

**2025037832 AMENDMENT 25.00**  
**09/05/2025 02:45 PM 3 PGS**  
**TRINI BEAVER**  
**HAMILTON COUNTY RECORDER, IN**  
**RECORDED AS PRESENTED**

**Cross Reference:** Instrument No. 2025010424—Declaration of Covenants, Conditions and Restrictions for Midland Towns

**Cross Reference:** Instrument No. 2024035975—Midland Section One Replat of Block 1 Secondary Plat

**Cross Reference:** Instrument No. 2025001653—Correction of Midland Section One Replat of Block 1 Secondary Plat

**FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR MIDLAND TOWNS**

This FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MIDLAND TOWNS (this “**Amendment**”) is made this 1 day of September, 2025, by CCD ACKERSON, LLC, a Delaware limited liability company (hereinafter referred to as “**Declarant**”).

**W I T N E S S E T H:**

WHEREAS, Declarant prepared and filed of record that certain Declaration of Covenants, Conditions and Restrictions for Midland Towns as Instrument No. 2025010424 in the Office of the Recorder of Hamilton County, Indiana (as amended and supplemented, herein referred to as the “**Declaration**”);

WHEREAS, pursuant to Article 14, Section 14.2(a) of the Declaration, the Declarant may unilaterally amend the Declaration, at any time and from time to time, for any purpose until the termination of the Class “B” membership;

WHEREAS, the Class “B” membership is still in existence as of the date of this Amendment; and

WHEREAS, Declarant deems it appropriate to amend the Declaration as set forth below.

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby amends the Declaration as follows:

**ARTICLE I**  
**DEFINITIONS**

The definitions set forth in Article 1 of the Declaration are incorporated herein by reference.

**ARTICLE II**  
**LEASING**

a. Article 10, Section 10.4 of the Declaration is hereby deleted in its entirety from the Declaration and replaced with the following:

10.4 Leasing. Lots may be leased for residential purposes only, and all leases of Lots shall have a minimum lease term of at least ninety (90) days. Should a lease be terminated by either or both of the Owner and/or the tenant in less than ninety (90) days, then no lease of the Lot shall be

permitted to be entered into until ninety (90) days after the commencement of the lease that has been terminated (such that at most during a 360-day period, four (4) new leases with a term of ninety (90) days each can be entered into). All leases of any Lot, or any portion thereof, shall require, without limitation, that the tenant acknowledge receipt of a copy of the Governing Documents. The lease shall also obligate the tenant to comply with the foregoing. The Board may require notice of any lease together with such additional information deemed necessary by the Board.

b. The first sentence of Article 10, Section 10.5 of the Declaration is hereby deleted and replaced with the following, with the remainder of Article 10, Section 10.5 remaining unchanged and in full force and effect:

Lots may be used only for residential purposes of a single family and for ancillary business, home occupation, or home office uses.

**ARTICLE III**  
**DECLARATION**

Except as specifically amended hereby, the Declaration and all terms thereof shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed on the day and year first written above.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF: CCD ACKERSON, LLC, a Delaware limited liability company

Adam Radtke  
Witness

By: Roger Foster

Name: Roger Foster

Brian J. [Signature]  
Witness

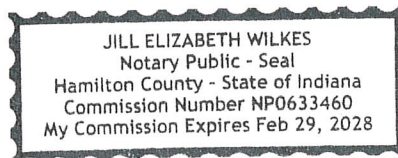
Title: Secretary

STATE OF INDIANA )  
COUNTY OF HAMILTON ) ACKNOWLEDGMENT

I, Jill Elizabeth Wilkes (Notary Public for the State of Indiana), do hereby certify that CCD Ackerson, LLC, a Delaware limited liability company, by and through Roger Foster, its authorized representative, personally appeared before me this day and acknowledged the due execution of the foregoing instrument as the act and deed of said company.

Witness my hand and official seal, this 5 day of September, 2025.

Jill Elizabeth Wilkes  
NOTARY PUBLIC FOR INDIANA  
My commission expires: 2-29-28



[NOTARY SEAL]

This instrument was prepared by Roger Foster.

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. /Roger Foster/