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ALLEN COUNTY RECORDER

THIRD AMENDMENT  
TO THE PRIMARY DEDICATION, DECLARATION, PROTECTIVE RESTRICTIONS,  
COVENANTS, LIMITATIONS, EASEMENTS AND APPROVALS APPENDED TO AND  
AS PART OF THE DEDICATION AND PLAT OF ROTHMAN POINTE, SECTION I, A  
SUBDIVISION IN ST. JOSEPH TOWNSHIP, ALLEN COUNTY, INDIANA

02-08-10-400-000-000-063

Pursuant to the provisions of Article X, Section 2 of the Primary Dedication, Declarations, Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to and as Part of the Dedication and Plat of Rothman Pointe, Section I, as recorded in Plat Cabinet F , page 107, Document Number 206000360, in the Office of the Recorder of Allen County, Indiana, on Jan 5, 2006, the undersigned, Rothman Pointe, LLC, an Indiana Limited Liability Corporation, does hereby make and effect the following change, alteration and modification in and to said Declaration, Protective Restrictions, Covenants, Limitations, Easements and Approvals for Rothman Pointe, Section I.

Article III, Section 4 and Section 18 shall be amended to read as follows:

Section 4. Fences, Walls, Hedges and Shrubs. No fence, wall, hedge or shrub which obstructs sight lines at elevations between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner Lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street right-of-way lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight line limitations shall apply to any Lot within ten (10) feet of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersection unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines. No screen planting over thirty (30) inches high nor any fence shall be permitted between the street right-of-way and the building setback line. No fence shall be permitted on any lot surrounding the lake on Block B. Plantings may not block now or in the future the view of a home or future home on adjacent lots.

Section 18. Fences. All fences shall be of wood or vinyl construction. No aluminum or steel will be allowed. All lake Lots must have split-rail or picket-type fences. Said split-rail fences on lake Lots shall be limited to three (3) rails and not exceed four (4) feet in height. Picket-type fences shall not exceed four (4) feet in height. No fence will be permitted on any lot surrounding the lake on Block B. The location of any proposed fence on any lake Lot or any other Lot shall be approved by the Architectural Control Committee pursuant to terms and conditions set forth

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Rothman Pointe LLC  
7505 Westfield Dr  
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in Article III, Section 22. All fences constructed on a corner Lot shall not extend into or encroach upon the space between said building line and the street on the street side of said corner Lot. In addition to the foregoing, all fences shall meet all applicable requirements of the Allen County Zoning Ordinance.

All other terms and provisions of the Dedication, Declaration, Protective Restrictions, Covenants, Limitations, Easements and Approvals shall remain in full force and effect and shall not be altered or modified except as specifically set forth in this Amendment.

IN WITNESS WHEREOF, Rothman Point, LLC, a limited liability corporation organized and existing under the laws of the State of Indiana, has hereunto set its hand and seal by its duly authorized officer this 26th day of July, 2010.

ROTHMAN POINTE, LLC

By: [Signature]  
Robert G. Wacker, Member

STATE OF INDIANA     )  
                                  )     SS:  
COUNTY OF ALLEN     )

Before me, the undersigned, a Notary Public in and for said County and State, this 26th day of July, 2010, personally appeared Robert G. Wacker, Member of Rothman Point, LLC, to me known to be the person whose name is subscribed to the foregoing instrument, and acknowledged the execution of the foregoing First Amendment to the Dedication, Declarations, Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to and as Part of the Dedication and Plat of Rothman Pointe, Section I, for and on behalf of said limited liability corporation and by its authority.

WITNESS my hand and notarial seal.

My Commission Expires:  
September 22, 2008

Carol Y. Collins  
Carol Y. Collins, Notary Public  
Resident of Allen County

Prepared by and...  
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.

Carol Y. Collins  
(name printed, stamped or signed w/print)

