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ELLENDALE FARM
SUBMISSION AND
FIFTEENTH AMENDMENT TO DECLARATION

2016 049817

James Taylor, Successor Trustee to David Wilcox under Trust Agreement dated July 30, 1996 and known as Trust No. 202615-96, executes this Amendment to Declaration.

RECITALS

A. David J. Wilcox, Trustee under Trust Agreement dated July 30, 1996 and known as Trust No. 202615-96 ("Declarant"), established Ellendale Farm and recorded the First Restated Declaration of Covenants, Conditions, Easements, and Restrictions on June 22, 1998 as Document No. 98046488 in the Office of the Lake County Recorder ("Declaration").

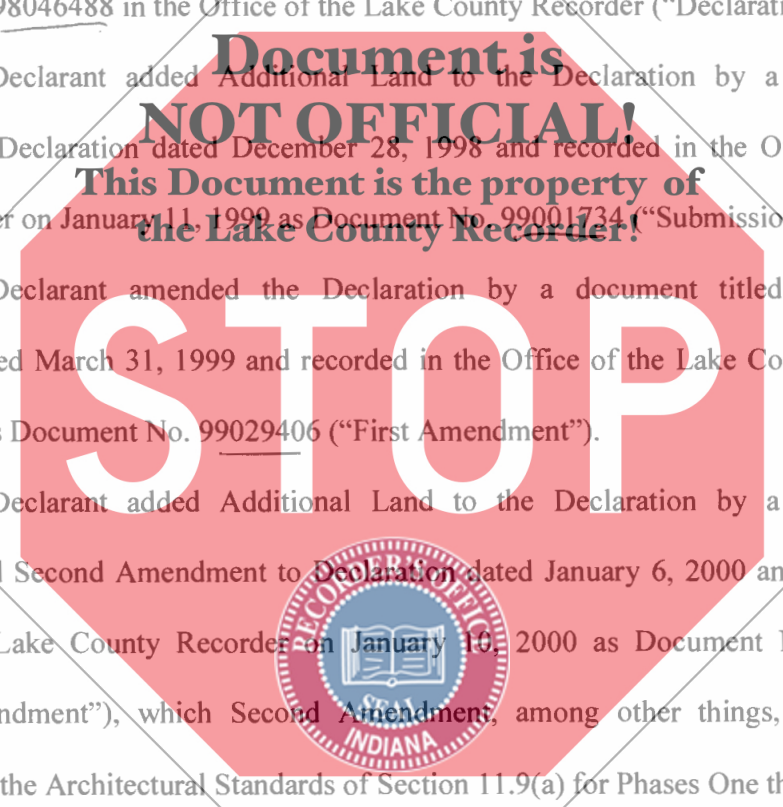
B. Declarant added Additional Land to the Declaration by a document titled Submission to Declaration dated December 28, 1998 and recorded in the Office of the Lake County Recorder on January 11, 1999 as Document No. 99001734 ("Submission").

C. Declarant amended the Declaration by a document titled Amendment to Declaration dated March 31, 1999 and recorded in the Office of the Lake County Recorder on April 4, 1999 as Document No. 99029406 ("First Amendment").

D. Declarant added Additional Land to the Declaration by a document titled Submission and Second Amendment to Declaration dated January 6, 2000 and recorded in the Office of the Lake County Recorder on January 10, 2000 as Document No. 2000-001637 ("Second Amendment"), which Second Amendment, among other things, detailed various amendments to the Architectural Standards of Section 11.9(a) for Phases One through Four.

E. Declarant added Additional Land to the Declaration by a document titled Amendment to Declaration for Phase Five dated December 20, 2000 and recorded in the Office

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD
2016 AUG 3 10:55
MICHAEL B. DOWNTON
RECORDER



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AUG 03 2016

92016-1764 FIDELITY NATIONAL TITLE COMPANY 24958

JOHN E. PETALAS
LAKE COUNTY AUDITOR

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of the Lake County Recorder on December 26, 2000 as Document No. 2000-094102 ("Third Amendment"), which Third Amendment, among other things, detailed various amendments to the Architectural Standards of Section 11.9 for Phase Five.

