



2009037362

RECORDED ON
07/16/2009 01:44:01PM
JOHN MCGAULEY
ALLEN COUNTY RECORDER
FORT WAYNE, IN

plat Cab G Pg 9 a,b,c,d,e

**AMENDMENT NO. 2 TO DECLARATION AND SITE PLAN OF
VILLAS AT SUMMIT RESERVE CONDOMINIUMS
BUILDING NO. 5**

REC FEE: 41.00
TRANS # 65740

THIS Amendment No. 2 to Declaration and Site Plan of Villas at Summit Reserve Condominiums ("Amendment") made this 19th day of December, 2008, by Villas at Summit Reserve, LLC, an Ohio limited liability company ("Declarant").

WITNESSETH:

WHEREAS, the following facts are true:

A. Declarant is the Developer of Villas at Summit Reserve Condominiums.

B. On December 19, 2007, Declarant recorded the Declaration of Condominium Ownership and easements, restrictions, covenants and Plans for Villas at Summit Reserve Condominiums in the office of the Recorder of Allen County, Indiana as Document Number 2007069255 and Plat Cabinet F, page 188, respectively, and as are amended from time to time (collectively, the "Declaration"). The Declaration is incorporated by reference to this Amendment and all of the terms and definitions as described in the Declaration shall have the same meaning in this Amendment.

C. Building 5 consisting of Unit Nos. U5-1, U5-2, U5-3 and U5-4 has now been constructed and the Declaration is required to be amended to reflect the "as built" location of the Building and Units.

NOW THEREFORE, Declarant makes this Amendment to Declaration as follows:

1. Declaration. Declarant expressly declares that Building 5 consisting of Unit Nos. U5-1, U5-2, U5-3, and U5-4 has been constructed and is placed as shown on the Amended Site Plan, which is attached as Exhibit "A" to this Amendment.

{00222601;v1}

10063
JUL 16 2009
ALLEN...

Metro Bank

2. Amended Plan. The Amended Site Plan attached as Exhibit "A" and made a part of this Amendment shows the location of Building 5 as certified by Duane A. Brown, a Registered Land Surveyor, and shows the layout, identification, and dimensions of the Building and Units as-built, as certified by Duane A. Brown, Licensed Professional Engineer, and are incorporated into and made a part of the Declaration.

3. Percentage Interest. Pursuant to Section 4, Section 21, and Exhibit "E" of the Declaration, the undivided interest each Owner of Units U5-1, U5-2, U5-3 and U5-4 shall have in the Common Area is 1/44th initially, and 1/68th after expansion as provided in the Declaration.

4. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Amendment, the Declaration, the Act, the By-Laws, and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant and occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit or the Property as if those provisions were recited and stipulated at length and each and every deed, conveyance, mortgage or lease thereof.

EXECUTED the day and year first above written.

VILLAS AT SUMMIT RESERVE, LLC

By: BTJ
Printed Name: TIMOTHY J. THRY
Title or Position: MEMBER

STATE OF Ohio)
COUNTY OF Franklin) SS:

Before me, a Notary Public in and for said County and State, personally appeared Timothy Thry known to me as member of Villas at Summit Reserve, LLC, and for and on behalf of said company acknowledged the execution of the foregoing instrument.

Witness my hand and Notarial Seal this 23rd day of December, 2008.

My Commission Expires Dec 16, 2012 Signature Jill Brunson
Resident of Union County Franklin Printed Jill Brunson

Notary Public



JILL BRUNSON
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
December 16, 2012

{00222601;v1}

This instrument prepared by Patrick R. Hess, Attorney at law, Beckman Lawson, LLP, P.O. Box 800, Fort Wayne, Indiana 46801-0800.

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, Patrick R. Hess.

{00222601;v1}

2009037362
 RECORDED ON
 07/18/2008 01:44:01PM
 JOHN MCKEALLY
 ALLEN COUNTY RECORDER
 FORT WAYNE, IN
 REC FEE: 41.00
 TRANS # 62760

