

**AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS**  
**FOR MORNING CREST SUBDIVISION, UNIT 1**  
**RECORDED IN PLAT BOOK 112, PAGE 07, LAKE COUNTY, INDIANA**

THIS AMENDMENT OF COVENANTS AND RESTRICTIONS FOR MORNING CREST SUBDIVISION, UNIT 1, (the "Amendment") made this 9 day of October, 2019, by MORNING CREST HOMEOWNERS ASSOCIATION, INC., an Indiana not for profit corporation (the "Declarant").

WITNESSETH:

WHEREAS, the Declarant filed a Declaration of Covenants and Restrictions for Morning Crest Subdivision, Unit 1 (the "Declaration"), Recorded in Plat Book 112, Page 07, Lake County, Indiana, which was executed on the 26 day of April, 2019, and duly recorded in the Office of the Lake County Recorder on the 29<sup>th</sup> day of April, 2019; and

WHEREAS, the Declarant now desires to amend said Declaration for the benefit of the Subdivision described therein;

NOW, THEREFORE, the Declarant hereby declares that the Declaration be and is hereby amended as follows:

**Section 10.09 Minimum Criterion for Architectural Review.** No residence shall be permitted to be constructed upon a Lot, nor shall the Committee be required to approve any construction which shall fail to comply with, or meet the following minimum requirements:

(a) **Minimum Finished Floor Area.** The minimum finished floor area (as hereinafter defined) of each residence on a Lot shall be as follows:

- (1) All one story residences shall be a minimum finished floor area of Two Thousand Two Hundred (2,200) square feet. All ranches shall have a minimum of a 2-car attached garage or greater.
- (2) All one and one-half (1-1/2) story residences shall have a minimum finished floor area of Two Thousand Two Hundred (2,200) square feet. All 1-1/2 story residences shall have a minimum of a 2 car attached garage or greater.
- (3) All two (2) story residences shall have a minimum finished floor area of Two Thousand Three Hundred (2,300) square feet. All 2 story residences shall have a minimum of a 2 car attached garage or greater.
- (4) For Lots 24-26, all one (1) story residences (ranches), shall have a minimum finished floor area of Two Thousand Two Hundred (2,200) square feet. All one and one-half (1-1/2) story residences on Lots 24-26, shall have a minimum finished floor area of Two Thousand Two Hundred (2,200) square feet. All two (2) story residences on Lots 24-26 shall have

**FILED**

OCT 31 2019

JOHN E. PETALAS  
LAKE COUNTY AUDITOR

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STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD  
MICHAEL B BROWN  
RECORDER

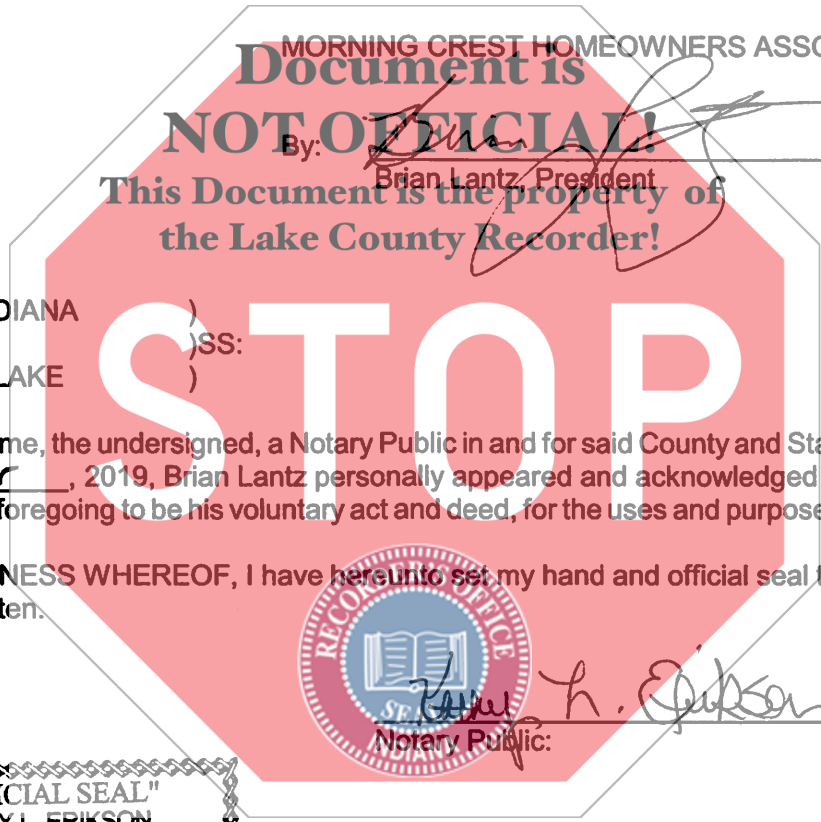
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a minimum finished floor area of Two Thousand Three Hundred (2,300) square feet.

