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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

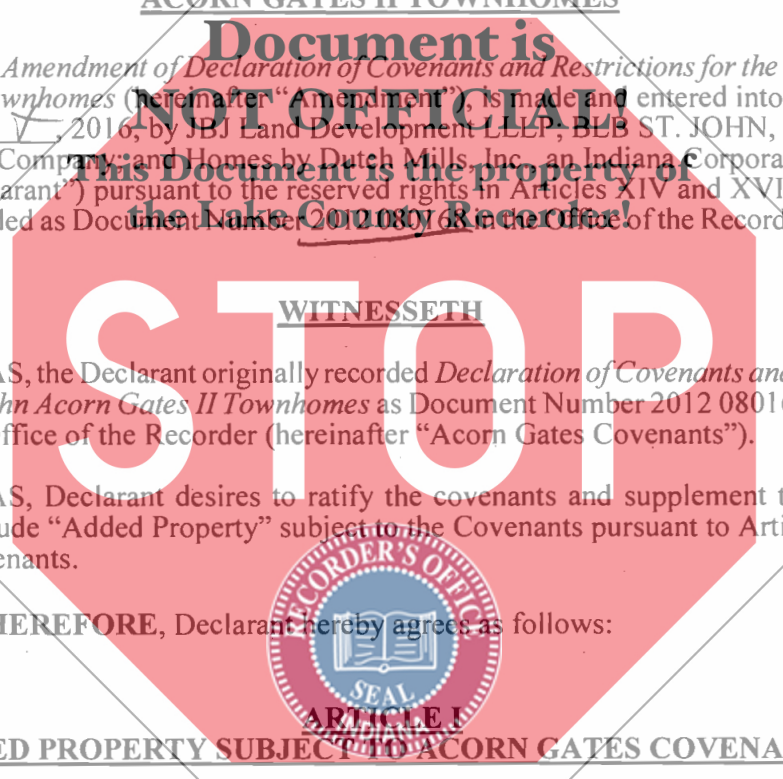
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MICHAEL B. BROWN
RECORDER

**FIRST AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
FOR THE GATES OF ST. JOHN
ACORN GATES II TOWNHOMES**

This *First Amendment of Declaration of Covenants and Restrictions for the Gates of St. John Acorn Gates II Townhomes* (hereinafter "Amendment"), is made and entered into this 15th day of August, 2016, by JBJ Land Development LLLP, BLB ST. JOHN, LLC, an Indiana Limited Liability Company, and Homes by Dutch Mills, Inc., an Indiana Corporation (hereinafter collectively "Declarant") pursuant to the reserved rights in Articles XIV and XVIII in the original Declaration recorded as Document Number 2012 080168 in the Office of the Recorder, Lake County, Indiana.



WITNESSETH

WHEREAS, the Declarant originally recorded *Declaration of Covenants and Restrictions for the Gates of St. John Acorn Gates II Townhomes* as Document Number 2012 080168 on November 14, 2012, in the Office of the Recorder (hereinafter "Acorn Gates Covenants").

WHEREAS, Declarant desires to ratify the covenants and supplement the Acorn Gates Covenants to include "Added Property" subject to the Covenants pursuant to Article XVIII of the Acorn Gates Covenants.

NOW, THEREFORE, Declarant hereby agrees as follows:

ADDED PROPERTY SUBJECT TO ACORN GATES COVENANTS

The real property legally described on Exhibit A, attached hereto and made a part hereof, is hereby incorporated as "Added Property" to the Acorn Gates Covenants and the Added Property shall be held, transferred, sold, conveyed and occupied subject to the Acorn Gates Covenants. JBJ Land Development LLLP certifies that it owns the Added Property or pursuant to a Limited Power of Attorney is authorized to execute and record covenants on behalf of the owners of any real property not owned by JBJ Land Development LLLP.

**ARTICLE II
RATIFICATION AND ACKNOWLEDGEMENT**

The Declarant, and each of them, hereby ratifies the Acorn Gates Covenants, as amended by this Amendment. Further, Declarant, and each of them, hereby acknowledges that *the First Amended and Restated Declaration of Covenants, Conditions, Restrictions and Easements and Homeowners Association for the Gates of St. John, Lake County, Indiana*, recorded as Document 2016 017312 are the recorded covenants for The Gates of St. John Development, which the Acorn Gate is part of, and such covenants control in the event of a conflict with the Acorn Gates Covenants.

