

STATE OF INDIANA  
 PORTER COUNTY  
 FILED FOR RECORD  
 03/22/2011 03:25PM  
 JON C. MILLER  
 RECORDER

REC FEE: \$28.00  
 PAGES: 9

**FIRST AMENDMENT TO THE  
 SUPPLEMENTAL DECLARATION OF COVENANTS  
 AND RESTRICTIONS FOR THE  
 WOODS AT ABERDEEN**

This First Amendment to the Supplemental Declaration of Covenants and Restrictions for The Woods at Aberdeen ("Amendment") is made as of the Effective Date defined below, by the ABERDEEN PROPERTY OWNERS ASSOCIATION, INC., an Indiana corporation (the "Association").

WITNESSETH:

WHEREAS, the Association represents the collective owners (the "Owners") of the real property legally described as follows:

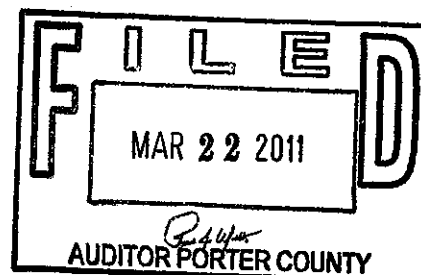
Lots E-1 through E-20, as shown on Final Plat of Aberdeen, Phase "A", in Center Township, Porter County, as per plat thereof recorded in Plat File 25-A-4 in the Office of the Recorder of Porter County, Indiana,

(hereinafter "Property"); and

WHEREAS, the Property is subject to that certain Declaration of Covenants, Easements and Restrictions for Aberdeen, dated the 1<sup>st</sup> day of May, 1995, and recorded on the 2<sup>nd</sup> day of May, 1995, as Document No. 95-08289 at Miscellaneous Record Book 150, Page 57, in the Office of the Recorder of Porter County, Indiana ("Declaration") and is further subject to that certain Supplemental Declaration of Covenants and Restrictions for The Woods at Aberdeen, dated September 8, 1995, and recorded September 8, 2005, as Document No. 95-18114 at Miscellaneous Record Book 151, page 512, in the Office of the Recorder of Porter County, Indiana ("Supplemental Declaration"); and

WHEREAS, Francisco Delgado (the "Added Property Owner") is the owner of certain real property more particularly described as follows:

Hodges + Davis  
 8700 Broadway  
 Merrillville, IN 46410



Lot VC-16, as shown on the Final Plat of Aberdeen Phase "A" in Center Township, Porter County, Indiana, as per plat thereof, recorded in Plat File 25-A-4 in the Office of the Recorder of Porter County, Indiana, as Instrument No. 95-08288

(hereinafter the "Added Property"); and

WHEREAS, the Added Property is subject to the Declaration, and the Added Property Owner has requested that the Added Property be made subject to the Supplemental Declaration; and,

WHEREAS, Article VIII, Section 8.05 of the Supplemental Declaration provides that the Supplemental Declaration may be amended, modified or terminated by the Association, acting through its Board of Directors, subject to the approval of at least three-fourths (3/4) of the Owners; and

WHEREAS, the Board of Directors of the Association now desires to amend the Supplemental Declaration to subject the Added Property to the Supplemental Declaration, and has obtained the requisite approval of at least three-fourths (3/4) of the Owners;

NOW, THEREFORE, PURSUANT TO ARTICLE VIII, SECTION 8.05 THEREOF, THE SUPPLEMENTAL DECLARATION IS HEREBY AMENDED AS FOLLOWS:

1. The Added Property is hereby subjected to the Supplemental Declaration, and the definition of "Property" as set forth in the Supplemental Declaration is hereby modified to include the Added Property, as legally described above.

2. In all other respects, all of the other terms and conditions of the Supplemental Declaration shall remain in full force and effect.

3. The consent of the Added Property Owner to the subjection of the Added Property to the Supplemental Declaration as stated herein is set forth in "Exhibit A" attached hereto and incorporated herein by reference.

4. The requisite signatures of the Owners of the Property approving the addition of the Added Property and amendment of the Supplemental Declaration as stated herein are set forth in "Exhibit A" attached hereto and incorporated herein by reference.

5. This First Amendment shall be deemed effective as of the date of recording in the Office of the Recorder of Porter County, Indiana.

IN WITNESS WHEREOF, the Association has caused this First Amendment to be executed on the date set forth below, to be effective as of the Effective Date set forth above.