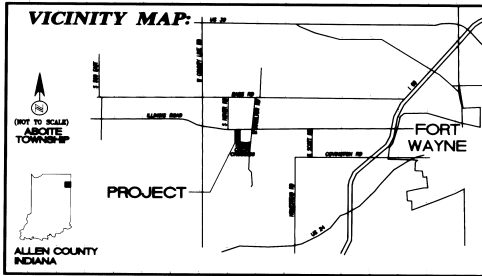
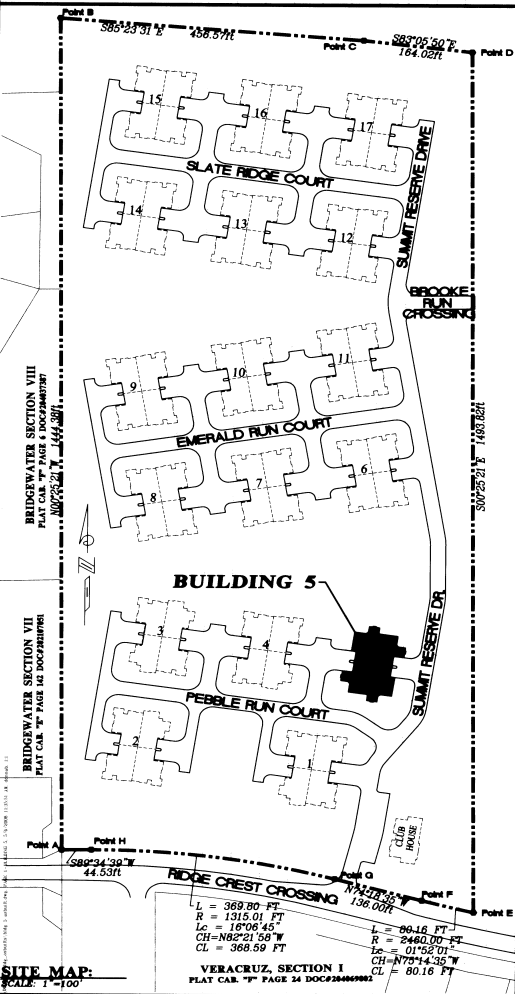
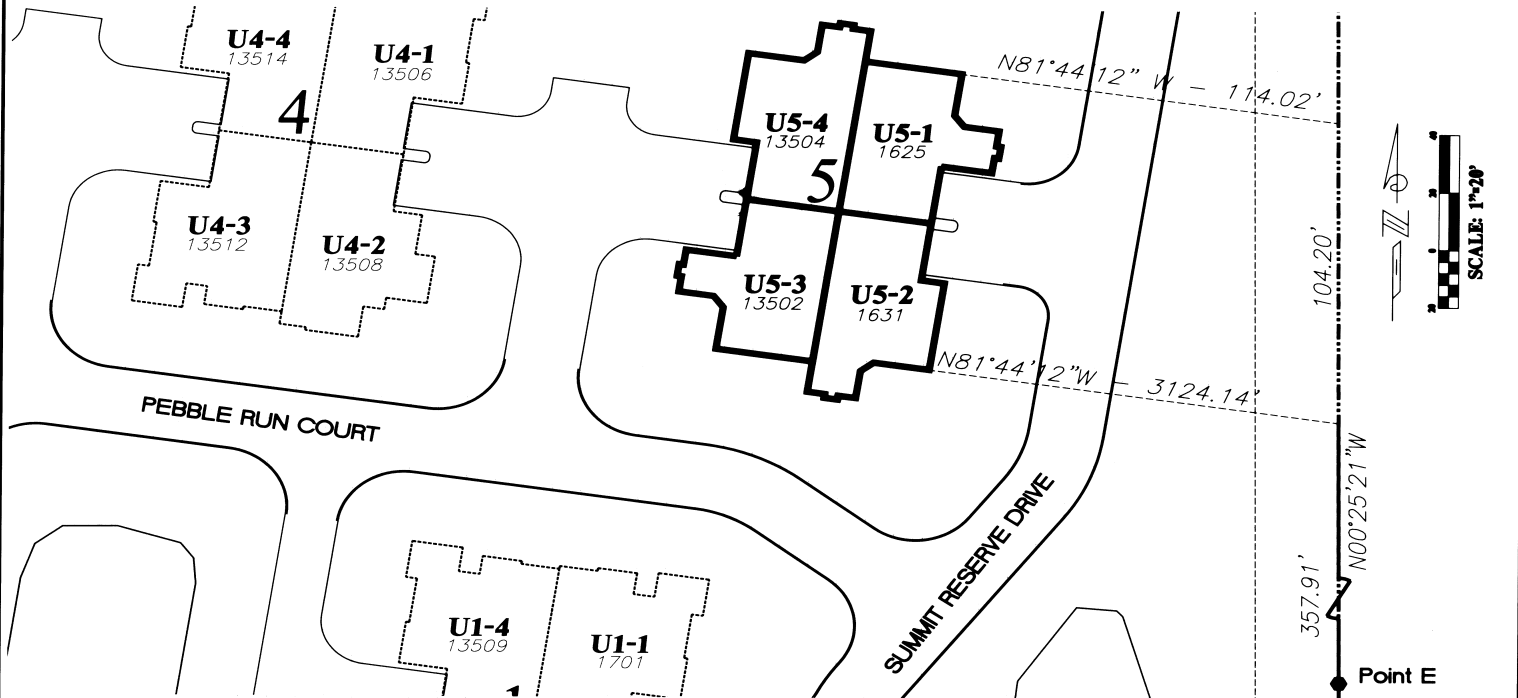
EXHIBIT A BUILDING 5 UNITS 5-1, 5-2, 5-3, & 5-4 AMENDMENT TO VILLAS AT SUMMIT RESERVE CONDOMINIUMS