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- (8) All roof pitches are to be a minimum of 6/12 pitch unless a variance is approved by the Architectural Review Committee. All plumbing stacks and roof vents or ventilators shall be located in the rear of the residence roof.

All of the Declaration of Covenants and Restrictions for Morning Crest Subdivision, Unit 1 Recorded in Plat Book 112, Page 07, Lake County, Indiana, not specifically changed or amended herein shall remain in full force and affect.



STATE OF INDIANA )  
                                  )SS:  
COUNTY OF LAKE   )

Before me, the undersigned, a Notary Public in and for said County and State, this 21 day of October, 2019, Brian Lantz personally appeared and acknowledged the execution of the above and foregoing to be his voluntary act and deed, for the uses and purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

"OFFICIAL SEAL"  
 KATHY L. ERIKSON  
 Notary Public, State of Indiana  
 Lake County  
 Commission Number 0685740  
 My Commission Expires 07/01/24

**NOW, THEREFORE, BE IT RESOLVED** that the undersigned Officers and Directors of MORNING CREST HOMEOWNERS ASSOCIATION, INC., hereby ratify and approve the execution of the Amendment, a copy of which is attached hereto as Exhibit "A", and hereby authorize that same be filed and recorded in the Office of the Recorder of Lake County, Indiana.

There being no further or other business to come before the meeting, the same was, on motion duly made, seconded and unanimously carried, adjourned.

  
\_\_\_\_\_  
Brian Lantz, President

  
\_\_\_\_\_  
John Lantz, Secretary



**MINUTES OF SPECIAL MEETING OF BOARD OF DIRECTORS  
OF MORNING CREST HOMEOWNERS ASSOCIATION, INC.**

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The special meeting of the Board of Directors of Morning Crest Homeowners Association, Inc. held at the office of the corporation this 9 day of October, 2019, pursuant to the following waiver of notice and consent to the holding of said meeting signed by all of the Directors of this corporation on the records of said meeting, to-wit:

The undersigned, being the Directors of Morning Crest Homeowners Association, Inc., do hereby waive notice of the time, place and purpose of the special meeting of the Board of Directors and do hereby call said meeting and consent to the holding thereof at the office of the corporation on the 9 day of October, 2019, immediately following the adjournment of the first meeting of the incorporators and shareholders of the corporation, and we do hereby consent to the transaction of any and all business that may come before the meeting including the perfecting of the organization and the adoption of the code of By-Laws.

The following individuals were present in person: Brian Lantz and John Lantz.

The meeting was called to order by Brian Lantz, President. John Lantz acted as secretary.

Thereupon an Amendment to Declaration of Covenants and Restrictions for Morning Crest Subdivision, Unit 1 Recorded in plat Book 112, Page 07, Lake County, Indiana (the "Amendment") was presented.

Thereupon, the meeting proceeded to consider such proposed Amendment. After a thorough consideration and complete discussion thereof, on motion duly made, seconded and unanimously carried, the following Resolution was Adopted:

**WHEREAS**, MORNING CREST HOMEOWNERS ASSOCIATION INC. (the "Company") is a nonprofit corporation, formed on March 18, 2019, duly organized under the laws of the State of Indiana, and in good standing as of the date hereof; and

**WHEREAS**, Brian Lantz, and John Lantz, being the Officers and Directors of the Company, believe that it is in the best interest of the Company to Amend the Declaration of Covenants and Restrictions for Morning Crest Subdivision, Unit 1 Recorded in Plat Book 112, Page 07, Lake County, Indiana, reducing the square footage and roof pitch of the homes to be constructed;

**WHEREAS**, Article XII, Section 12.01(d) grants the Company, as the Declarant, the authority to amend aforesaid Declaration of Covenants and Restrictions for Morning Crest Subdivision, Unit 1 without consent of others, as stated in said Article XII, Section 12.01(d); and

**WHEREAS**, the undersigned, being the Officers and Directors of MORNING CREST HOMEOWNERS ASSOCIATION INC., hereby approve and ratify the execution and recording of the Amendment to Declaration of Covenants and Restrictions for Morning Crest Subdivision, Unit 1 Recorded in Plat Book 112, Page 07, Lake County, Indiana (the "Amendment").