

2013 091983

2013 DEC 17 PM 2: 35

MICHAEL B. BROWN  
RECORDER

**SEVENTH AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR VILLAGE CIRCLE ESTATES**

THIS SEVENTH AMENDMENT is made this 12 day of December, 2013 by  
VILLAGE CIRCLE DEVELOPMENT LLC ("Declarant"):

WITNESSETH

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Village Circle Estates was recorded as Document No. 2007 043518 in the Office of the Lake County Recorder, Indiana on May 29, 2007; and as amended by First Amendment to Declaration of Covenants, Conditions, and Restrictions for Village Circle Estates recorded as Document No. 2008 071411 on October 17, 2008; and as amended by Second Amendment to Declaration of Covenants, Conditions, and Restrictions for Village Circle Estates recorded as Document No. 2010 057990 on October 6, 2010; as amended by Third Amendment to Declaration of Covenants, Conditions, and Restrictions for Village Circle Estates recorded as Document No. 2011 000766 on January 6, 2011; as amended by Fourth Amendment to Declaration of Covenants, Conditions, and Restrictions for Village Circle Estates recorded as Document No. 2011 051927 on September 21, 2011; as amended by Fifth Amendment to Declaration of Covenants, Conditions, and Restrictions for Village Circle Estates recorded as Document No. 2011 071953 on December 13, 2011; and as amended by Sixth Amendment to Declaration of Covenants, Conditions, and Restrictions for Village Circle Estates recorded as Document No. 2013 004928 on January 17, 2013 (collectively, "Declaration").

WHEREAS, pursuant to Article XIII, Section 13.02 and pursuant to Article II, Section 2.02, the Declarant has reserved the right and option to amend the Declaration and to add additional real estate to the Declaration; and

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

NOW, THEREFORE, in consideration of the foregoing recitals that are incorporated herein and other good and valuable consideration, Declarant does hereby amend the Declaration as follows:

1. Except as amended herein, the Declaration is in full force and effect.
2. Section 2.02(a) of the Declaration is deleted in its entirety and replaced with the following \$ 26

(a) The option may be exercised from time to time during a period through December 31, 2023; provided, however, that Declarant reserves the right to terminate such option at any time prior to the expiration of such period by executing and filing an agreement evidencing such termination in the Office of the Recorder of Lake County, Indiana, and, except for such termination by Declarant, other circumstances will terminate such option prior to the expiration of December 31, 2023.

**FILED**  
DEC 17 2013  
PEGGY HOLINGA KATONA  
LAKE COUNTY AUDITOR

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3. Section 2.02(b) of the Declaration is deleted in its entirety and replaced with the following:

(b) The legal description of the Additional Property as of the date of this Amendment is set forth on Exhibit B, portions of the Additional Property (together with additions thereto made in accordance herewith) may be added to the Development and to the terms of this Declaration at different times, and there are no limitations fixing the boundaries of those portions or regulating the order, sequence, or location in which any of such portions may be added to the Development. The exercise of the option to submit a portion of the Additional Property to the Declaration shall not bar the further exercise of this option as to other portions or the balance of the Additional Property.

4. Section 13.02 of the Declaration is amended as follows:

Declarant shall have the right to amend the Declaration by an instrument in writing filed and recorded in the Office of the Recorder of Lake County, Indiana without the approval of any Owner or Mortgagee, as long as Declarant has the unexpired option to add Additional Property pursuant to Section 2.02(a).

5. 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 12 day of December, 2013.

VILLAGE CIRCLE DEVELOPMENT LLC

By: 

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 Village Circle 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 12 day of Dec, 2013.