F. Declarant added Additional Land to the Declaration by document titled Submission and Fourth Amendment to Declaration which added Phase Six and is dated September 10, 2002 and recorded in the Office of the Lake County Recorder on December 23, 2002 as Document No. 2002-118698 ("Fourth Amendment"), which Fourth Amendment, among other things, detailed various amendments to the Architectural Standards of Section 11.9 for Phase Six.

G. Declarant added Additional Land to the Declaration by document titled First Supplemental Declaration of Covenants, Conditions, Easements, and Restrictions which added Phase Seven and is dated December 6, 2001 and recorded in the Office of the Lake County Recorder on December 10, 2001 as Document No. 2001-188750.

H. Declarant added Additional Land to the Declaration by document titled Submission and Fifth Amendment to Declaration which added Phase Eight and is dated December 19, 2003 and recorded in the Office of the Lake County Recorder on January 13, 2004 as Document No. 2004-003017 ("Fifth Amendment"), which Fifth Amendment, among other things, detailed various amendments to the Architectural Standards of Section 11.9 for Phase Eight.

I. Declarant added Additional Land to the Declaration by document titled Submission and Sixth Amendment to Declaration which added Phase Nine and is dated October 25, 2005 and recorded in the Office of the Lake County Recorder on October 29, 2004 as Document No. 2004-092548 ("Sixth Amendment"), which Sixth Amendment, among other



things, detailed various amendments to the Architectural Standards of Section 11.9 for Phase Nine.

J. Declarant added Additional Land to the Declaration by document titled Submission and Seventh Amendment to Declaration which added Phase Ten and is dated November 29, 2006 and recorded in the Office of the Lake County Recorder on November 30, 2006 as Document No. 2006-104943 ("Seventh Amendment"), which Seventh Amendment, among other things, detailed various amendments to the Architectural Standards of Section 11.9 for Phase Ten.

K. Declarant added Additional Land to the Declaration by document titled Submission and Eighth Amendment to Declaration dated December 18, 2006 and recorded in the Office of the Lake County Recorder on January 10, 2007 as Document No. 2007-002442 ("Eighth Amendment"), which Eighth Amendment, among other things, submitted additional land to the Townhome Development and to the Association.

L. Declarant added Additional Land to the Declaration by document titled Submission and Ninth Amendment to Declaration dated November 5, 2007 and recorded in the Office of the Lake County Recorder on November 14, 2007 as Document No. 2007-089896 ("Ninth Amendment"), which Ninth Amendment, among other things, submitted additional land to the Development and added provisions for Phase Twelve a/k/a EF Highlands Phase One ("Phase Twelve").

M. Declarant added Additional Land to the Declaration by document titled Submission and Tenth Amendment to Declaration which added provisions for Phase Eleven and is dated July 30, 2008 and recorded in the Office of the Lake County Recorder on August 14, 2008 as Document No. 2008-057812 ("Tenth Amendment"), which Tenth Amendment, among

other things, detailed various amendments to the Architectural Standards of Section 11.9 for Phase Eleven and amended certain standards related to sidewalk construction.

N. Declarant added Additional Land to the Declaration by document titled Submission and Eleventh Amendment to Declaration dated July 25, 2013 and recorded in the Office of the Lake County Recorder on July 30, 2013 as Document No. 2013 055503 (“Eleventh Amendment”), which Eleventh Amendment, among other things, added additional land to the Development, amended certain Architectural Standards, and established certain building setbacks.

O. Declarant added Additional Land to the Declaration by document titled Submission and Twelfth Amendment to Declaration dated October 30, 2013 and recorded in the Office of the Lake County Recorder on October 30, 2013 as Document No. 2013 080567 (“Twelfth Amendment”), which Twelfth Amendment, among other things, added additional land to the Development, amended certain Architectural Standards, and established certain building setbacks.

P. Declarant added Additional Land to the Declaration by document titled Submission and Thirteenth Amendment to Declaration dated August 20, 2015 and recorded in the Office of the Lake County Recorder on August 20, 2015 as Document No. 2015-056827 (“Thirteenth Amendment”), which Thirteenth Amendment, among other things, added additional land to the Development, amended certain Architectural Standards, and established certain building setbacks.

