

PROPOSED AMENDMENTS

Cross Reference

Document No. 00012105 Document No. 00014441 Document No. 01017340 Document No. 03026458 Document No. 05026810 Document No. 20222018751

SIXTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, COMMITMENTS, RESTRICTIONS, EASEMENT AND ASSESSMENTS OF THE LANDING AT VALLEY LAKES, PHASE I, AND SUBSEQUENT SECTIONS THERETO LAFAYETTE, INDIANA

THIS SIXTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, COMMITMENTS, RESTRICTIONS, EASEMENT AND ASSESSMENTS OF THE LANDING AT VALLEY LAKES, PHASE I, AND SUBSEQUENT SECTIONS THERETO LAFAYETTE, INDIANA ("Sixth Amendment") dated effective _____, 2024.

RECITALS

WHEREAS, a Declaration of Covenants, Conditions, Commitments, Restrictions, Easement and Assessments of the Landing at Valley Lakes, Phase I, and Subsequent Sections Thereto Lafayette, Indiana dated March 31, 2000, was recorded in the Office of the Recorder of Tippecanoe County on June 9, 2000, as Document No. 00012105 (together with the amendments thereto recorded as Document Nos. 00014441, 01017340, 03026458, 05026810, and 20222018751 the "Declaration").

WHEREAS, a Final Plat of The Landing at Valley Lakes Subdivision, Phase I, dated March 28, 2000, was recorded June 9, 2000, under Document No. 00012104, Plat Cabinet 6, Slide 141, in the Office of Recorder, Tippecanoe County, Indiana, Indiana, incorporated the Declaration.

WHEREAS, a Final Plat of The Landing at Valley Lakes Subdivision, Phase II, dated June 15, 2001, was recorded July 9, 2001, under Document No.01017339, Plat Cabinet 6, Slide 177, in the Office of Recorder, Tippecanoe County, Indiana, incorporated the Declaration.

WHEREAS, The Landing at Valley Lakes, Phase III, Final Plat dated June 20, 2003, was recorded on July 2, 2003, as Document No. 03-026457, Plat Cabinet 7, Slide 62, in the Office of the Recorder of Tippecanoe County, Indiana, incorporated the Declaration.

WHEREAS, it is intended to amend and revise certain provisions of the Declaration as set forth herein.

WHEREAS, this Sixth Amendment has been approved in accordance with Article XVII (K) of the Declaration.

WHEREAS, all acts and things have been done and performed which are necessary to amend the Declaration that, when executed and recorded in the Records of Tippecanoe County, Indiana, are enforceable with their respective terms to make this Sixth Amendment a valid and binding agreement.

WHEREAS, capitalized terms used herein and not otherwise defined herein shall have the meanings given to them in the Declaration.

NOW, THEREFORE, the following amendments are made to the Declaration:

1. Article III(A).21. of the Declaration is deleted in its entirety and replaced with the following:

Solar Panels. Solar panels shall be permitted only where such request including all plans and specifications showing the nature, placement, kind, shape, size, height, materials, color, and location of same shall have been submitted and approved in writing by the Committee as to the harmony of external design. Such installation shall not be permitted on any structure other than the roof of a Dwelling Unit. Such installation shall be limited to the rear side of the roof.

2. Article V(H). of the Declaration is deleted in its entirety and replaced with the following:

No owner of a Lot in the Development shall burn or bury out-of-doors, any garbage or refuse. Nor shall any such Owner accumulate or permit the accumulation out-of-doors of such refuse on his or her Lot. All rubbish, trash, garbage, and recycling shall be stored in enclosed containers which shall be stored in the Owner's garage, or otherwise out of view from the street and neighboring Lots.

5. If any provision of this Sixth Amendment is determined to be unenforceable, the remainder of this Sixth Amendment will remain intact and enforceable.

6. Except to the extent specifically modified, amended, or supplemented by this Sixth Amendment, the Declaration shall remain in full force and effect.

7. In the event of any conflict between the terms of the Declaration and the terms of this Sixth Amendment, the terms of this Sixth Amendment shall control.