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First Amendment
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Deborah S. Ottinger
Boone County Recorder IN
Recorded as Presented



Cross reference Instrument No.: 200600010582; 201400009520; 2018001200, 2018006153

**FIRST AMENDMENT TO THE FOURTH AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR LOST RUN FARM**

WITNESSETH

This First Amendment to the Fourth Amended and Restated Declaration of Covenants, Conditions and Restriction for Lost Run Farm is made as of this 9th day of September, 2021.

WHEREAS, Lost Run Farm was established upon certain Real Estate described on Exhibit "A" to the Fourth Amended and Restated Declaration of Covenants, Conditions and Restriction of Covenants, Conditions and Restrictions for Lost Run Farm, ("Declaration") recorded at Instrument No. 2018006153 in the Office of the Boone County Recorder (hereinafter the "Real Estate"), pursuant to a certain Declaration of Covenants, Conditions and Restrictions with respect to the Real Estate made by Declarant and recorded in the Office of the Recorder of Boone County, Indiana, on July 26, 2004, as Instrument No. 0409453 (the "Original Declaration"); and,

WHEREAS, on September 9, 2021, the Owners holding at least sixty percent (60%) of all Sites approved this First Amendment to the Fourth Amended and Restated Declaration of Covenants, Conditions and Restrictions for Lost Run Farm, (hereinafter referred to as the "Declaration"). Unless otherwise modified herein, the Declaration remains as recorded;

NOW, THEREFORE, the Declaration is hereby amended and restated to read as follows:

ARTICLE V

Site Development

Section 5.02. Type, Size and Nature of Construction Permitted. (...)

Section 5.02, b) in the Declaration, which states:

- b) Except as hereafter provided, no single-family dwelling house may be constructed on any Site unless such dwelling house, exclusive of open porches, attached garages and basements, shall have a total floor area (above grade) of not less than 4,000 square feet. In the case of a dwelling house with more than one story, the ground floor area shall not be less than 3,200 square feet.

is *deleted*, and *replaced* with the following Section 5.02, b)

- b) Except as hereafter provided, no single-family dwelling house may be constructed on any Site unless such dwelling house, if two-stories in height exclusive of open porches, attached garages and basements, shall have a total floor area (above grade) of not less than 5,000 square feet for homes of which the minimum main floor area shall be no less than 3,500 square feet and the minimum second-story floor area shall be no less than 1,500 square feet. In the case of a single-family dwelling one-story in height, only, the minimum ground floor area shall not be less than 4,000 square feet.

Any dwelling already constructed within Lost Run Farms may be considered grandfathered if it does not meet these new dimensional floor area standards, but was constructed in compliance with the version of the Declaration in place at that time.


Acknowledgment of Compliance

The undersigned officers of Lost Run Farm Community Association, Inc. hereby certify that the Written Consent of a greater than Sixty Percent (60%) of the Owners of the Sites in the Lost Run subdivision have been obtained in support of this amendment and they further certify that all other conditions precedent to amending the Fourth Amended and Restated Declaration of Covenants, Conditions and Restriction for Lost Run Farm have been satisfied.

LOST RUN FARM COMMUNITY ASSOCIATION, INC.

By: 
Vincent Kroon, President

ATTEST:


Ben Wheat, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

I, Aaron Wilson, a Notary Public in and for the County and State aforesaid, do hereby certify that Lost Run Farm Community Association, Inc., by and through its President, Vincent Kroon, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that she signed and delivered the said instrument as her own free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth

GIVEN under my hand and Notarial Seal this 5 day of OCTOBER 2021.

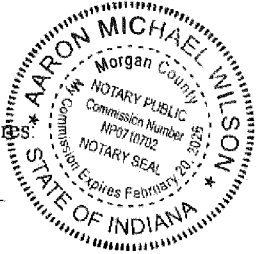
I reside in Morgan

County, Indiana

Notary Public (Signed)

My Commission Expires:

02/20/2022



Aaron M. Wilson
Notary Public (Printed)

STATE OF INDIANA)
) SS:
COUNTY OF BOONE)

I, Aaron Wilson, a Notary Public in and for the County and State aforesaid, do hereby certify that Lost Run Farm Community Association, Inc., by and through its Secretary, Ben Wheat, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth

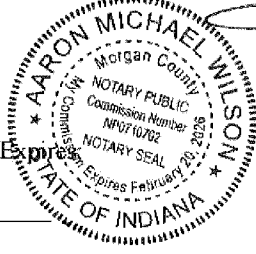
GIVEN under my hand and Notarial Seal this 5 day of OCTOBER, 2021.

I reside in Morgan
County, Indiana

Notary Public (Signed)

My Commission Expires:

02/20/2022



Aaron Wilson
Notary Public (Printed)

I affirm under the penalties for perjury that I have taken reasonable care to redact each Social Security Number in this document as required by law. s: Jeffrey M. Bellamy

This document prepared by Jeffrey M. Bellamy, Thrasher Buschmann & Voelkel, P. C., 151 N. Delaware Street, Suite 1900 Indianapolis, Indiana 46204.