

9642

RESTRICTIVE COVENANT MODIFICATION
OAK BEND ESTATES, SECTION 5

PHW Development Corporation does hereby respectfully change the restrictive covenants for Section 5 of Oak Bend Estates as follows:

1. That on November 14, 1990 a plat of Oak Bend Estates, Section 5 was recorded.

2. That on that plat was expressly stated certain restrictive covenants affecting all lots in Section 5 of Oak Bend Estates.

3. That Item 36 of those restrictive covenants allows for procedure to change those covenants as follows:

36. TERM. These covenants will run with the land and shall be binding on all parties, and all persons claiming under them, for a period of twenty-five (25) years from the date these covenants are recorded, after which twenty five (25) years they shall be automatically extended for successive ten (10) year periods, unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part.

4. As owner of the majority of the lots in Oak Bend Estates, Section 5 and in accordance with Item 36 as described above, PHW Development Corporation does hereby change Item 36 to read as follows:

36. TERM. These covenants will run with the land and shall be binding on all parties, and all persons claiming under them, for a period of twenty-five (25) years from the date these covenants are recorded, after which twenty five (25) years they shall be automatically extended for successive ten (10) year periods, unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to change said covenants in whole or in part. Additionally, said covenants cannot be changed without the express written consent of PHW Development Corporation so long as PHW Development Corporation has any ownership interest in any one or more lots in Section 5, Oak Bend Estates.

IN WITNESS WHEREOF, the undersigned as owner of a majority of the lots in Section 5, Oak Bend Estates have executed this Restrictive Covenant Modification on this 23rd day of October, 1991.

PHW DEVELOPMENT CORPORATION

By: *Paul T. Hardin*
Paul T. Hardin, President

By: *Russell M. Webb, Jr.*
Russell M. Webb, Jr., Secretary

*#14361 July 12, 1994
For letter of resignation
see min. Ord. 142 page 389
Jay Bradley RHC id*

ENTERED FOR RECORD

BOOK 128 OCT 28 1991 AM 8:00
PAGE 107-08

HENRICKS COUNTY RECORDER

STATE OF INDIANA)
) SS
COUNTY OF HENDRICKS)

Before me, the undersigned Notary Public within and for said County and State, personally appeared Paul T. Hardin, President and Russell M. Webb, Jr., Secretary of PHW Development Corporation, as owner and proprietor of the above described subdivision, and acknowledged the execution of the foregoing instrument to be their voluntary act and deed for the uses and purposes therein stated.

My Commission Expires
August 1, 1993

Signature Pamela D. Hughes

Printed Name Pamela D. Hughes, Notary Public

Residence of Hendricks, Indiana



This instrument prepared by Hardin & Webb, Attorneys.