My Commission Expires: 11-27-21  
My County of Residence: Lake

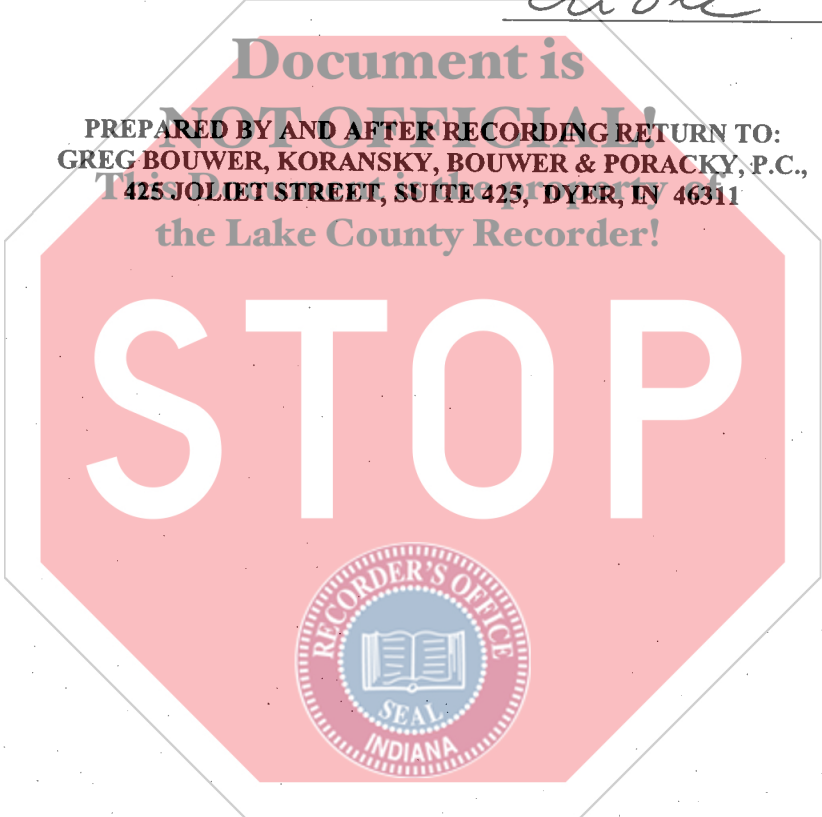
Andrea Oller  
Notary Public

ANDREA OLLER  
NOTARY PUBLIC  
SEAL  
LAKE COUNTY, STATE OF INDIANA  
MY COMMISSION EXPIRES NOVEMBER 27, 2021  
COMMISSION NO. 648894

**AFFIRMATION**

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.