DEVELOPER:
 Villas at Summit Reserve, LLC
 P.O. Box 1484
 Dublin, Ohio 43017-6484
 PHONE: (614) 766-6922
 FAX: (614) 766-6923

A tract of land located in the Northeast Quarter of Section 8, Township
 30 North, Range 11 East, in Allen County, the State of Indiana

ALLEN COUNTY, INDIANA
SHEET 1 OF 5

ENGINEER:
DABEC
 D A Brown Engineering Consultants
 5400 COUNTY ROAD 427, SUITE C, ALLEN TWP, IN 46708
 PHONE: (260) 825-2020 FAX: (260) 825-2222



NOTES:
 ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 1803C0130F (EFFECTIVE DATE NOVEMBER 5, 2003), 1803C0130F (EFFECTIVE DATE NOVEMBER 5, 2003), THIS PROPERTY LIES ACCORDING TO FLOOD INSURANCE RATE MAP COMMUNITY PANEL NUMBER 1803C0130F (EFFECTIVE DATE NOVEMBER 5, 2003), THIS PROPERTY LIES IN ZONE X. ZONE X IS DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

ALL EXTERIOR DIMENSIONS ARE TO THE OUTSIDE OF CONCRETE FOUNDATION TYPICALLY. THE FINISHED EXTERIOR OF THE STRUCTURE EXTENDS OUT OVER THE CONCRETE FOUNDATION.

SURVEYOR'S CERTIFICATION

I, the undersigned, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana and that to the best of my knowledge and belief this Amendment to Villas at Summit Reserve Condominiums (the original Declaration of which was recorded in Allen County Document Number 2007089255) accurately depicts the location of the building existing as of this date within the Common Area affected by this Amendment. The boundary lines, corners, bearings, and distances shown are based on a Boundary Survey previously recorded in Allen County Document Number 206068233.

Dated this 6th Day of May 2008
 Signed: Duane A. Brown
 Duane A. Brown
 Kendallville, IN
 Indiana RLS #LS 80040337



DOCUMENT PREPARED DUANE A. BROWN
 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. Duane A. Brown.

EXHIBIT A BUILDING 5 UNIT 5-1

AMENDMENT TO VILLAS AT SUMMIT RESERVE CONDOMINIUMS

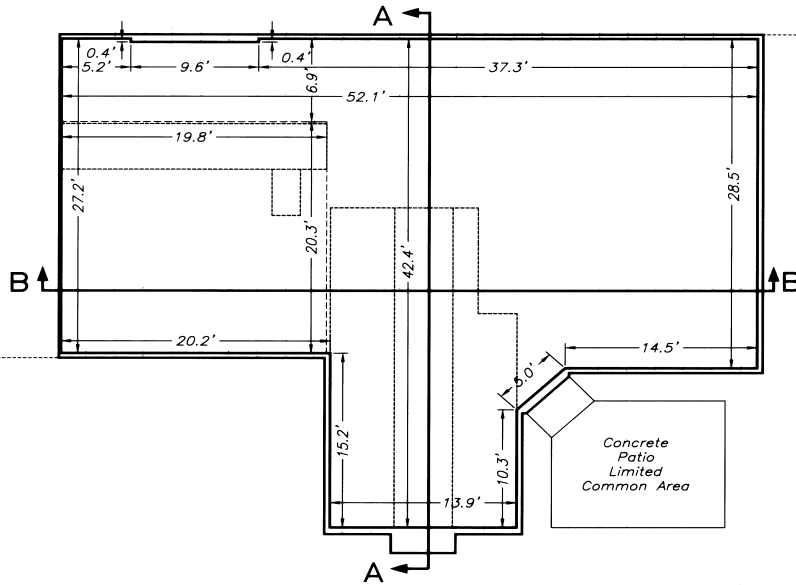
A tract of land located in the Northeast Quarter of Section 8, Township
30 North, Range 11 East, in Allen County, the State of Indiana

ALLEN COUNTY, INDIANA
SHEET 2 OF 5

DEVELOPER:
Villas at Summit Reserve, LLC
P.O. Box 1484
Dublin, Ohio 43017-6484
PHONE: (614) 766-6922
FAX: (614) 766-6923