**ABERDEEN PROPERTY OWNERS  
ASSOCIATION, INC.,** an Indiana  
corporation

By: John Mahoney  
John Mahoney,  
President, Board of Directors

Date: 03/02/2011

Attest: Tom Luekens  
Tom Luekens  
Secretary, Board of Directors

Date: 14 MAR 2011

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF PORTER    )

Before me, the undersigned, a Notary Public in and for said County and State, this 2<sup>nd</sup> day of March, 2011, personally appeared John Mahoney, President of the Board of Directors of Aberdeen Property Owners Association, Inc., an Indiana corporation, and acknowledged the execution of the foregoing instrument to be their free and authorized acts.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.




\_\_\_\_\_  
Alexander Kutanovski, Notary Public  
Resident of Coke County

My Commission Expires:  
October 14, 2015

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF PORTER    )

Before me, the undersigned, a Notary Public in and for said County and State, this 14<sup>th</sup> day of March, 2011, personally appeared Tom Luekens, Secretary of the Board of Directors of Aberdeen Property Owners Association, Inc., an Indiana corporation, and acknowledged the execution of the foregoing instrument to be their free and authorized acts.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



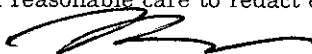
\_\_\_\_\_  
Alexander Kutanovski, Notary Public  
Resident of Coke County

My Commission Expires:  
October 14, 2015

This instrument prepared by:

Alexander Kutanovski  
Attorney at Law  
8700 Broadway  
Merrillville, IN 46410

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.



\_\_\_\_\_  
Alexander Kutanovski

66738.4/16,356-21

**EXHIBIT A**  
**CONSENT OF ADDED PROPERTY OWNER**

The undersigned, Francisco Delgado, hereby represents and warrants that he is the owner of the real property legally described as follows:

Lot VC-16, as shown on the Final Plat of Aberdeen Phase "A" in Center Township, Porter County, Indiana, as per plat thereof, recorded in Plat File 25-A-4 in the Office of the Recorder of Porter County, Indiana, as Instrument No. 95-08288

(the "Added Property").

The undersigned further agrees and acknowledges that the Added Property is subject to that certain Declaration of Covenants, Easements and Restrictions for Aberdeen, dated the 1<sup>st</sup> day of May, 1995, and recorded on the 2<sup>nd</sup> day of May, 1995, as Document No. 95-08289 at Miscellaneous Record Book 150, Page 57, in the Office of the Recorder of Porter County, Indiana ("Declaration").

The undersigned hereby agrees, approves and consents to the subjection of the Added Property to that certain Supplemental Declaration of Covenants and Restrictions for The Woods at Aberdeen, dated September 8, 1995, and recorded September 8, 2005, as Document No. 95-18114 at Miscellaneous Record Book 151, page 512, in the Office of the Recorder of Porter County, Indiana ("Supplemental Declaration").

IN WITNESS WHEREOF, the undersigned hereby sets his/her/its hand and seal this 4~~th~~ day of FEBRUARY, 2010.

2011

  
\_\_\_\_\_  
FRANCISCO DELGADO

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF Porter     )

Before me, the undersigned, a Notary Public in and for said County and State, this 4<sup>th</sup> day of February, 2010, personally appeared Francisco Delgado, and acknowledged the execution of the foregoing instrument to be his free and authorized act.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.

My Commission Expires:  
April 7, 2016

Teresea D. Camden  
\_\_\_\_\_, Notary Public  
Resident of Porter County



**EXHIBIT B  
CONSENT OF OWNERS**

WE, the undersigned, constituting the collective owners (the "Owners") of all of the real property legally described as follows:

Lots E-1 through E-20, as shown on Final Plat of Aberdeen, Phase "A", in Center Township, Porter County, as per plat thereof recorded in Plat File 25-A-4 in the Office of the Recorder of Porter County, Indiana,

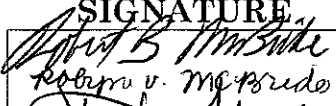
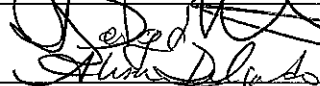


