 and amended by First Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated August 11, 2006 and recorded in the Office of the Recorder of Lake County, Indiana on August 18, 2006 as instrument no. 2006 072333; and Second Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated October 9, 2006 and recorded in the Office of the Recorder of Lake County, Indiana on October 10, 2006 as instrument no. 2006 088324; Third Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated June 19, 2007 and recorded in the Office of the Recorder of Lake County, Indiana on June 20, 2007 as instrument no. 2007 050276; Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated March 3, 2008 and recorded in the Office of the Recorder of Lake County, Indiana on April 28, 2008 as instrument no. 2008 030539; Fifth Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated September 23, 2008 and recorded in the Office of the Recorder of Lake County, Indiana on October 17, 2008 as instrument no. 2008 071415; Sixth Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated February 19, 2009 and recorded in the Office of the Recorder of Lake County, Indiana on February 19, 2009 as instrument no. 2009 010334; Seventh Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated September 3, 2010 and recorded in the Office of the Recorder of Lake County, Indiana on October 6, 2010 as instrument no. 2010 057993; Eighth Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated December 17, 2010 and recorded in the Office of the Recorder of Lake County, Indiana on January 13, 2011 as instrument no. 2011 002591; and Ninth Amendment to Declaration of Covenants, Conditions and Restrictions for Saddle Creek Estates dated September 15, 2011 and recorded in the Office of the Recorder of Lake County, Indiana on September 21, 2011 as instrument no. 2011 051924 ("Declaration").

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

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

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

1. Except as amended herein, the Declaration is in full force and effect.
2. Article X, Section 10.02(a) is hereby deleted in its entirety and replaced with the following:
  - (a) General. Every Dwelling shall be located and in accordance with the applicable governmental building and zoning codes and with such additional specifications and standards as may be required by the Architectural Control Committee after all construction plans and specifications (including, but not limited to those for grading and site work, excavation, and specifications showing the nature, kind, shape, heights, materials, color scheme, location, elevations and approximate cost of all Dwellings), along with a staked survey (showing the elevations of



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PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

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all corners of the Lot), have been submitted to, and approved in advance in writing by, the Architectural Control Committee.

3. The following language shall be added to Article X, Section 10.02:

(k) **Sheds.** Storage sheds are permitted provided they satisfy the following criteria: only one per Dwelling; the exterior of the shed shall match the exterior of the Dwelling in color or blend with the colors in a complimentary fashion; the same facade materials are not required; the size of the shed shall not exceed ten feet by ten feet (10' x 10'); it must be situated against or within three (3) feet of the rear elevation/foundation of the Dwelling; it shall comply at all times with Town code; and it shall be maintained. No shed shall be inconsistent with the general architectural design and aesthetic flavor of either (a) the Dwelling of such Lot or (b) the remainder of the Dwellings on the Property. All sheds must receive the approval of the Architectural Control Committee prior to installation.

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 Amendment to the Declaration this 2 day of December, 2011.

SADDLE CREEK DEVELOPMENT LLC

NOT OFFICIAL!

By: [Signature]  
Todd M. Olthof, Vice President of OD Enterprises, Inc., its Manager

STATE OF INDIANA )  
                                  ) SS  
COUNTY OF LAKE )

Before me, the undersigned Notary Public in and for Lake County, State of Indiana, personally appeared Todd M. Olthof who, being duly sworn upon his oath, acknowledged that he is the Vice President of OD Enterprises, Inc, Manager of Saddle Creek Development LLC and that he is authorized and empowered so to do, executed the above and foregoing Amendment to Declaration for the uses and purposes therein set forth.

DATED this 2 day of December, 2011.

My Commission Expires: 11-27-13  
My County of Residence: Lake



[Signature]  
Andrea Oller  
Seal  
Notary Public, State of Indiana  
My Commission Expires November 27, 2013

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

[Signature]

PREPARED BY AND AFTER RECORDING RETURN TO:  
GREG A. BOUWER, KORANSKY, BOUWER & PORACKY, P.C.,  
425 JOLIET STREET, SUITE 425, DYER, IN 46311