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614 W. Berry St. Ste. A
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April 6, 2022

Dean Kinter
Indian Village Community Association
P.O. Box 9323
Fort Wayne, IN 46899

Re: Indian Village Community Association

Dear Dean:

After review of the various documents you provided to me and in further review of the recorded plat restrictions, it is my opinion that the Indian Village Protective Covenants which were recorded on September 25, 1991 as Document No. 91-040767, specifically repealing and superseding all preexisting Covenants in Indian Village sections (Lots 1-269, and as approved by the Fort Wayne Plan Commission on September 23, 1991 and contingent upon the Allen Circuit Court approval in Cause No. 02C01-9207-CP-000571 which was obtained in 1992) are enforceable and valid as of this date. I can only assume the Fort Wayne Plan Commission, the Allen Circuit Court, and counsel who prepared the Covenants were aware of the existing laws in 1991 and 1992. Either of the two referenced bodies could have rejected the proposed Covenants if the same did not conform to then existing law. Such rejections did not occur. To the best of my knowledge, the 1991 Covenants have not been challenged since recorded and are therefore in effect unless and until at least 65% of the lot owners in Indian Village vote to amend the same or a Court determines that the 1991 recorded Covenants are invalid.

If you have any questions, please contact me.

Very truly yours,


Solomon L. Lowenstein, Jr.

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