2015 031221

2015 MAY 20 AM 10: 53

MICHAEL B. BROWN RECORDER

FOURTH AMENDMENT OF DECLARATION OF CONDOMINIUM OWNERSHIP FOR NEW TOWN WEST CONDOMINIUM AND DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR NEW TOWN WEST CONDOMINIUM

New Town, LLC, an Indiana limited liability company ("Declarant"), makes this Fourth Amendment of Declaration of Condominium Ownership for New Town West Condominium and Declaration of Covenants, Conditions, Restrictions and Easements for New Town West Condominium under the Indiana Condominium Law, Ind. Code § 32-25-1-1, et seq. ("Act") on this \_\_\_\_ day of May, 2015.

## **RECITALS**

Declarant created the New Town West Condominium by recording the A. Declaration of Condominium Ownership for New Town West Condominium (the "Ownership Declaration") and the Declaration of Covenants, Conditions, Restrictions and Easements for New Town West Condominium (the "Declaration of Covenants") in the Office of the Recorder of Lake County, Indiana on December 8, 2008 as Document Nos. 2008-082666 and 2008-082667, respectively (collectively, the "Declaration") and as amended by that certain First Amendment of Declaration of Condominium Ownership for New Town West Condominium and Declaration of Covenants, Conditions, Restrictions and Easements for New Town West Condominium dated April 2, 2009 and recorded on May 1, 2009 as Document No. 2009-028441; and as further amended by that Second Amendment of Declaration of Condominium Ownership for New Town West Condominium and Declaration of Covenants, Conditions, Restrictions and Easements for New Town West Condominium dated December 23, 2010 and recorded on December 30, 2010 as Document No. 2010-077425; and as further amended by that Third Amendment of Declaration of Condominium Ownership for New Town West Condominium and Declaration of Covenants, Conditions, Restrictions and Easements for New Town West Condominium dated September 23, 2011 and recorded on September 26, 2011 as Document No. 2011-052849. Capitalized terms appearing in this Fourth Amendment shall have the same meanings given to them in the Declaration.

B. Declarant is the solventre or more existing Units subject to the Declaration.

MAY 15 2015

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Fidelity National Title recorded this document HN E, PETALAS as an accommodation. Fidelity did not examily COUNTY AUDITOR the document or the title of the real estate.

NO SALES DISCLOSURE NEEDED

Approved Assessor's Office

ву: 4

38 per 5

M92015-096.

C. Declarant wishes to amend the Declaration in accordance with this Fourth Amendment.

NOW THEREFORE, Declarant, by execution of this Fourth Amendment, amends the Declaration as follows:

- 1. Creation of Units. The Declaration is hereby amended to create additional Units within the Real Estate and modify the Plat in accordance with Section 14.1.7 of the Declaration, as amended. The Unit so created, and the Plat so modified, shall be as demarcated and shown on the Plat attached hereto as Exhibit A (consisting of Exhibits A-1 through A-4) and made a part hereof, which, from the date of this Fourth Amendment and in conjunction with all prior plats and drawings submitted, shall constitute the Plat. All terms, conditions, covenants, and restrictions contained in the Declaration shall apply to the newly created Units described in this Fourth Amendment.
- 2. Current Ownership. As of the date of this Fourth Amendment, the current owners of all Units are identified on Exhibit B, attached hereto and made a part hereof (the "Ownership List"). The Ownership List is incorporated herein by reference and is provided for convenience only; nothing in the Ownership List or otherwise contained in this Fourth Declaration is intended to cause any conveyance of any Unit, and evidence of ownership contained in any deed or other instrument of conveyance executed or recorded prior to the date of this Fourth Amendment shall supercede and prevail over the contents of the Ownership List.

IN WITNESS WHEREOF, the undersigned Declarant has caused this Fourth Amendment of Declaration of Condominium Ownership for New Town West Condominium and Declaration of Covenants, Conditions, Restrictions and Easements for New Town West Condominium to be executed the day and year first above written.