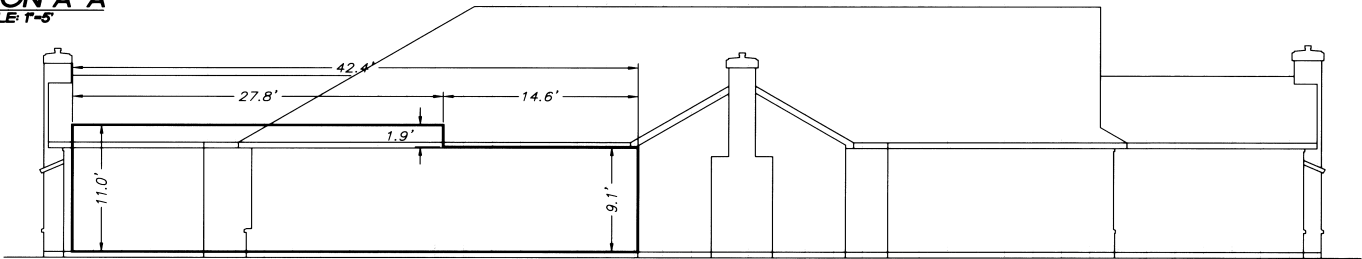
2009037362
RECORDED ON
07/16/2009 01:44:01PM
JOHN MCHALEY
ALLEN COUNTY RECORDER
FORT WAYNE, IN
REC FEE: 41.00
TRANS # 05740

ENGINEER:
DABEC
D. A. Brown Engineering Consultants
548 COUNTY ROAD 427, SUITE C, ALBURN, IN 46708
PHONE: (260) 285-2020 FAX: (260) 285-1212

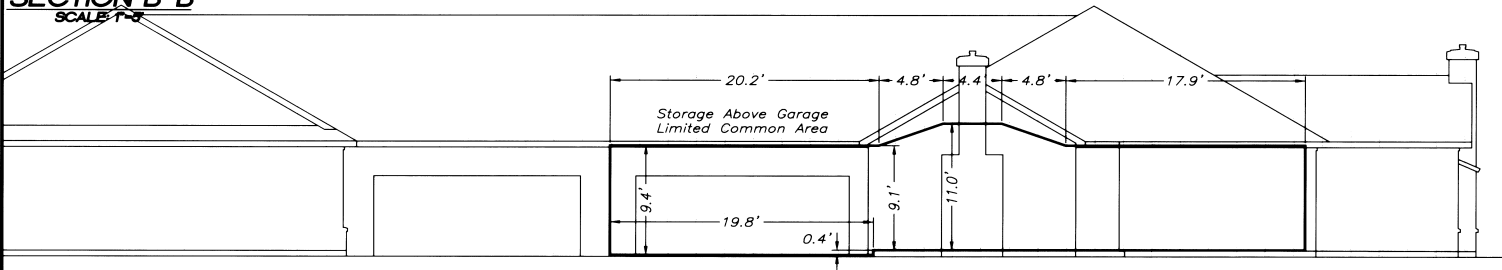


PLAN VIEW (FLOOR PLAN)
SCALE: 1"=5'

SECTION A-A
SCALE: 1"=5'



SECTION B-B
SCALE: 1"=5'



ENGINEER'S CERTIFICATION

I, the undersigned, hereby certify that I am a Professional Engineer licensed in compliance with the laws of the State of Indiana and that to the best of my knowledge and belief this Amendment to Villas at Summit Reserve Condominiums (the original Declaration of which was recorded in Allen County Document Number 2007069255) fully and accurately depicts the layout, location of the Unit within the existing structure, Unit Number, and dimensions of the Unit as built.

