



Declaration Amendments

The following ten amendments to the Declaration of Covenants, Conditions, and Restrictions for Falling Waters Subdivision recorded as Document No. 2003-020698 on May 19, 2003 in the Recorder's Office, Porter County, Indiana, were approved by the members of the Falling Waters HOA, Inc. by vote taken on a mail in, written ballot from September, 2013 thru January, 2014. All ten amendments passed with a vote of owners representing sixty eight percent of the total of the first mortgage holders in Falling Waters Subdivision. All amendments passed with at least a minimum of sixty nine percent of the total votes cast in favor of the amendments. The amendments are as follows:

- 1. Article I- Definitions, Section 3, Common Area, page 2:** Insert the words: "excepting those areas designated on the plat of subdivision as Roadways or Private Roads", into the end of the first sentence such that the definition reads as follows:
"Common Area" or "Common Areas" shall mean and refer to all the real property and improvements thereon, legal title or benefit of easements to which shall be held by the Association for the common use, enjoyment and convenience of the members of the Association, excepting those areas designated on the plat of subdivision as Roadways or Private Roads.
- 2. Article VI-Architectural Controls Section 1-Page 8:** In the seventh line from the top of page eight, delete the words: "the Developer and Declarant in writing or with the approval by" from the sentence such that the sentence reads:
"Therefore, no storm sashes, storm doors, canopies, awnings, building, fence, wall, or other structure will be erected or maintained upon the Property except such as are installed or approved by the Architectural Control Committee established by the board as hereinafter set forth."
- 3. Article VI, Architectural Controls, Section 4, 5th paragraph, Page 9, Yard Lights:** Delete the word "Yard" and Insert the word "Exterior" in its place in two locations in said paragraph, such that the paragraph reads:
"Exterior Lights. Each Owner of any lot in the Development, other than the Developer, will install two (2) exterior lights at the time a house is constructed upon the lot. The type and location of the lights on the lot must be approved by the (Architectural Control) Committee. Lights must be maintained in a working condition by the owner."

4. **Article VI Section 5, Paragraph I:** Delete "Asphalt" from the paragraph such that it reads:

"All access driveways and other private areas for vehicular use on a lot will have a base of compacted gravel, crushed stone or other approved base material and will have a wearing surface of concrete or equivalent thereof. "

5. **Article VI Architectural Controls-Section 5, Paragraph D, page 11:** Delete entire Paragraph D.

~~D. Two trees will be planted in the parkway between the curb and sidewalk, according to the parkway tree exhibit. The trees will conform to the County's regulations.~~

6. **Article VI-Architectural Controls, Section 5 Paragraph E, Page 11:** Starting on the sixth line of the paragraph, Delete the following sentence; "A lot must have at least two (2) trees growing upon it in the front yard by the time the house is completed , and if this requires plantings by the Owner, the Committee must approve the size and location of such trees" and Insert: **"As each lot is developed it will be required to have a minimum of two live trees on each lot. All new planted trees shall conform to Porter County regulations. The location of trees and the landscape design will be subject to the approval of the Architectural Control Committee."**

7. **Article VI Architectural Controls-Section 5-Paragraph V-page 14:** Delete the words from the first line, "or boat docks", and Insert at the beginning of the first sentence: "Except for battery operated, electric, trolling motors," also Insert the following sentence to the end of the paragraph: "Docks and piers may be allowed only upon approval by both Falling Waters Conservancy District and Falling Waters HOA, Inc." , such that the paragraph reads: **"Watercraft and Docks: Except for battery operated, electric, trolling motors, no motorized watercraft of any kind will be permitted on any lake or on any other pond in the Development. Docks and Piers may be allowed only upon approval by both, the Falling Waters Conservancy District and the Falling Waters HOA, Inc."**

8. **Article VII-Use and Occupancy Restrictions Section 2, page 14:** Starting at the end of the third line and into the fourth line, Delete the words: "provided no more than two (2) household pets will be allowed per Residence" Such that the paragraph reads: **"Animals: No animals, poultry or livestock of any kind will be raised, bred, or kept anywhere on the Property, except that dogs, cats or other common household pets will be allowed (for other than commercial purposes), and subject to such rules and regulations as may be enacted by the Board from time to time."**

9. **Article VII-Use and Occupancy Restrictions, Section 15, Exterior Maintenance, Item 1, page 17:** At the end of the sentence, change height of mowing from 4" to 6" such that it reads:

"Mow the lot at such times as may be reasonably required in order to prevent the unsightly growth of vegetation and noxious weed, and to maintain vegetation, other than trees, flowers, and shrubs at an average height of not more than six (6) inches."

10. **Article X-Insurance-Section 2, page 26:** Insert to the end of the last sentence the words: "subject to the assent of two-thirds (2/3) of the votes of the members who are voting in person or by proxy at a meeting duly called for this purpose.", such that it reads: **"Reconstruction of the Property: The insurance will be applied by the Board on behalf of the Association for the repair, reconstruction, or restoration of the Common Area. If such insurance proceeds are insufficient to cover the costs of the repair or replacement of the property damaged or destroyed the Association may make a reconstruction assessment against all Residence Owners to cover the additional cost of repair or replacement not covered by the insurance proceeds subject to the assent of two-thirds (2/3) of the votes of the members who are voting in person or by proxy at a meeting duly called for said purpose."**

This instrument is to provide notice of the above amendments for public record and is published by the Board of Falling Waters HOA, Inc., 102 Levanno Drive, Crown Point, IN 46307. I, Deborah Mann, Secretary of Falling Waters HOA, Inc. do hereby certify the above statements and amendments are true and correct.

Adopted this 15th day of May, 2014.

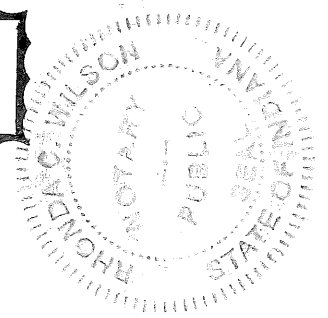
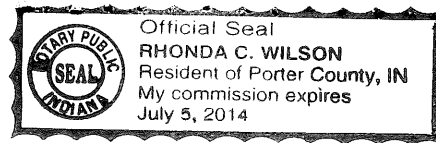
Donald L. Plumb
 Donald L. Plumb, President, Falling Waters HOA, Inc.

Deborah Mann
 Deborah Mann, Secretary, Falling Waters HOA, Inc.

STATE OF INDIANA)
) SS:
 COUNTY OF LAKE)

On May 15, 2014 Donald L. Plumb and Deborah Mann appeared before me, the undersigned, a notary public in and for said county and state, and acknowledged the execution of the foregoing "Declaration Amendment". In witness whereof, I have hereunto subscribed my name and affixed my official seal.

Rhonda C. Wilson
 Notary Public
 My commission expires on July 5, 2014



After recording return to: Falling Waters HOA, Inc.
 102 Levanno Drive
 Crown Point, IN 46307

"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."

Signed: Donald L. Plumb

This instrument prepared by:
 Donald L. Plumb, President
 Falling Waters HOA, Inc.