NEW TOWN, LLC

By: \_\_\_\_

Thomas Eleming, Manager

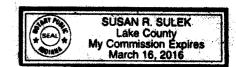
STATE OF INDIANA	)
	) SS
COUNTY OF LAKE	)

I, a Notary Public in and for the County and State aforesaid, do hereby certify that Thomas Fleming, Manager of New Town, LLC, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such Manager, appeared before me this day in person, and acknowledged that he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act of New Town, LLC for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 13th day of May, 2015

Commission Expires: March 16, 2616

County of Residence: Jake 5450 R. Sulek, Notary Public



This Document Prepared by:

Jon A. Schmaltz

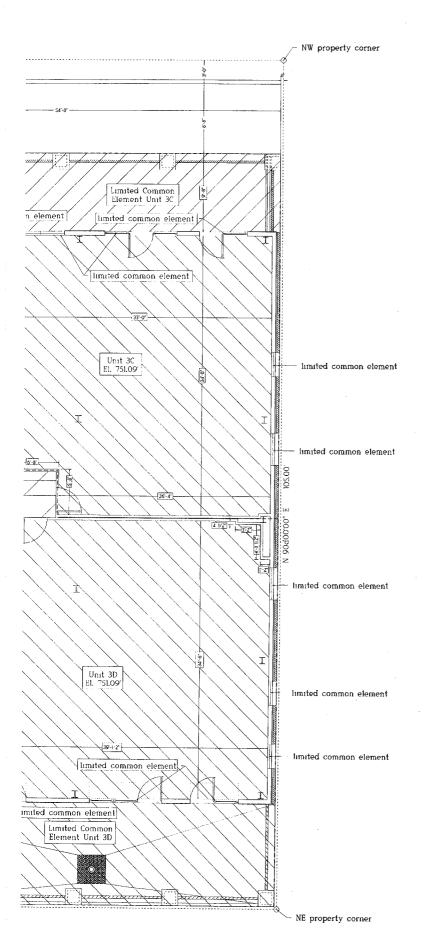
Burke Costanza & Cuppy LLP

156 Washington St.

Valparaiso, IN 46383

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.

Jon A. Schmaltz



STATE OF INDIANA COUNTY OF LAKE

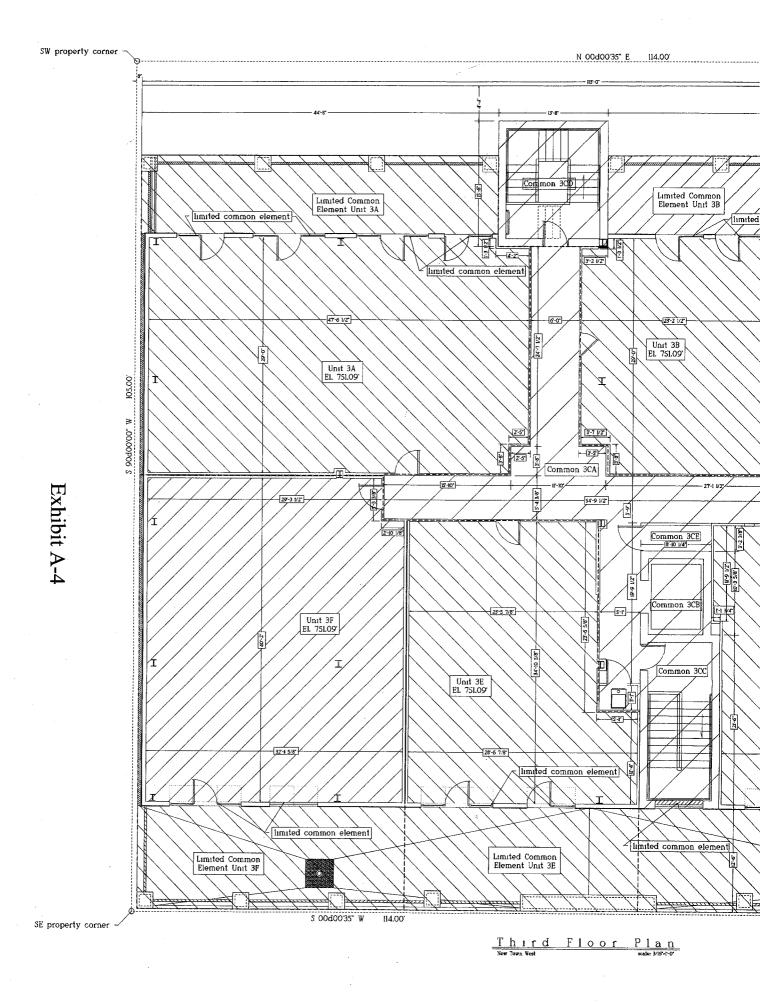
I, Jon D. Olson do hereby state that I am a registered architect literated in the State of Indiana, under registration sumbles 880161 and that this floor plan is a true, correct and accurate representation of the building known as New Town West Condomizium in Crown Point, Indiana and the same truly, correctly and accurately epicts the layout location, unit numbers, dimensions of the units and floor elevation of the truly condomized the condomized that the condomized that the condomized that the condomized the country of the property of