Q. Declarant added Additional Land to the Declaration by document titled Submission and Fourteenth Amendment to Declaration dated September 8, 2015 and recorded in the Office of the Lake County Recorder on September 11, 2015 as Document No. 2015-062462



("Fourteenth Amendment"), which Fourteenth Amendment, among other things, added additional land to the Development, amended certain Architectural Standards, and established certain building setbacks.

R. Declarant, under the Declaration, has the right to amend the Declaration from time to time.

S. The land described on Exhibit "A" is adjacent to the Development, and Declarant wishes to submit it to the Declaration, as amended by prior amendments. Declarant wishes to supplement and amend the Declaration by adding provisions for Old Town Village, Unit 2A, all of which is described in that certain Ordinance No. 2014 11 26 of the City of Crown Point, Indiana as the Planned Unit Development of Old Town Village

NOW, THEREFORE, Declarant amends the Declaration as follows:

1. Submission of Additional Land. Declarant submits the real estate on the attached Exhibit "A" to the Declaration as Additional Land, as defined in Section 1.1 of the Declaration and authorized under Article VIII of the Declaration, to be ruled and regulated by its terms in the Development as if the real estate had initially been a part of the land subject to the Declaration. The real estate submitted by this submission is part of the Ellendale Old Town Village ("Village Development"). Declarant accepts this submission.

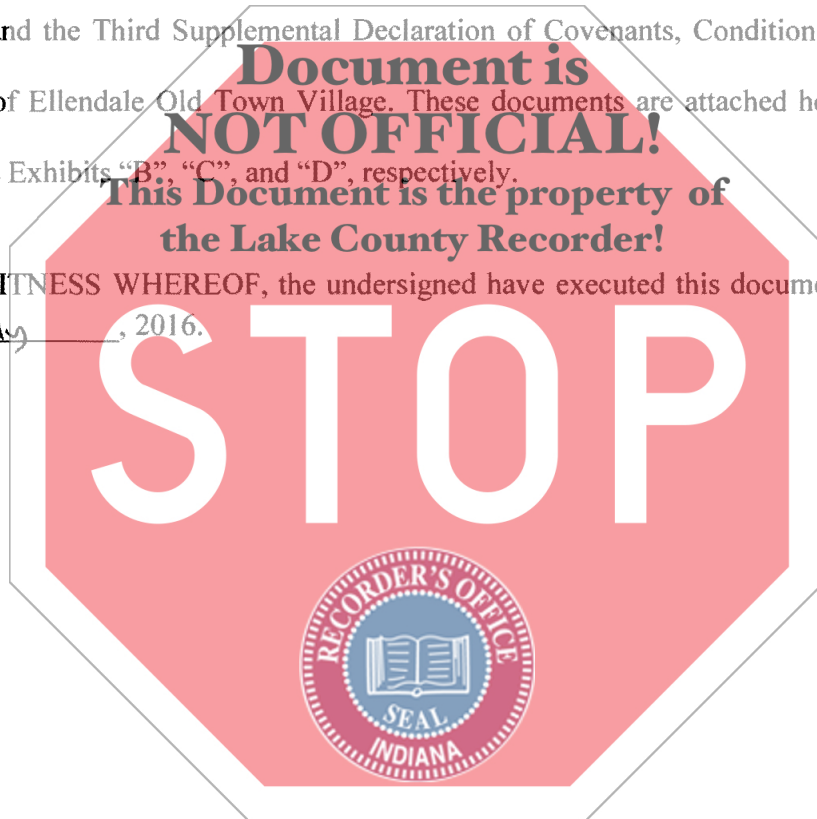
2. Ellendale Old Town Village Property Owners' Association. The real estate submitted by this submission will be a part of the Village Development, and as such, the owners within the Village Development will have membership and voting rights in the Ellendale Old Town Village Property Owners' Association, as defined in Section 3.2 of the Second Supplemental Declaration of Covenants, Conditions, Easements, and Restrictions of Ellendale Old Town Village ("Second Supplemental Declaration") made as of March 21, 2008 and

recorded in the Office of the Lake County Recorder on April 7, 2008 as Document No. 2008-024401.