Dated this 6th Day of May 2008

Signed: Duane A. Brown
Duane A. Brown
Kendallville, IN
Indiana PE #16209



EXHIBIT A BUILDING 5 UNIT 5-2

AMENDMENT TO VILLAS AT SUMMIT RESERVE CONDOMINIUMS

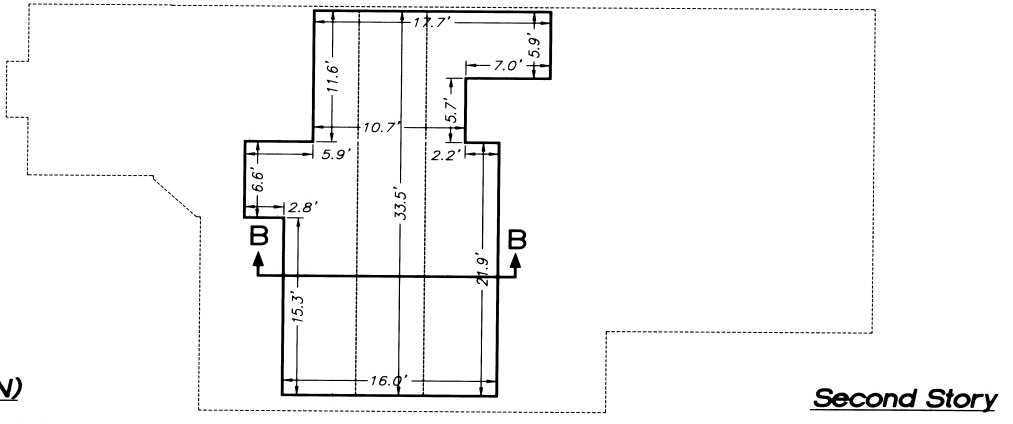
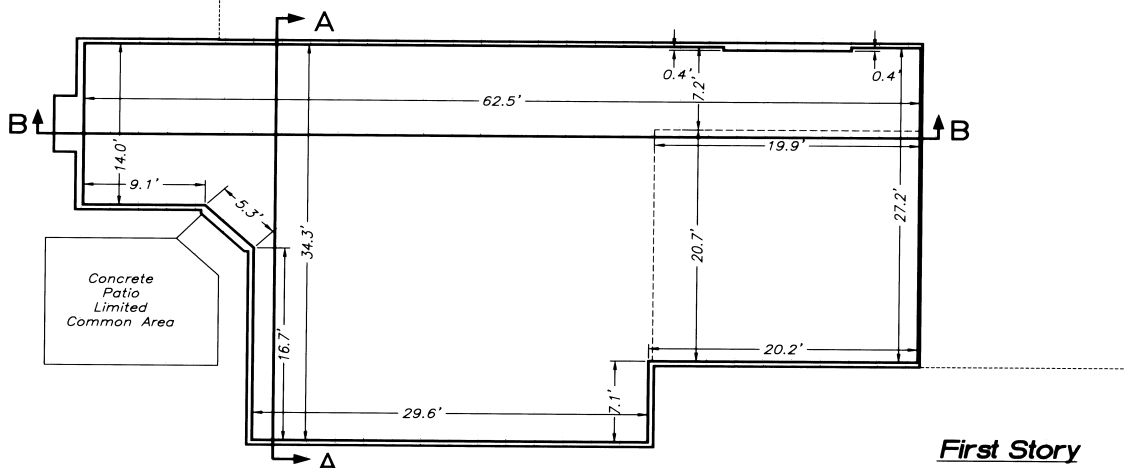
A tract of land located in the Northeast Quarter of Section 8, Township
30 North, Range 11 East, in Allen County, the State of Indiana

ALLEN COUNTY, INDIANA
SHEET 3 OF 5

DEVELOPER:
Villas at Summit Reserve, LLC
P.O. Box 1484
Dublin, Ohio 43017-6484
PHONE: (614) 766-6922
FAX: (614) 766-6923

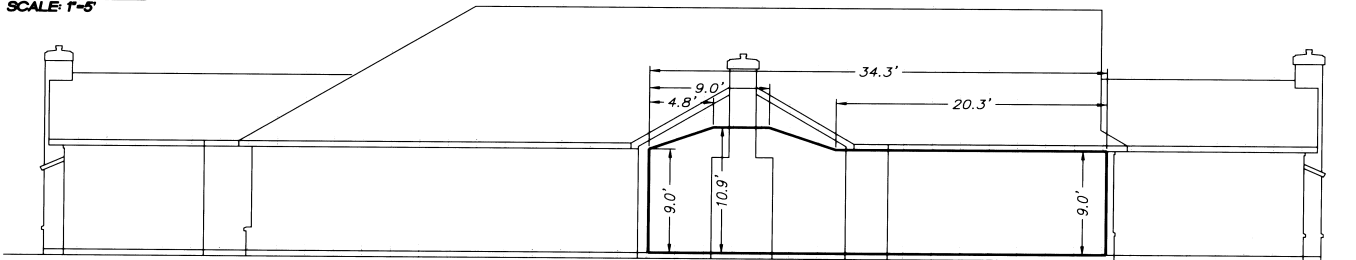
2009037362
RECORDED IN
07/16/2008 01:44:01PM
JOHN MCSALEY
ALLEN COUNTY RECORDER
FORT WAYNE, IN
REC FEE: 41.00
TRANS # 85740

ENGINEER:
DABEC
D.A. Brown Engineering Consultants
548 COUNTY ROAD 427, SUITE C, ALBURN, IN 46708
PHONE: (260) 825-3080 FAX: (260) 825-1212