Dated this 22<sup>nd</sup> day of September, 2011

En D. Olson, Indiana Architect No. 880161

SPALDING DESIGN A GROUP A

Mishawaka, Indiana 40544



- NE property corner N 90'00'00" E 105.00 Unit 2B El. 738.90'

✓ NW property corner

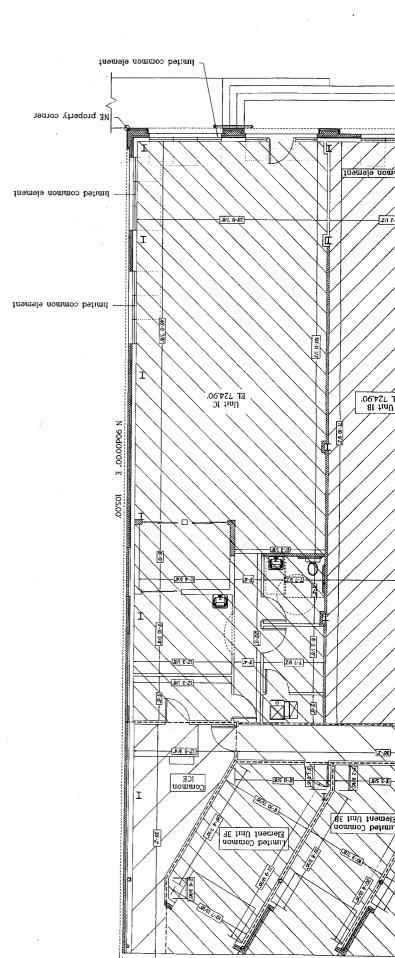
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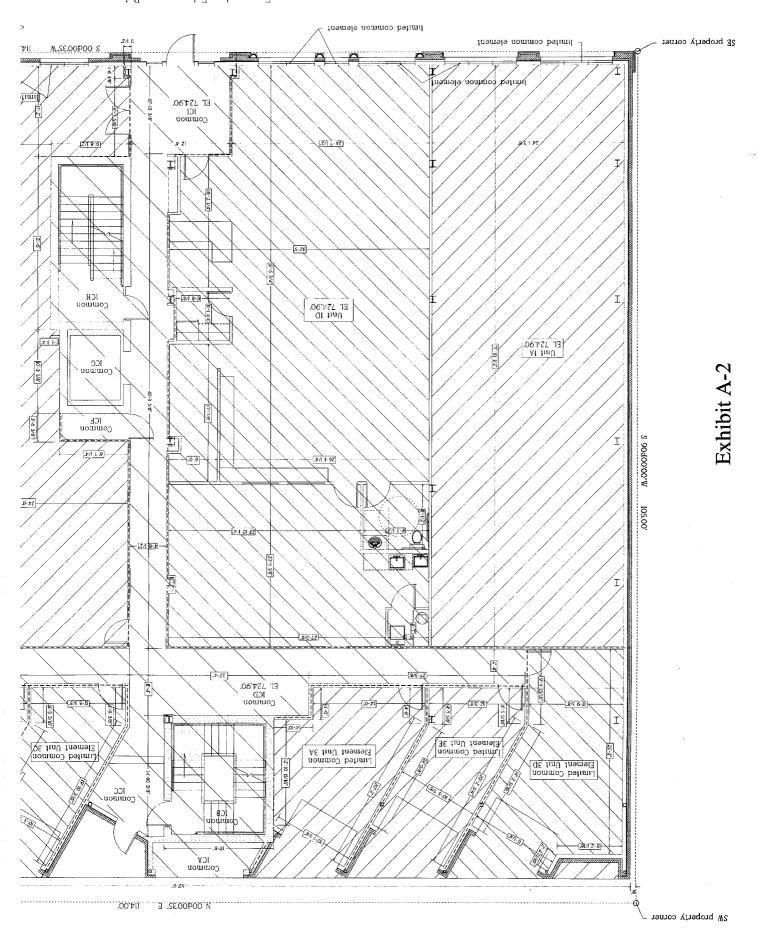
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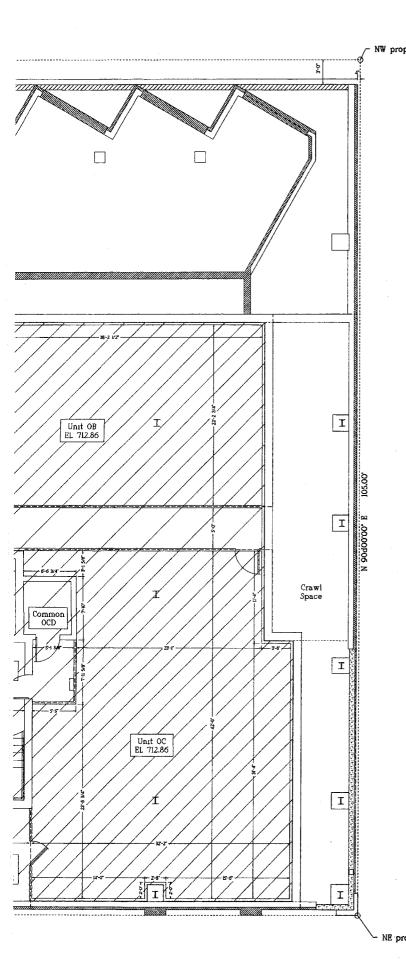
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SW property corner