Andrea Oller



## EXHIBIT B

### Village Circle

PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE TOWN OF DYER, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF OUTLOT C IN VILLAGE CIRCLE - PHASE I, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 13, 2006 AS DOCUMENT 2006 099929; THENCE ALONG THE WEST LINE OF SAID VILLAGE CIRCLE - PHASE I THE FOLLOWING NINE COURSES: (1) SOUTH 00 DEGREES 22 MINUTES 13 SECONDS WEST, A DISTANCE OF 51.43 FEET; (2) THENCE SOUTH 66 DEGREES 43 MINUTES 04 SECONDS EAST, A DISTANCE OF 110.07 FEET; (3) THENCE SOUTH 30 DEGREES 38 MINUTES 08 SECONDS WEST, A DISTANCE OF 210.00 FEET TO THE WEST RIGHT OF WAY LINE OF WESTRIDGE DRIVE AS DEDICATED BY SAID DOCUMENT 2006 099929; (4) THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE BEING A CURVE CONCAVE SOUTHWESTERLY, SUBTENDING A CHORD BEARING SOUTH 52 DEGREES 30 MINUTES 22 SECONDS EAST, AN ARC DISTANCE OF 52.67 FEET TO A POINT TANGENT TO THE LAST DESCRIBED CURVE; (5) THENCE SOUTH 45 DEGREES 38 MINUTES 51 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 108.00 FEET; (6) THENCE SOUTH 44 DEGREES 21 MINUTES 09 SECONDS WEST, A DISTANCE OF 150.00 FEET; (7) THENCE SOUTH 45 DEGREES 38 MINUTES 51 SECONDS EAST, A DISTANCE OF 168.00 FEET TO THE NORTH RIGHT OF WAY LINE OF STILLWATER AVENUE AS DEDICATED BY SAID DOCUMENT 2006 099929; (8) THENCE SOUTH 44 DEGREES 21 MINUTES 09 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 210.00 FEET TO THE WEST RIGHT OF WAY LINE OF PLEASANT SPRINGS LANE AS DEDICATED BY SAID DOCUMENT 2006 099929; (9) THENCE SOUTH 45 DEGREES 38 MINUTES 51 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 81.35 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 24 SECONDS WEST, A DISTANCE OF 363.94 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 55 SECONDS EAST, A DISTANCE OF 142.81 FEET; THENCE NORTH 45 DEGREES 38 MINUTES 51 SECONDS WEST, A DISTANCE OF 189.43 FEET; THENCE NORTH 75 DEGREES 58 MINUTES 05 SECONDS WEST, A DISTANCE OF 60.17 FEET TO A POINT ON A CURVE NON-TANGENT TO THE LAST DESCRIBED COURSE; THENCE NORTHERLY ALONG A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 330.00 FEET, SUBTENDING A CHORD BEARING NORTH 24 DEGREES 16 MINUTES 49 SECONDS EAST, AN ARC DISTANCE OF 73.49 FEET; THENCE NORTH 59 DEGREES 20 MINUTES 25 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE SOUTH 24 DEGREES 16 MINUTES 49 SECONDS WEST, A DISTANCE OF 106.67 FEET; THENCE SOUTH 11 DEGREES 31 MINUTES 18 SECONDS WEST, A DISTANCE OF 106.67 FEET; THENCE SOUTH 01 DEGREES 19 MINUTES 41 SECONDS WEST, A DISTANCE OF 92.87 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 55 SECONDS WEST, A DISTANCE OF 80.02 FEET; THENCE SOUTH 89 DEGREES 01 MINUTES 17 SECONDS WEST, A DISTANCE OF 81.61 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE NORTH 01 DEGREES 03 MINUTES 27 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 98.66 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE NORTH 89 DEGREES 36 MINUTES 59 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 0.59 FEET TO A POINT LYING 329.99 FEET WEST OF THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE NORTH 01 DEGREES 05 MINUTES 03 SECONDS WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7, A DISTANCE OF 661.60 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE SOUTH 89 DEGREES 37 MINUTES 47 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE NORTHWEST QUARTER AND THE NORTH LINE OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7, A DISTANCE OF 780.90 FEET TO THE POINT OF BEGINNING, CONTAINING 12.77 ACRES, MORE OR LESS.

PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 35 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN, IN THE TOWN OF DYER, LAKE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF OUTLOT C IN VILLAGE CIRCLE - PHASE I, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 13, 2006 AS DOCUMENT 2006 099929; THENCE ALONG THE WEST LINE OF SAID VILLAGE CIRCLE - PHASE I THE FOLLOWING NINE COURSES: (1) SOUTH 00 DEGREES 22 MINUTES 13 SECONDS WEST, A DISTANCE OF 51.43 FEET; (2) THENCE SOUTH 66 DEGREES 43 MINUTES 04 SECONDS EAST, A DISTANCE OF 110.07 FEET; (3) THENCE SOUTH 30 DEGREES 38 MINUTES 08 SECONDS WEST, A DISTANCE OF 210.00 FEET TO THE WEST RIGHT OF WAY LINE OF WESTRIDGE DRIVE AS DEDICATED BY SAID DOCUMENT 2006 099929; (4) THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE BEING A CURVE CONCAVE SOUTHWESTERLY, SUBTENDING A CHORD BEARING SOUTH 52 DEGREES 30 MINUTES 22 SECONDS EAST, AN ARC DISTANCE OF 52.67 FEET TO A POINT TANGENT TO THE LAST DESCRIBED CURVE; (5)



