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NOTATION

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SECOND AMENDMENT  
TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF  
MOSS CREEK AT WINSLOW FARM

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS made this 21 day of September, 1992, by Winger/Stolberg Group - Moss Creek, Inc. ("Declarant"):

**Recitals**

(A) On September 10, 1992, Declarant caused to be recorded a Declaration of Covenants, Conditions and Restrictions of Moss Creek at Winslow Farm, in the office of the Recorder of Monroe County, Indiana, as Document No. 215473 in Miscellaneous Record No. 216 at pages 373 through 390. A First Amendment to Declaration of Covenants, Conditions and Restrictions of Moss Creek at Winslow Farm as Document No. 215840, was recorded on September 17, 1992 in Miscellaneous Record 216 at pages 491-523 in the office of the Recorder of Monroe County, Indiana (collectively "Declaration").

(B) This Amendment is being recorded to amend Section 3.1.3 of the Declaration.

NOW THEREFORE, Declarant hereby amends the Declaration as follows:

Section 3.1.3 The Common Area in each Phase of Moss Creek shall be conveyed to or owned by the Association at the time of conveyance of the last Lot in the particular Phase of Moss Creek; provided, however, that expenses relating to the maintenance of the Common Area within each Phase are to be included within the Association budget from the time of conveyance of the first Lot in the particular Phase of Moss Creek.

WININGER/STOLBERG GROUP -  
MOSS CREEK, INC.

By: *Eric C. Stolberg* V.P.  
Eric C. Stolberg  
Vice President

RECORDED  
A.M. — P.M. 2:36  
SEP 21 1992  
*Decker*  
RECORDER MONROE CO., IN

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MONROE )

Book 216 p. 578

Before me, a Notary Public, in and for said County and State, personally appeared Eric C. Stolberg, Vice President of Wininger/Stolberg Group - Moss Creek, Inc. who acknowledged the execution of this *Second Amendment to Declaration of Covenants, Conditions and Restrictions of Moss Creek at Winslow Farm* and who having been duly sworn, stated that all facts set forth are true to the best of his knowledge, information and belief.

Dated this 21 day of September, 1992.

Bernadette Meliski

Name Printed:

BERNADETTE MELSKI  
Notary Public

I reside in Truman County, Indiana.  
My commission expires: 9-6-94.



This Instrument Prepared By: Geoffrey M. Grodner, MALLOR GRODNER & BOHRER, 511 Woodcrest Drive, Post Office Box 5787, Bloomington, Indiana 47407-5787 (812) 336-0200.  
bm/092192/92026/02/Amend.2nd