NW property corner



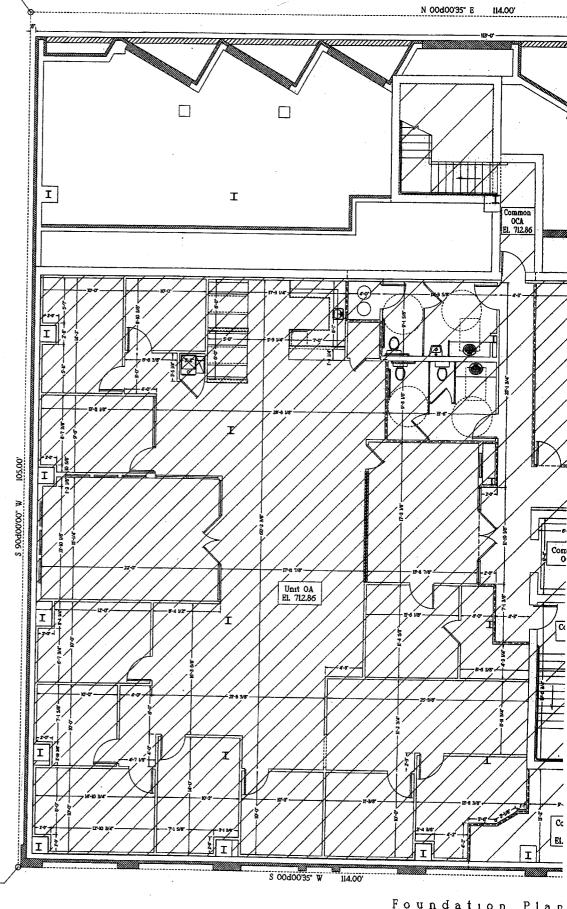


STATE OF INDIANA

I, Jon D. Olson do hereby state that I am a registered architect licensed in the State of Indiana, under registeration number 880161 and that this floor plan is the true, correct, and accurant representation of the building known as New Town West Condominum in Crown Point, Indiana and the same ruly correctly, and accurately depicts the layout location, uninumbers, and dimensions of the units and floor elevations of New Town West Condominum in Crown Point Indiana as built Town West Condominum in Crown Point Indiana as built

on D Olson, Indiana Architect No. 88

GOOD Lincols Vay East



## **EXHIBIL B**

## Ownership List

Square Feet <u>Intro</u>	Unit <u>19awO</u>	Address	<u> inU</u>
3829	New Town LLC	123 Main Street #001	<b>A</b> 0
628	New Town LLC	123 M Main Street #004	0 B
1283	New Town LLC	123 M Main Street #002	0 C
1850	New Town LLC	159 Main Street	ΥI
1203	F & H Properties Inc	123 N Main Street #102	I B
1837	New Town LLC	125 Main Street	ΙC
7750	F & H Properties Inc	123 M Main Street #101	I D
5122	F & H Properties Inc	123 Main Street #209	¥ 7
1697	New Town LLC	123 Main Street #204	7 B
75LI	TRUST 92005-2644	123 Main Street #202	7 C
6901	Mercer Transportation	123 Main Street #201	7 D
1714	New Town LLC	123 Main Street #205	<b>5</b> E
1431	New Town LLC	123 Main Street #305	¥ε
<b>7</b> 89	F & H Properties Inc	123 Main Street #303	3 B
6411	F & H Properties Inc	123 Main Street #301	3 C
1438	New Town LLC	123 Main Street #302	3 D
<b>716</b>	New Town LLC	123 Main Street #304	3 E
1326	Sunshine Conn LLC	123 Main Street #306	3 E
	9286 978 978 978 978 981 981 9171 9170 91179 1438	Owner         of Unit           New Town LLC         3829           New Town LLC         1283           New Town LLC         1431           New Town LLC         169           New Town LLC         169           New Town LLC         169           New Town LLC         1714           New Town LLC         1659           New