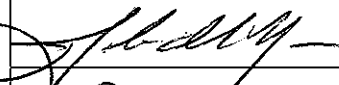


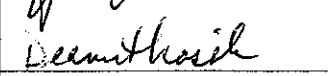


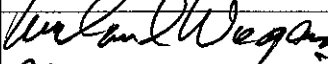





(the "Property"), do hereby:

a. agree, approve and consent to addition and subjection of the following-described real estate to that certain Supplemental Declaration of Covenants and Restrictions for The Woods at Aberdeen, dated September 8, 1995, and recorded September 8, 2005, as Document No. 95-18114 at Miscellaneous Record Book 151, page 512, in the Office of the Recorder of Porter County, Indiana ("Supplemental Declaration"), and to the amendment of the Supplemental Declaration as set forth in the above First Amendment to the Supplemental Declaration of Covenants and Restrictions for The Woods at Aberdeen (the "First Amendment") to accomplish the same; and,


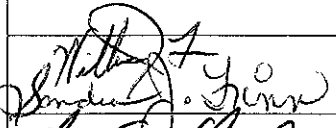
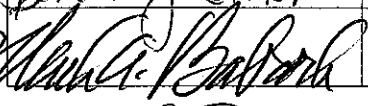
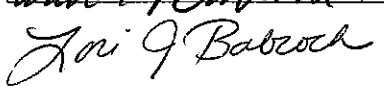
b. authorize the Aberdeen Property Owners Association, Inc., to be and act as our agent to execute such First Amendment and cause the same to be filed in the Office of the Recorder of Porter County, Indiana;

all effective as of the date of the last signature set forth below.

| SIGNATURE                                    | PRINTED NAME  | PROPERTY OWNED | DATE     |
|--|---|----------------|----------|
| <i>Sara K. McBride</i>                       | McBride Family Trust,<br>By: <u>Sara K. McBride</u><br>Its <u>TRUSTEE</u> | Lot E-1        | 12/10/10 |
| <i>Earle F. Hites<br/>Katherine S. Hites</i> | Earle F. Hites<br>Katherine S. Hites                                      | Lot E-2        | 11/23/10 |

| SIGNATURE   | PRINTED NAME  | PROPERTY OWNED                               | DATE     |
|---|---|--|----------|
|    | Robert B. McBride<br>Robyn V. McBride   | Lot E-3                                      | 2/4/11   |
|    | Francisco Delgado<br>Alisa Delgado  | Lot E-4                                      | 2.4.11   |
|    | Jeffrey M. Huth<br>Nancy A. Huth  | Lot E-5                                      |          |
|    | Grace A. Mihalov Trust<br>By: <u>CORACE A. MIHALOV, TR</u><br>Its _____               | Lot E-6                                      | 2-15-11  |
|     | John M. Vouga   | Lot E-7                                      | 2-3-11   |
|   | Dennis C. Hain Trust<br>By: <u>DENNIS C. HAIN</u><br>Its <u>TRUSTEE</u>               | Lot E-8                                      | 1/28/11  |
|  | Howard Gutenstein   | Lot E-9                                      | 2/13/11  |
|  | Michael J. Hrosik<br>Deanna L. Hrosik   | Lot E-10                                     |          |
|  | Douglas D. Miller<br>Mary M. Miller   | Lot E-11                                     |          |
|  | Charlson Construction, Inc.<br>By: <u>VICTOR R. CHARLSON</u><br>Its <u>PRESIDENT</u>  | Lot E-12                                     | 2-9-11   |
|  | William C. Wiegand  | Lot E-13                                     | 1-26-11  |
|  | Sharon L. Wiegand   | Lot E-13                                     | 01/26/11 |
|  | William C. Wiegand  | Lot E-14                                     | 7-26-11  |
|  | Sharon L. Wiegand   | Lot E-14                                     | 01/26/11 |
|  | Maureen Stombaugh   | Lot E-15                                     | 2/4/11   |
|  | Aberdeen Limited Partnership<br>By: <u>KATHERINE A. YOUNG</u><br>Its <u>PRESIDENT</u> | Lot E-16, also<br>identified as<br>Lot E-16A | 11/22/10 |



| SIGNATURE   | PRINTED NAME  | PROPERTY OWNED                          | DATE       |
|---|---|---|------------|
|  | Aberdeen Limited Partnership<br>By: <u>Barbara A. Young</u><br>Its <u>President</u> | Lot E-17, also identified as Lot E-17A  | 11/22/10   |
|   | Terence P. Laird<br>Barbara J. Laird  | Lot E-18, also identified as Lot E-18-A |            |
|  | William J. Finn<br>Sandra J. Finn   | Lot E-19                                | 2-7-2011   |
|   | Mark A. Babcock<br>Lori J. Babcock  | Lot E-20                                | 11-22-2010 |
|  |   |   | 11-23-10   |