

9700006026
 Filed for Record in
 HENDRICKS COUNTY IN
 JOY BRADLEY
 On 04-02-1997 At 09:21 am.
 AMEND COVEN 12.00
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FIRST AMENDMENT TO
 DECLARATION OF COVENANTS, CONDITIONS, COMMITMENTS, RESTRICTIONS,
 EASEMENTS, AND ASSESSMENTS
 OF CLEAR CREEK SUBDIVISION, SECTION I,
 AND SUBSEQUENT SECTIONS THERETO
 DANVILLE, INDIANA

WITNESSETH that the undersigned, CEDAR RUN LIMITED, INC., an Indiana Corporation, is the Owner and Developer (hereinafter the "Developer") of CLEAR CREEK SUBDIVISION, SECTION I (hereinafter the "Development"); an addition to the Town of Danville, Hendricks County, State of Indiana, as per Final Plat (hereinafter the "Plat") thereof recorded on November 22, 1996, under Instrument No. 9600024660, Plat Cabinet 4, Slide 37, Pages 1 and 2, and Slide 38, Page 1, in the records of the Recorder of Hendricks County, State of Indiana; and

WHEREAS, the Declaration of Covenants, Conditions, Commitments, Restrictions, Easements, and Assessments of the Development (hereinafter the "Declaration") was recorded on December 13, 1997, under Instrument No. 9600024666, Book 157, Pages 483 through 507, in the records of the Recorder of Hendricks County, State of Indiana; and

WHEREAS, the Plat incorporates by reference the contents of the Declaration which govern and control the development process for the buildable Lots in the Plat for the R-2, single-family zoning classification (i.e., Lots numbered 129 through 146, inclusive); and

WHEREAS, the Developer has received a variance from the Danville Board of Zoning Appeals on November 19, 1996, for reduction of the minimum first floor living area of a two-story dwelling in the R-2, single family zoning classification;

NOW THEREFORE, the Developer make the following amendment to the Declaration:

Article III, A.1.a.2. shall be amended to read: "shall be 750 square feet of main floor area if higher than one-story, with any dwelling unit higher than one story having a minimum of 1,500 square feet of finished living space."