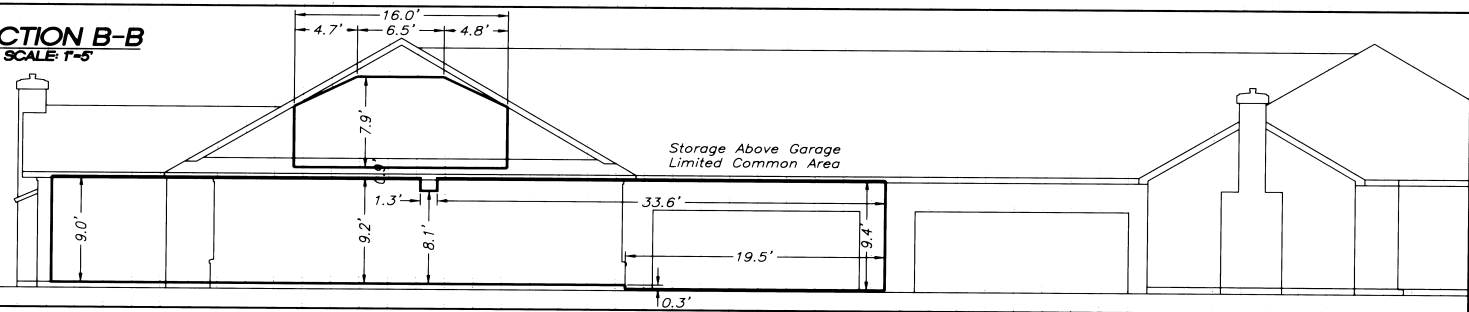


PLAN VIEW (FLOOR PLAN)
SCALE: 1"=5'

SECTION A-A
SCALE: 1"=5'



SECTION B-B
SCALE: 1"=5'



ENGINEER'S CERTIFICATION

I, the undersigned, hereby certify that I am a Professional Engineer licensed in compliance with the laws of the State of Indiana and that to the best of my knowledge and belief this Amendment to Villas at Summit Reserve Condominiums (the original Declaration of which was recorded in Allen County Document Number 2007089255) fully and accurately depicts the layout, location of the Unit within the existing structure, Unit Number, and dimensions of the Unit as built.

Dated this 8th Day of May 2008

Signed: *Duane A. Brown*
Duane A. Brown
Kendallville, IN
Indiana PE #16209



EXHIBIT A BUILDING 5 UNIT 5-3

AMENDMENT TO VILLAS AT SUMMIT RESERVE CONDOMINIUMS

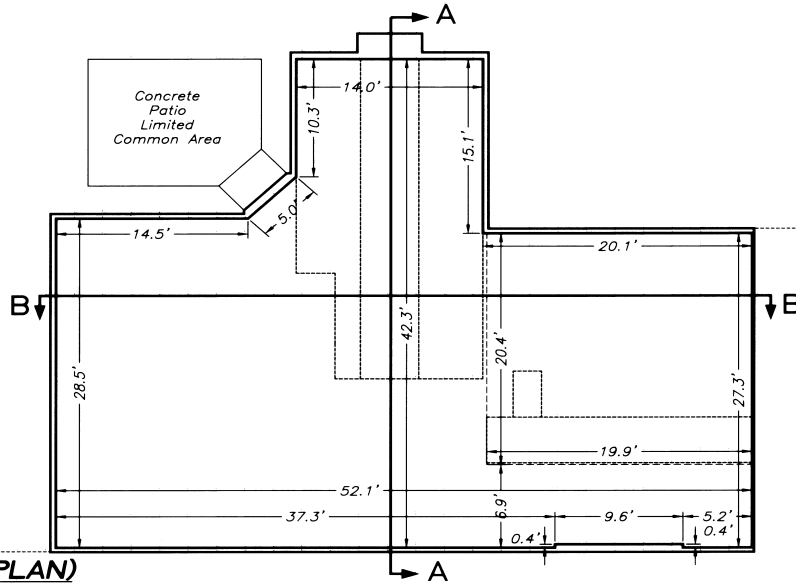
A tract of land located in the Northeast Quarter of Section 8, Township
30 North, Range 11 East, in Allen County, the State of Indiana

ALLEN COUNTY, INDIANA
SHEET 4 OF 5

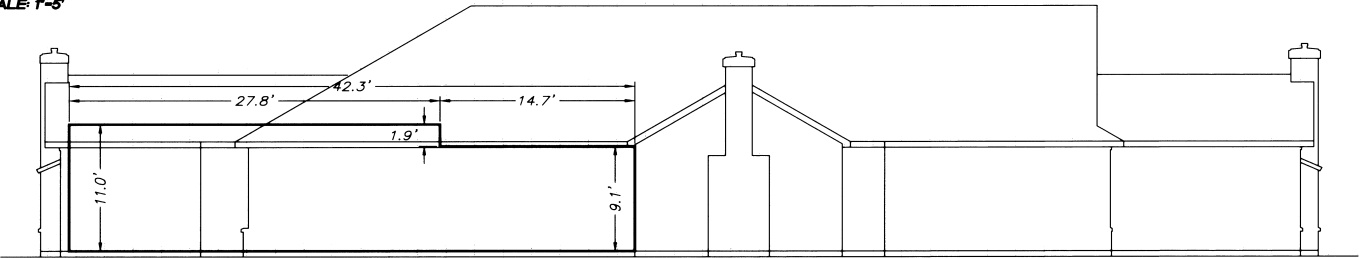
DEVELOPER:
Villas at Summit Reserve, LLC
P.O. Box 1484
Dublin, Ohio 43017-6484
PHONE: (614) 766-6922
FAX: (614) 766-6923