3. Property Association. In addition to being part of the Village Development, the real estate submitted by this submission is part of the Development under the Declaration and as such, the owners within the Village Development will have membership and voting rights in the Association, as defined in Article III of the Declaration.

4. Architectural Standards. The Architectural Standards set out in Article XI of the Declaration shall not apply to the real estate. The real estate will instead be subject to the Architectural Standards set out in the Declaration of Covenants, Conditions, Easements and Restrictions of Ellendale Old Town Village and as amended by the Second Supplemental Declaration and the Third Supplemental Declaration of Covenants, Conditions, Easements and Restrictions of Ellendale Old Town Village. These documents are attached hereto and made a part hereof as Exhibits "B", "C", and "D", respectively.

IN WITNESS WHEREOF, the undersigned have executed this document on this 27th day of July, 2016.



Declarant:

James Taylor, Successor Trustee to David J. Wilcox under Trust Agreement dated July 30, 1996 and known as Trust No. 202615-96

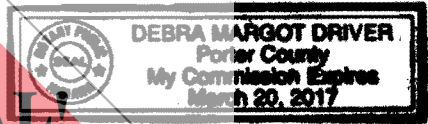
STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

On this 27th day of July, 2016, before me, the undersigned, a Notary Public in and for said County and State, personally appeared James Taylor, Successor Trustee to David J. Wilcox under Trust Agreement dated July 30, 1996 and Trust No. 202615-96 and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal.

Debra Margot Driver
, Notary Public

My Commission Expires: 3/20/2017
My County of Residence: Porter



**DIRECTION TO TRUSTEE TO SIGN THE ELLENDALE FARM
SUBMISSION AND FIFTEENTH AMENDMENT TO DECLARATION**

Date: July 21, 2016

**James Taylor, as Successor Trustee
11055 Broadway – Suite A
Crown Point, IN 46307**

**You are hereby authorized and directed as Trustee pursuant to the terms and provisions of a
Trust Agreement dated the 30th day of July, 1996 and known as Trust Number 202615-96 to sign the
Ellendale Farm Submission and Fifteenth Amendment to Declaration**

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Ellendale Farm Ltd.
the Lake County Recorder!**

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**Thomas J. Fleming, President of Ellendale
Farm Inc., General Partnership
TJF Holdings LLC**



Other Instructions:

EXHIBIT A

Legal Description of Unit 2A Village Real Estate

That part of the Northeast 1/4 of Section 18, Township 34 North, Range 8 West of the Second Principal Meridian, bounded and described as follows: BEGINNING at the Southeast corner of Old Town Unit 1, being a subdivision (as recorded in Book 101 Page 97) in said Northeast 1/4 of Section 18; thence South 89°14'00" West 187.41 feet along the South line of said Old Town Unit 1, to a bend; thence North 00°46'00" West 51.75 feet along a West line of said Old Town Unit 1, to a bend; thence South 89°14'00" West 114.76 feet along a South line of said Old Town Unit 1; thence South 80°11'49" West 150.00 feet along a Southerly line of said Old Town Unit 1, to the Westerly line of Haymarket Drive as dedicated in said Old Town Unit 1; thence South 09°48'11" East 192.00 feet; thence North 80°11'49" East 230.00 feet to a bend; thence North 85°04'42" East 73.20 feet to a bend; thence North 89°14'00" East to the East line of said Northeast 1/4; thence North 00°46'00" West 120.00 feet along said East line, to the herein designated POINT OF BEGINNING, in Lake County, Indiana.



Exhibit B

Layout Details:

Material Requirements
& Other Lot Limitations

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EXHIBIT B

FOR

Full Old Town Village PUD: Showing Three Phases

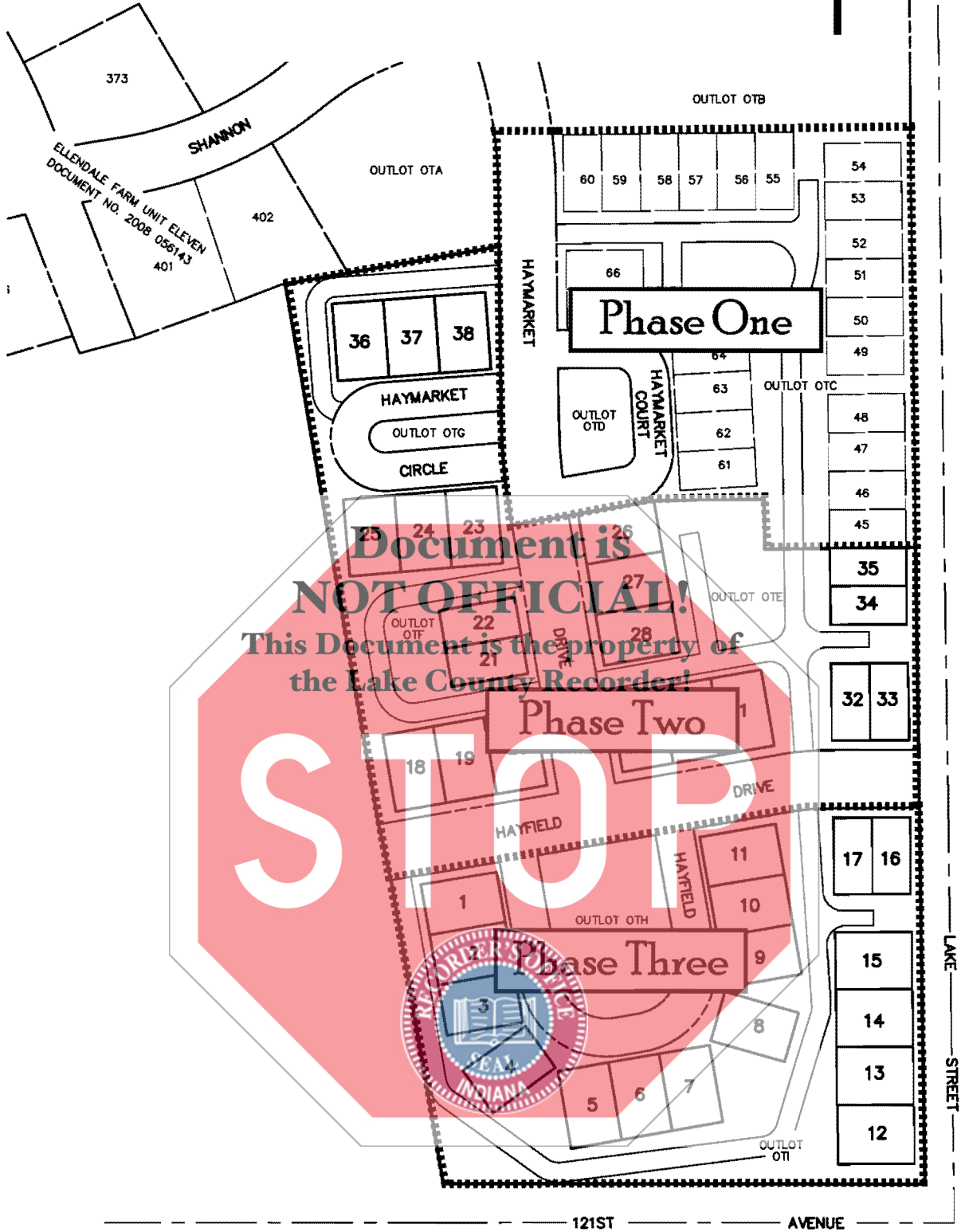
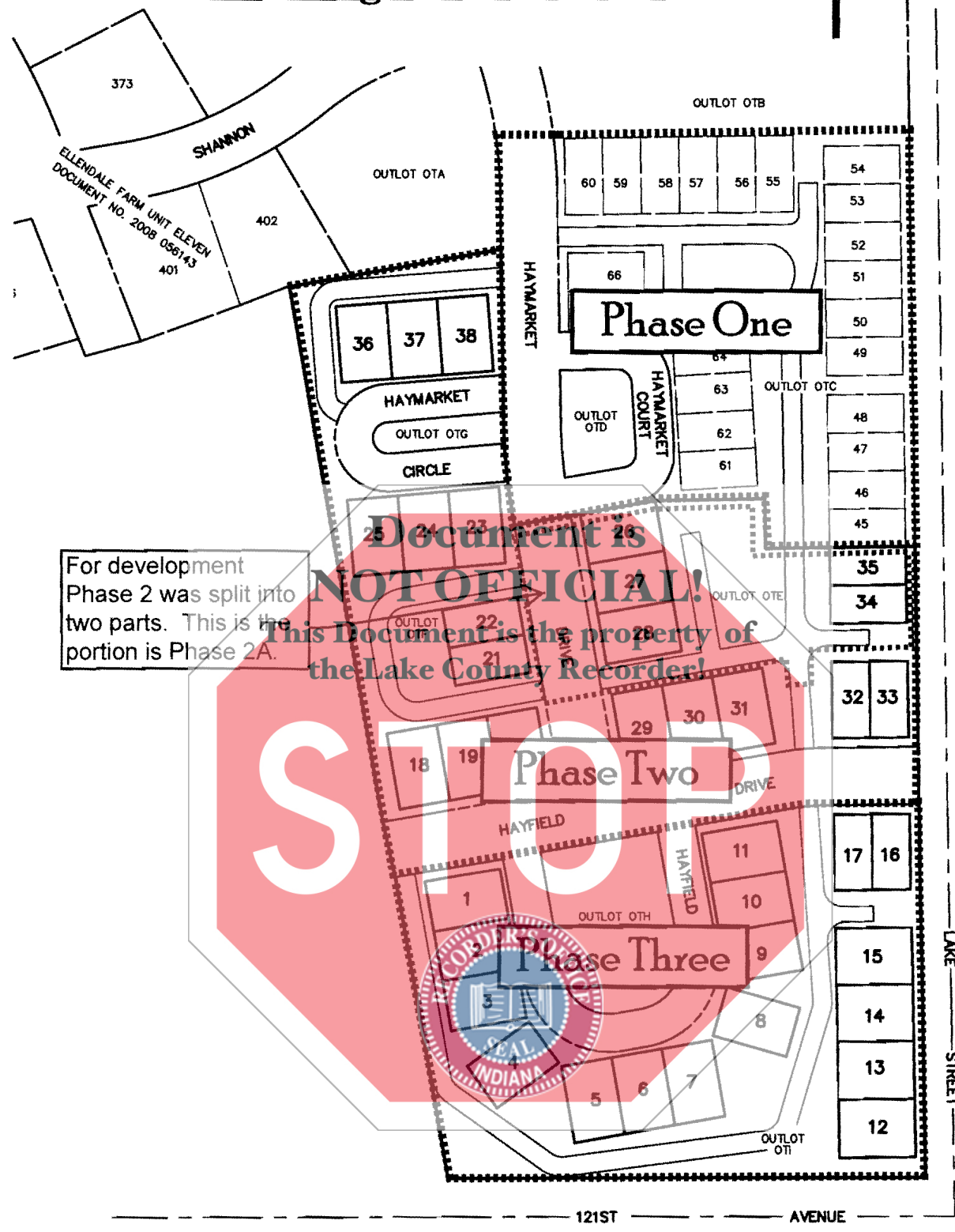
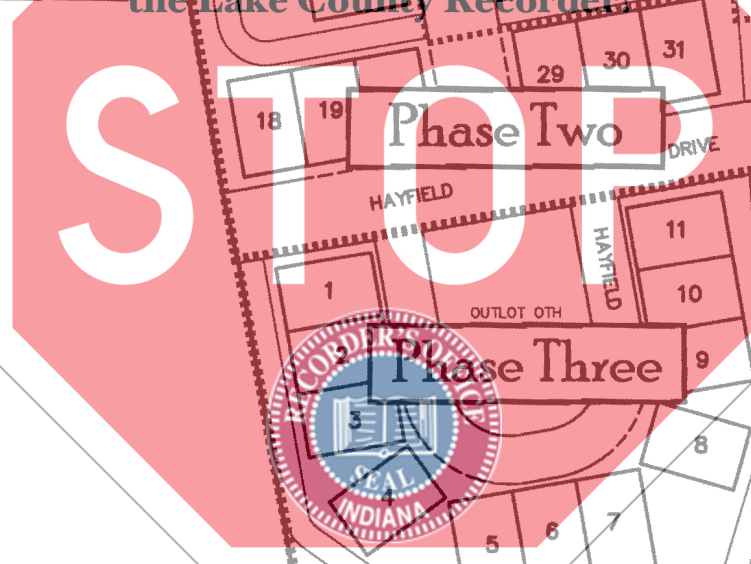