Town LLC         1669           New Town LLC         1669           New Town LLC         1669           New Town LLC         1669           New Town LLC         1684           New Town LLC         1684           New Town LLC         1684           F & H Properties Inc         1754           New Town LLC         1684           F & H Properties Inc         1754           F & H Properties Inc         1754           F & H Properties Inc         1431           F & H Properties Inc         1431           F & H Properties Inc         1438           F & H Properties Inc         1438	Address         Owner         of Unit           12.3 M Main Street #301         New Town LLC         3829           12.3 M Main Street #302         New Town LLC         1850           12.3 M Main Street #302         New Town LLC         1850           12.3 M Main Street #302         New Town LLC         1850           12.3 M Main Street #302         New Town LLC         1850           12.3 M Main Street #303         New Town LLC         1850           12.3 M Main Street #304         New Town LLC         1857           12.3 M Main Street #305         New Town LLC         1857           12.3 M Main Street #305         New Town LLC         1857           12.3 M Main Street #305         New Town LLC         1857           12.3 M Main Street #305         New Town LLC         1857           12.3 M Main Street #305         New Town LLC         1843           12.3 M Main Street #305         New Town LLC         1841           12.3 M Main Street #306         New Town LLC         1438           12.3 M Main Street #307         P & H Properties Inc         184           12.3 M Main Street #306         P & H Properties Inc         184           12.3 M Main Street #307         P & H Properties Inc         184           12.3 M

<sup>\*</sup> Ownership percentages of Common Elements represent each corresponding Unit Owner's undivided interest in such Common Elements based on 29856 total square feet of all Units.