

**FIRST SUPPLEMENTAL DECLARATION
OF THE COVENANTS, CONDITIONS AND RESTRICTIONS
OF HICKORY RIDGE SUBDIVISION**

Parent Tract Key Number 146-05300-0082

This First Supplemental Declaration of Covenants, Conditions and Restrictions of Hickory Ridge Subdivision ("First Supplemental Declaration"), has been executed as of the 4 day of February, 2005, by South 18th LLC, an Indiana limited liability company ("Declarant").

RECITALS

1. Declarant has previously entered into a Declaration of Covenants, Conditions and Restrictions of Hickory Ridge Subdivision ("Original Declaration") dated November 4, 2004, and recorded November 4, 2004, as Document #04030614 in the Office of the Recorder of Tippecanoe County, Indiana, restricting all Lots in the Real Estate as may be made subject to the Original Declaration.
2. This First Supplemental Declaration is entered into by the Declarant pursuant to the Original Declaration for the purpose of amending the architectural control of certain building surfaces for the Real Estate and subject, in all respects, to this Declaration and all rights, obligations and privileges herein.
3. All acts and things have been done and performed which are necessary to include the architectural control of certain building surfaces for the Real Estate that, when executed and recorded in the Records of Tippecanoe County, Indiana, are enforceable with their respective terms to make this First Supplemental Declaration a valid and binding agreement.

Now, Therefore, This First Supplemental Declaration Witnesseth, That:

1

NOT FULLY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER.

FEB - 9 2005

[Signature]
TIPPECANOE CO.

ARTICLE I
Definitions

Section 1.01 Definitions.

- (a) Unless otherwise provided herein, the terms defined in Article II of the Original Declaration shall, for all purposes, have the same meaning specified in the First Supplemental Declaration.
- (b) In addition, the term defined in this Section 1.01(b) shall, for all purposes of this First Supplemental Declaration, have the meaning specified in this Section 1.01(b).

“First Supplemental Declaration” means this First Supplemental Declaration to include the amendment architectural control of certain building surfaces for the Real Estate.

ARTICLE II
Amendment to Use, Restrictions, and Architectural Control

Section 6.36 Exterior Building Surfaces of Article VI, *Use, Restrictions, and Architectural Control*, of the Original Declaration is hereby amended by deletion of said Section 6.36 and replacement with the following:

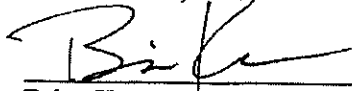
Section 6.36 Exterior Building Surfaces All exterior building surfaces, materials and colors shall be harmonious and compatible with colors of the natural surrounding and other Dwelling Units. A minimum of fifty percent (50%) of the front side of a Dwelling Unit, less doors and windows, shall be brick unless this requirement is waived by the Declarant and thereafter by the Board of Directors of the Association, due to the overall character of the Dwelling Unit. The Declarant, and thereafter the Board of Directors of the Association, shall have the right to approve or disapprove materials and colors so controlled.

**ARTICLE III
Miscellaneous**

Section 3.01 Survival of Original Declaration. Except to the extent modified, amended, or supplemented by this First Supplemental Declaration, the Original Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, South 18th, LLC, an Indiana limited liability company, has caused this First Supplemental Declaration to be executed as of the day first written above.

SOUTH 18TH, LLC


By: 
Brian Keene, Member

STATE OF INDIANA)
) SS:
TIPPECANOE COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared Brian Keene, Member of South 18th, LLC, who, for and on behalf of said South 18th, LLC, acknowledged execution of the above and foregoing this 4th day of February, 2005.

My Commission Expires:
October 12, 2012




(Written)
MARY PARKS Mary Parks
Resident of Tippecanoe County) NOTARY PUBLIC
My Commission Expires October 12, 2012 Resident of Tippecanoe County.

This instrument was prepared by: Daniel A. Teder, of the law firm of REILING TEDER & SCHRIER, LLC, 415 Columbia Street, Suite 3000, P. O. Box 280, Lafayette, IN 47902-0280; Telephone: (765) 423-5333; Facsimile: (765) 423-4564; E-mail: dat@rtslawfirm.com