EXHIBIT C
FOR
Full Old Town Village PUD:
Showing Three Phases



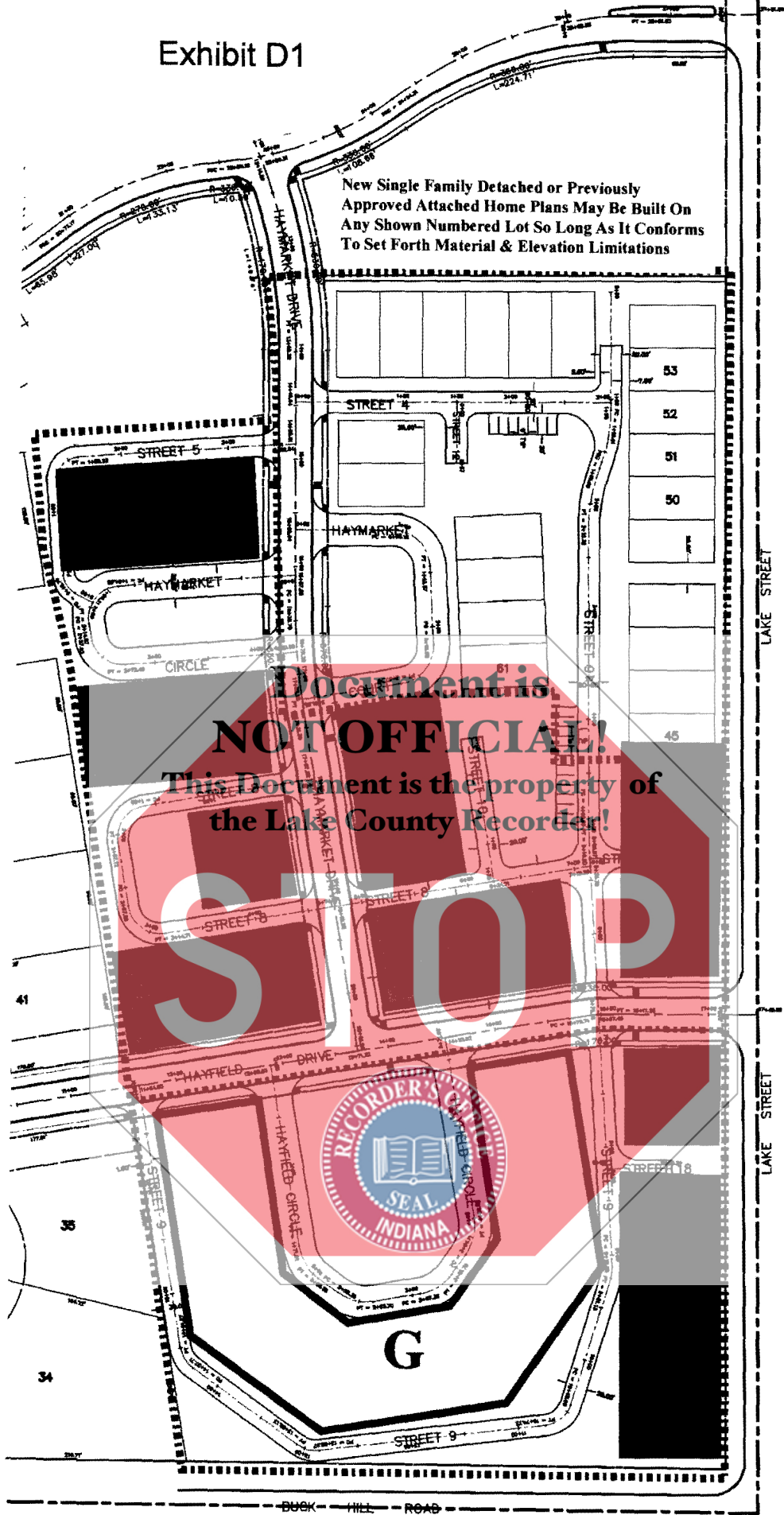
For development Phase 2 was split into two parts. This is the portion is Phase 2A.