THENCE SOUTH 45 DEGREES 38 MINUTES 51 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 108.00 FEET; (6) THENCE SOUTH 44 DEGREES 21 MINUTES 09 SECONDS WEST, A DISTANCE OF 150.00 FEET; (7) THENCE SOUTH 45 DEGREES 38 MINUTES 51 SECONDS EAST, A DISTANCE OF 168.00 FEET TO THE NORTH RIGHT OF WAY LINE OF STILLWATER AVENUE AS DEDICATED BY SAID DOCUMENT 2006 099929; (8) THENCE SOUTH 44 DEGREES 21 MINUTES 09 SECONDS WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 210.00 FEET TO THE WEST RIGHT OF WAY LINE OF PLEASANT SPRINGS LANE AS DEDICATED BY SAID DOCUMENT 2006 099929; (9) THENCE SOUTH 45 DEGREES 38 MINUTES 51 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 81.35 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE WEST LINE OF SAID VILLAGE CIRCLE - PHASE I THE FOLLOWING FIVE COURSES; (1) SOUTH 45 DEGREES 38 MINUTES 51 SECONDS EAST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 17.28 FEET; (2) THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE BEING A CURVE CONCAVE SOUTHWESTERLY, SUBTENDING A CHORD BEARING SOUTH 22 DEGREES 37 MINUTES 07 SECONDS EAST, AN ARC DISTANCE OF 176.85 FEET TO A POINT TANGENT TO THE LAST DESCRIBED CURVE; (3) THENCE SOUTH 00 DEGREES 24 MINUTES 36 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 273.42 FEET; (4) THENCE SOUTHERLY ALONG SAID WEST RIGHT OF WAY LINE BEING A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, SUBTENDING A CHORD BEARING SOUTH 09 DEGREES 16 MINUTES 36 SECONDS WEST, AN ARC DISTANCE OF 227.84 FEET; (5) THENCE SOUTH 00 DEGREES 24 MINUTES 36 SECONDS WEST ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 546.82 FEET TO THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE NORTH 89 DEGREES 35 MINUTES 24 SECONDS WEST ALONG SAID SOUTH LINE, A DISTANCE OF 826.09 FEET TO THE WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 7; THENCE NORTH 01 DEGREES 03 MINUTES 27 SECONDS WEST ALONG SAID WEST LINE, A DISTANCE OF 1224.53 FEET; THENCE NORTH 89 DEGREES 01 MINUTES 17 SECONDS EAST, A DISTANCE OF 81.61 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 55 SECONDS EAST, DISTANCE OF 80.02 FEET; THENCE NORTH 01 DEGREES 19 MINUTES 41 SECONDS EAST, A DISTANCE OF 92.87 FEET; THENCE NORTH 11 DEGREES 31 MINUTES 18 SECONDS EAST, A DISTANCE OF 106.67 FEET; THENCE NORTH 24 DEGREES 16 MINUTES 49 SECONDS EAST, A DISTANCE OF 106.67 FEET; THENCE SOUTH 59 DEGREES 20 MINUTES 25 SECONDS EAST, A DISTANCE OF 150.00 FEET TO A POINT ON A CURVE NON-TANGENT TO THE LAST DESCRIBED COURSE; THENCE SOUTHERLY ALONG A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 330.00 FEET, SUBTENDING A CHORD BEARING SOUTH 24 DEGREES 16 MINUTES 49 SECONDS WEST, AN ARC DISTANCE OF 73.49 FEET; THENCE SOUTH 75 DEGREES 58 MINUTES 05 SECONDS EAST, A DISTANCE OF 60.17 FEET; THENCE SOUTH 45 DEGREES 38 MINUTES 51 SECONDS EAST, A DISTANCE OF 189.43 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 55 SECONDS WEST, A DISTANCE OF 142.81 FEET; THENCE SOUTH 89 DEGREES 35 MINUTES 24 SECONDS EAST, A DISTANCE OF 363.94 FEET TO THE POINT OF BEGINNING, CONTAINING 25.27 ACRES, MORE OR LESS.

