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RECORDED: 08/21/2025 03:53:12 PM

**Recorded as Presented
Allen County Indiana
Recorder Nicole Keesling**

**SECOND AMENDMENT TO
DEDICATION AND DECLARATION OF PROTECTIVE RESTRICTIONS,
COVENANTS, LIMITATIONS, EASEMENTS, AND APPROVALS APPENDED
TO AS PART OF THE DEDICATION AND PLAT OF
THE PRESERVES AT THE QUARRY, SECTION III, A SUBDIVISION OF PERRY
TOWNSHIP,
ALLEN COUNTY, INDIANA**

THIS SECOND AMENDMENT ("Amendment") is made to the Dedication and Declaration of Protective Restrictions, Covenants, Limitations, Easements and Approvals Appended to as part of the Dedication and Plat of The Preserves at the Quarry, Section III, recorded in the Office of the Recorder of Allen County, Indiana on the 16th day of August, 2023 as Document Number 2023035345 (the "Plat and Restrictions"), and as amended by that certain First Amendment recorded on June 18, 2025, as Document No. 2025026536.

WHEREAS, pursuant to the Plat and Restrictions, the Preserves at the Quarry, Section III, is a portion of a tract of real estate which has been subdivided into 24 residential Lots; and

WHEREAS, Article V, Section 35 of the Plat and Restrictions states, in relevant part, that the Plat and "Restrictions may be amended by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners, and provided further, the Developer, its successors or assigns shall, with the approval of the Allen County Plan Commission, have exclusive right for a period of two (2) years from the date of recording of these [Plat and] Restrictions to amend any Covenants and Restrictions."; and

WHEREAS, Article I, Section 5 of the Plat and Restrictions defines the "Developer" as "The Preserves at the Quarry, LLC, an Indiana limited liability company"; and

WHEREAS, seeing as this Amendment to the Plat and Restrictions is within the initial two (2) year period in which it is permissible for the Plat and Restrictions amendment to be consummated solely by the Developer, its successors or assigns, the Developer desires to amend the Plat and Restrictions as provided in this Amendment.

NOW, THEREFORE, BE IT RESOLVED, that the Developer hereby amends the Plat and Restrictions pursuant to Article V, Section 35 as follows:

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE FOR TRANSFER

Aug 21 2025 MS
JACQUELYNN SCHEUMAN
ALLEN COUNTY AUDITOR

1. The following shall be added to Article I, Definitions:

“Short Term Rental” shall mean (i) any occupancy of a Dwelling Unit or use of a Lot or an accessory structure (including a swimming pool) on a Lot by a person or persons who are not the Owner of the Dwelling Unit but who, either for some or no compensation, have reached an agreement with the Dwelling Unit’s Owner to reside at or within the Owner’s Dwelling Unit for less than thirty (30) days and/or (ii) any occupancy of a Dwelling Unit or use of a Lot or an accessory structure (including a swimming pool) by a person or persons who are not the Owner of the Dwelling Unit and who are residing in the Dwelling Unit by virtue of a house sharing agreement, for example, an agreement procured via internet-based companies such as “Airbnb”, “VRBO”, “HomeAway”, or any such equivalent or using the accessory structure (including the swimming pool) or the Lot pursuant to an agreement with the owner or through an internet-based company such as “Swimply” or a similar company.

2. Article V, Section 2, Home Occupations, is hereby deleted and replaced with the following:

No Lot shall be used for any purpose other than as a single-family residence, except that a home occupation, defined as follows may be permitted: any use conducted entirely within the Dwelling Unit and participated in solely by a member of the immediate family residing in said Dwelling Unit, which use is clearly incidental and secondary to the use of the Dwelling Unit for dwelling purposes and does not change the character thereof and in connection with which there is: (a) no sign or display that indicates from the exterior that the Dwelling Unit is being utilized in whole or in part for any purpose other than that of a Dwelling Unit; (b) no commodity is sold upon the Lot; (c) no person is employed in such home occupation other than a member of the immediate family residing in the Dwelling Unit; and (d) no mechanical or electrical equipment is used; provided that, in no event shall a barber shop, styling salon, beauty parlor, tea room, licensed child care center or other licensed or regulated babysitting service, animal hospital, or any form of animal care or treatment such as dog trimming be construed as a home occupation. Any and all Short Term Rentals are strictly prohibited.

IN WITNESS WHEREOF, THE PRESERVES AT THE QUARRY, LLC., a limited liability company organized and existing under the laws of the State of Indiana, being the Developer, pursuant to Article V, Section 35 of the Plat and Restrictions, hereby amends the Plat and Restrictions as set forth herein and has hereunto set its hand by its duly authorized officer.

THE PRESERVES AT THE QUARRY, LLC

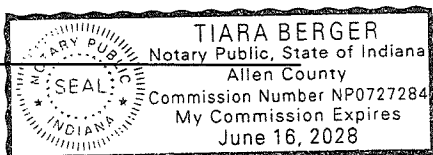
Dated: 8/15/25

By: 
Roger L. Delagrance, Sole Member

STATE OF INDIANA)
) §§:
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Roger L. Delagrance, Sole Member of The Preserves at the Quarry, LLC, an Indiana limited liability company, an Indiana limited liability company, and acknowledged the voluntary execution of the above and foregoing instrument on behalf of said Company for the purposes and uses therein set forth. In witness whereof, I have hereunto subscribed my name and affixed my official seal this 15 day of August, 2025.

My Commission Expires:




Notary Public

Printed: _____

Resident of _____ County, IN

Pursuant to IC 36-2-11-15(d): 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.
Robert C. Kruger

Prepared by:
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