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Phase One Key Old Town Zones Map

Exhibit D1



New Single Family Detached or Previously Approved Attached Home Plans May Be Built On Any Shown Numbered Lot So Long As It Conforms To Set Forth Material & Elevation Limitations

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Exhibit D2

Old Town Village: Material & Elevation Limitations

Zone	Color Code	Specific Limitations	
A	Green	<u>Brick Fronted</u>	No more than two (2) but no less than one (1) home(s) will have a brick fronted elevation in this zone.
		<u>Home Elevations</u>	No more than two (2) of the same elevations will be built so long as those two (2) elevations are not next to each other in this zone.
		<u>Ranch Limitation</u>	No more than two (2) Ranches will be built in this zone.
B	Green	<u>Brick Fronted</u>	No more than two (2) but no less than one (1) home(s) will have a brick fronted elevation in this zone.
		<u>Home Elevations</u>	No more than two (2) of the same elevations will be built so long as those two (2) elevations are not next to each other in this zone.
		<u>Ranch Limitation</u>	No more than two (2) Ranches will be built in this zone.
C	Purple	<u>Brick Fronted</u>	No more than three (3) but no less than two (2) homes will have a brick fronted elevations in this zone.
		<u>Home Elevations</u>	No more than two (2) of the same elevations will be built so long as those two (2) elevations are not next to each other in this zone.
		<u>Ranch Limitation</u>	No more than three (3) Ranches will be built in this zone.
D	Green	<u>Brick Fronted</u>	No more than two (2) but no less than one (1) home(s) will have a brick fronted elevation in this zone.
		<u>Home Elevations</u>	No more than two (2) of the same elevations will be built so long as those two (2) elevations are not next to each other in this zone.
		<u>Ranch Limitation</u>	No more than two (2) Ranches will be built in this zone.
E	Green	<u>Brick Fronted</u>	No more than two (2) but no less than one (1) home(s) will have a brick fronted elevation in this zone.
		<u>Home Elevations</u>	No more than two (2) of the same elevations will be built so long as those two (2) elevations are not next to each other in this zone.
		<u>Ranch Limitation</u>	No more than two (2) Ranches will be built in this zone.



Definitions:

Brick Fronted - Home to be constructed with the front elevation having a minimum of 25% masonry, being that of brick or stone appearance.

Home Elevation - Is any one specific front elevation, not to be confused with the home plan as home plans will have multiple front elevations.

**** *Limitations are to apply to all new Single Family Home Plans as well as to all previously approved Single Family Attached (Duplex) Home Plans*

Exhibit D 3

Old Town Village: Material & Elevation Limitations

Zone	Color Code	Specific Limitations	
F	Orange	<u>Brick Fronted</u>	No more than four (4) but no less than two (2) homes will have a brick fronted elevation in this zone.
		<u>Home Elevations</u>	No more than three (3) of the same elevations will be built so long as two (2) of the same elevations are not next to each other in this zone.
		<u>Ranch Limitation</u>	No more than four (4) Ranches will be built in this zone.
G	Yellow	<u>Brick Fronted</u>	No more than seven (7) but no less than four (4) homes will have a brick fronted elevation in this zone.
		<u>Home Elevations</u>	No more than five (5) of the same elevations will be built so long as two (2) of the same elevations are not next to each other in this zone.
		<u>Ranch Limitation</u>	No more than seven (7) Ranches will be built in this zone.
H	Purple	<u>Brick Fronted</u>	No more than three (3) but no less than two (2) homes will have a brick fronted elevations in this zone.
		<u>Home Elevations</u>	No more than two (2) of the same elevations will be built so long as those two (2) elevations are not next to each other in this zone.
		<u>Ranch Limitation</u>	No more than three (3) Ranches will be built in this zone.



Definitions:

Brick Fronted - Home to be constructed with the front elevation having a minimum of 25% masonry, being that of brick or stone appearance.

Home Elevation - Is any one specific front elevation, not to be confused with the home plan as home plans will have multiple front elevations.

**** Limitations are to apply to all new Single Family Home Plans as well as to all previously approved Single Family Attached (Duplex) Home Plans