2 refs 25454 \$19,00
JAS

FILED

AUG 23 2016

NO SALES DISCLOSURE NEEDED

Approved Assessor's Office

JOHN E. PETALAS
LAKE COUNTY AUDITOR: JB

cash

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be signed as of this 16th day of August, 2016.

Homes by Dutch Mill, Inc.

JBJ Land Development L.L.P

By: [Signature]
Helga Spoolstra, President

By: [Signature]
Brian Boomsma, general partner

BLB St. John, LLC
By: Lotton Development, Inc., Manager

By: [Signature]
John T. Lotton, President

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Helga Spoolstra, President of Homes by Dutch Mill, Inc., who acknowledged that she signed and delivered the above instrument as her own free and voluntary act as an authorized agent for and on behalf of the Homes by Dutch Mill, Inc.

Given under my hand and notarial seal this 23 day of August, 2016.

STATE OF _____)
) SS:
COUNTY OF _____)

BEFORE ME, a Notary Public in and for said County and State, personally appeared Brian Boomsma, general partner, authorized representative of JBJ Land Development L.L.P., who acknowledged that he signed and delivered the above instrument as his own free and voluntary act as an authorized agent for and on behalf of JBJ Land Development L.L.P.

Given under my hand and notarial seal this 23 day of August, 2016.

STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

BEFORE ME, a Notary Public in and for said County and State, personally appeared John T. Lotton, President of Lotton Development, Inc., Manager of BLB St. John, LLC, who acknowledged that he signed and delivered the above instrument as his own free and voluntary act as an authorized agent for and on behalf of BLB St. John, LLC.

Given under my hand and notarial seal this 15 day of August, 2016.



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 and this document was prepared by Timothy R. Kuiper, Austgen Kuiper Jasaitis P.C., 130 N. Main, Crown Point, Indiana 46307.

After recording, return to: Timothy R. Kuiper, 130 N. Main, Crown Point, Indiana 46307.

EXHIBIT A

LEGAL DESCRIPTION
UNIT 1F

THAT PART OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 9, WEST OF THE SECOND PRINCIPAL MERIDIAN IN LAKE COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT E IN THE GATES OF ST. JOHN UNIT 1D, RECORDED IN PLAT BOOK 104 PAGE 89 OF THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 01 MINUTES 48 SECONDS EAST 2.48 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST, 183.12 FEET; THENCE SOUTH 00 DEGREES 32 MINUTES 18 SECONDS WEST, 2.55 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 24 SECONDS EAST, 448.72 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 02 SECONDS WEST, 2.68 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 DEGREES EAST, 199.99 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 452.60 FEET TO THE NORTH RIGHT-OF-WAY LINE OF 109TH AVENUE; THENCE NORTH 89 DEGREES 27 MINUTES 42 SECONDS WEST ALONG SAID RIGHT-OF-WAY LINE, 971.61 FEET TO THE SOUTHEAST CORNER OF LOT 6 IN MARTIN'S COMMERCIAL ADDITION, RECORDED IN PLAT BOOK 100 PAGE 90 OF THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE NORTH 00 DEGREES 01 DEGREES 48 SECONDS WEST ALONG EAST BOUNDARY OF SAID MARTIN'S COMMERCIAL ADDITION, 459.53 FEET TO THE NORTHEAST CORNER OF LOT 5 IN SAID ADDITION, BEING ALSO A CORNER ON SOUTH LINE OF SAID LOT E IN THE GATES OF ST. JOHN UNIT 1D; THENCE SOUTH 87 DEGREES 19 MINUTES 32 SECONDS EAST ALONG SAID SOUTH LINE OF LOT E, 140.16 FEET TO THE PLACE OF BEGINNING, CONTAINING 10.1025 ACRES, MORE OR LESS.