2009037362
RECORDED ON
07/16/2009 01:44:01PM
JOHN MCMALEY
ALLEN COUNTY RECORDER
FORT WAYNE, IN
REC FEE: 41.00
TRANS # 65740

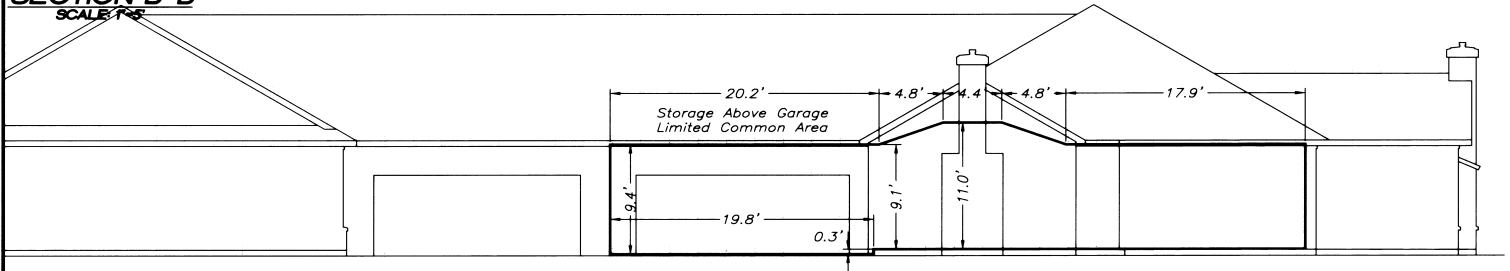
ENGINEER:
DABEC
D.A. Brown Engineering Consultants
549 COUNTY ROAD 427, SUITE C, ALBURN, IN 46708
PHONE: (260) 825-2020 FAX: (260) 825-2212



SECTION A-A
SCALE: 1"=5'



SECTION B-B
SCALE: 1"=5'



ENGINEER'S CERTIFICATION

I, the undersigned, hereby certify that I am a Professional Engineer licensed in compliance with the laws of the State of Indiana and that to the best of my knowledge and belief this Amendment to Villas at Summit Reserve Condominiums (the original Declaration of which was recorded in Allen County Document Number 2007069255) fully and accurately depicts the layout, location of the Unit within the existing structure, Unit Number, and dimensions of the Unit as built.

Dated this 6th Day of May 2008

Signed: *Duane A. Brown*
Duane A. Brown
Kendallville, IN
Indiana PE #16209



EXHIBIT A BUILDING 5 UNIT 5-4

AMENDMENT TO VILLAS AT SUMMIT RESERVE CONDOMINIUMS

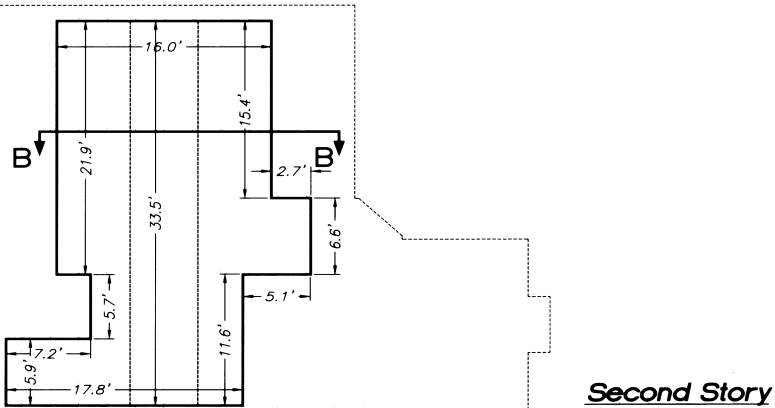
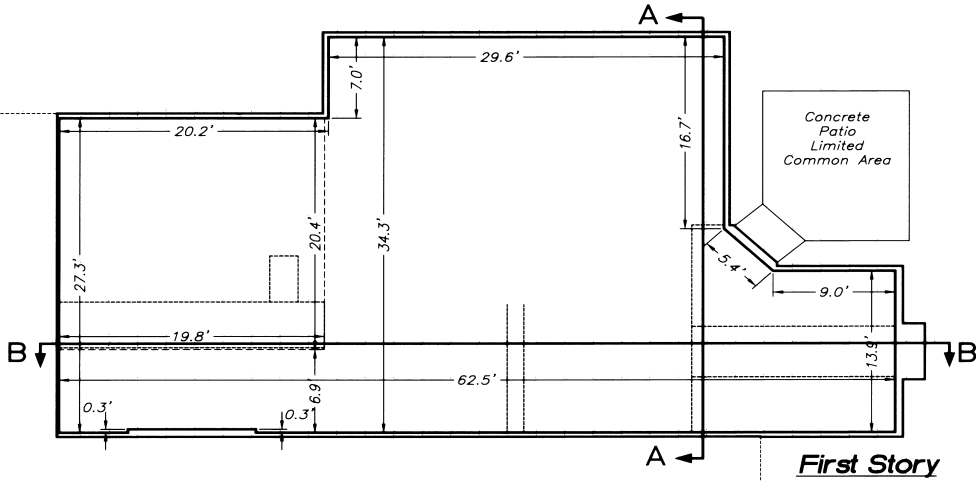
A tract of land located in the Northeast Quarter of Section 8, Township
30 North, Range 11 East, in Allen County, the State of Indiana

