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Jennifer Weston
AUDITOR OF TIPPECANOE CO.

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FILED FOR RECORD IN
TIPPECANOE COUNTY, IN
KRISTY MARTIN, RECORDER
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Cross Reference

Document No. 201717019802
Document No. 201818004365

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF AUBURN MEADOWS SUBDIVISION

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF AUBURN MEADOWS SUBDIVISION ("Second Amendment") dated effective November 19, 2024.

RECITALS

WHEREAS, Kimbarlin Development Company, LLC., as successor to Tippecanoe Development II, LLC ("Developer") previously entered into a Declaration of Covenants, Conditions and Restrictions of Auburn Meadows Subdivision dated September 28, 2017, and recorded in the Office of the Recorder of Tippecanoe County, Indiana on October 6, 2017 as Document No. 201717019802 ("Declaration"), restricting the property as may be made subject to the Declaration.

WHEREAS, Developer previously approved and adopted a First Amendment to Covenants, Conditions, and Restrictions of Auburn Meadows dated February 28, 2018, and recorded in the Office of the Recorder of Tippecanoe County, Indiana on March 7, 2018 as Document No. 201818004365 ("First Amendment");

WHEREAS, this Second Amendment has been approved and adopted by Developer in accordance with Section 10.3 of the Declaration and all subparts thereof, for the purpose of amending the Declaration as herein set forth.

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 Second 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 VI, Section 6.8. of the Declaration is deleted in its entirety and replaced with the following:

No structure of a temporary character, tent, shack, basement, garage, barn, trailer, boat trailer, truck, commercial vehicle, recreational vehicle, camper shell, camper or camping trailer or other out-building shall be erected, placed, or altered upon any Lot for use as a residence either temporarily or permanently or at any time be used for such purpose. Notwithstanding the foregoing, no secondary suite, mother-in-law suite, or any accessory dwelling unit ("ADU") shall be permitted to be placed or constructed on any Lot, nor shall any outbuilding be fitted with kitchen and bathroom facilities, or be permitted to be used as a residence.

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

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

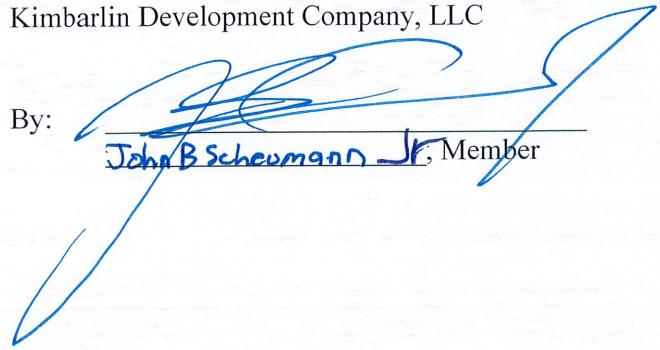
4. In the event of any conflict between the terms of the Declaration and the terms of this Second Amendment, the terms of this Second Amendment shall control.

[The remainder of this page intentionally left blank]

IN WITNESS WHEREOF, Kimbarlin Development Company, LLC, by its Member, has caused this Declaration to be executed as of the Effective Date.

Kimbarlin Development Company, LLC

By:



John B. Scheumann Jr., Member

STATE OF INDIANA)
) SS:
Tippecanoe COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared Kimbarlin Development Company, LLC ("Company"), by John B. Scheumann Jr. Member, who acknowledged the execution of the foregoing instrument on behalf of the Company.

WITNESS my hand and Notarial Seal, this 19th day of November, 2024.

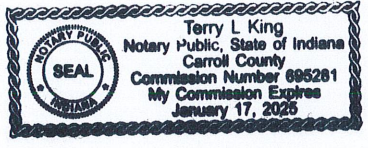
Terry L King

(written)
TERRY L KING

(printed)

My Commission Expires: 1/17/2025

NOTARY PUBLIC
Resident of Carroll County



This instrument prepared by: Ryan C. Munden of the firm of REILING TEDER & SCHRIER, LLC, 250 Main Street, Suite 601, P.O. Box 280, Lafayette, Indiana 47902. Telephone: (765) 423-5333. E-mail: rcm@rtslawfirm.com

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. Ryan C. Munden