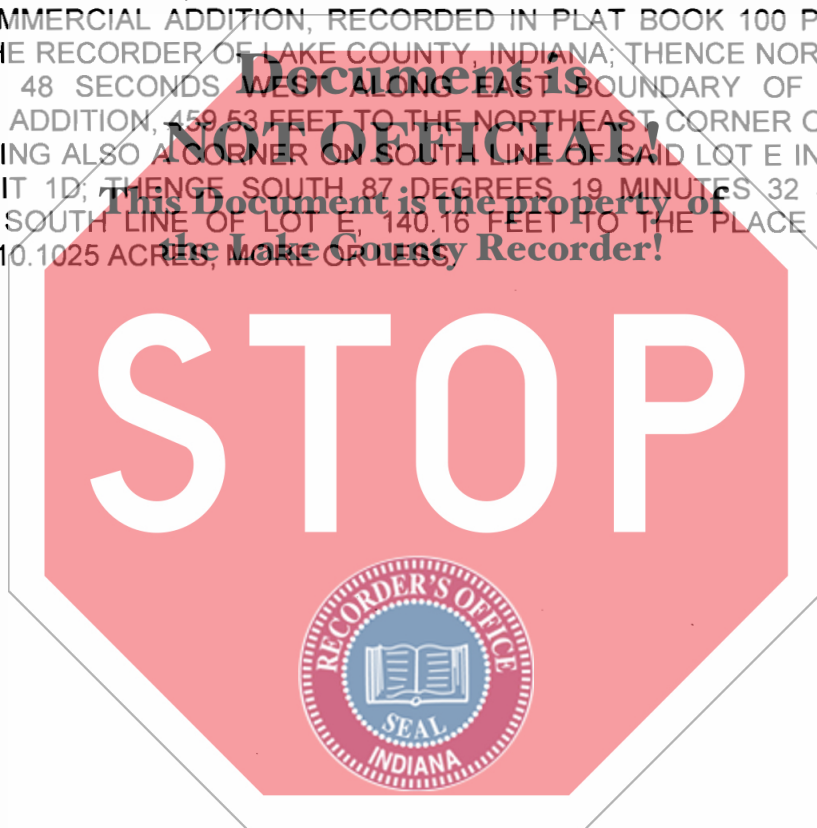


Exhibit A

Unit 1E

LEGAL DESCRIPTION

THAT PART OF THE SOUTH HALF OF SECTION 3, TOWNSHIP 34 NORTH, RANGE 9, WEST OF THE SECOND PRINCIPAL MERIDIAN IN LAKE COUNTY, INDIANA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT E IN THE GATES OF ST. JOHN UNIT 1D, RECORDED IN PLAT BOOK 104 PAGE 89 OF THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE ALONG THE SOUTHERLY AND EASTERLY BOUNDARY OF SAID UNIT 1D FOR THE FOLLOWING TWO COURSES AND DISTANCES: 1) NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST, 357.38 FEET; 2) NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST, 202.56 FEET TO THE SOUTHERLY LINE OF LOT G IN THE GATES OF ST. JOHN UNIT 1A, RECORDED IN PLAT BOOK 100 PAGE 55 OF THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID UNIT 1A FOR THE FOLLOWING THREE COURSES AND DISTANCES: 1) NORTH 89 DEGREES 58 MINUTES 12 SECONDS EAST, 108.41 FEET; 2) NORTH 53 DEGREES 05 MINUTES 59 SECONDS EAST, 180.09 FEET; 3) THENCE NORTH 42 DEGREES 39 MINUTES 33 SECONDS EAST, 50.78 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 187.78 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 492.94 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 199.99 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 02 SECONDS EAST, 2.68 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 24 SECONDS WEST, 448.72 FEET, THENCE NORTH 00 DEGREES 32 MINUTES 18 SECONDS EAST, 2.55 FEET; THENCE SOUTH 89 DEGREES 58 MINUTES 12 SECONDS WEST, 183.12 FEET, THENCE NORTH 00 DEGREES 01 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID LOT E IN THE GATES OF ST. JOHN UNIT 1D, AND SAID LINE EXTENDED SOUTHERLY, 137.62 FEET TO THE PLACE OF BEGINNING, CONTAINING 5.8113 ACRES, MORE OR LESS.