ALLEN COUNTY, INDIANA
SHEET 5 OF 5

DEVELOPER:
Villas at Summit Reserve, LLC
P.O. Box 1484
Dublin, Ohio 43017-6484
PHONE: (614) 766-6922
FAX: (614) 766-6923

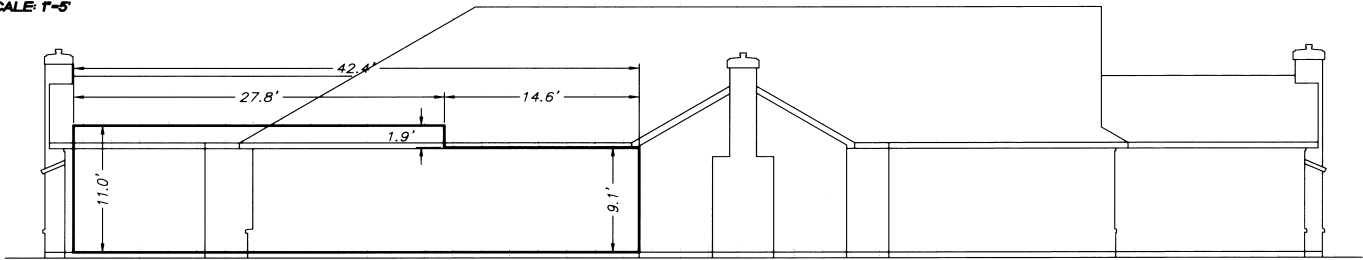
ENGINEER:
DABEC
D A Brown Engineering Consultants
548 COUNTY ROAD 427, SUITE C, ALBURN, IN 46708
PHONE: (202) 825-2020 FAX: (202) 825-1212

2009037362
RECORDED ON
07/18/2008 01:44:01PM
JOHN MCMAULLEY
ALLEN COUNTY RECORDER
FORT WAYNE, IN
REC FEE: 41.00
TRAC # 62740

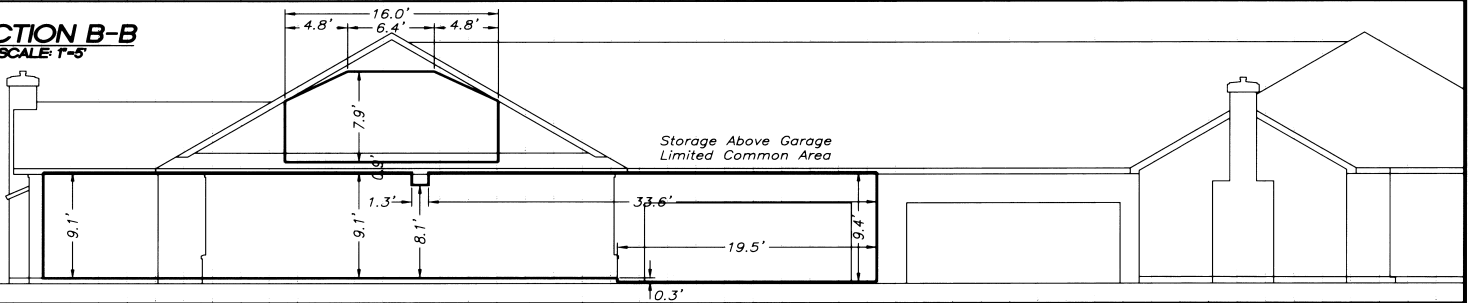


PLAN VIEW (FLOOR PLAN)
SCALE: 1"=5'

SECTION A-A
SCALE: 1"=5'



SECTION B-B
SCALE: 1"=5'



ENGINEER'S CERTIFICATION

I, the undersigned, hereby certify that I am a Professional Engineer licensed in compliance with the laws of the State of Indiana and that to the best of my knowledge and belief this Amendment to Villas at Summit Reserve Condominiums (the original Declaration of which was recorded in Allen County Document Number: 2007089255) fully and accurately depicts the layout, location of the Unit within the existing structure, Unit Number, and dimensions of the Unit as built.

Dated this 6th Day of May 2008

Signed: *Duane A. Brown*
Duane A. Brown
Kendallville, IN
Indiana PE #16209

