

IN RE: INDIAN VILLAGE SECTION A SUMMONS BY PUBLICATION TO:

OWNERS OF REAL ESTATE LOCATED IN INDIANA VILLAGE SECTION A AN ADDITION TO THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA, AND ANY OTHER PERSON WHO MAY BE CONCERNED THEREWITH: YOU ARE NOTIFIED:

- 1. That the form and method of service of this summons has been authorized by leave of court pursuant to Rule 4.14 of the Indiana Trial Rules.
2. That the Board of Governors of the Indian Village Community Association by its President have filed a Petition for Approval of Amended Covenants amending the restrictions of said Indian Village Section A, an addition to the City of Fort Wayne, Allen County, Indiana.
3. That said amendments were duly approved in writing by 65% of more, of the land owners of record of said Indian Village Section A as required by the presently effective covenants thereof.
4. That a copy of said Amended Covenants were publicly circulated to all home owners via publication in the Indian Village Publication Newsletter prior to the procurements of said requisite 65% approval of said amendments.
5. That a copy of this summons and said Petition for approval of Amended Covenants has been mailed to all land owners of said Section A at the addresses on file with the secretary of the Indian Village Board of Governors. A copy of said Amended Restrictive Covenants is attached to the Petition on file in the Allen Circuit Court in this Cause No. 02C01-9207-CP-571.
6. That said Amended Covenants, in summary, preserve the terms and conditions of the prior Protective Covenants except that they:
a. Combine the Protective Covenants of Section A of Indian Village sub-division with all other sections of Indian Village.
b. Increase the annual dues of membership from \$5.00 to \$10.00.
c. Provide for further modification of said Covenants by a simply majority rather than a 65% majority and abolish the requirements of Circuit Court Petition and.
d. Provide for standing in the Board of Governors for legal enforcement of said Amended Covenants.
7. That the hearing upon said petition has been set for 10:00 a.m. for Jan. 22, 1993. All interested parties are notified to show cause on or before said hearing date why said petition should not be granted.

8. That the attorney representing the Indian Village Board of Governors in this cause is Michael R. McEntee, BOWMAN AND McENTEE, 206 Paine Webber Building, Fort Wayne, Indiana 46802, (219) 426-4451, FAX (219) 426-4453, AIN #9481-02.

9. That said Amended Restrictions as they apply to Sections of the Indian Village addition to the City of Fort Wayne, Allen County, Indiana, other than Section A are not affected by this Petition as the provisions of their respective covenants do not require Court approval for amendment and said amendment has been effected by requisite approval of the homeowners and the Plan Commission of the City of Fort Wayne.

Michael R. McEntee
BOWMAN AND McENTEE
206 Paine Webber Building
Fort Wayne, Indiana 46802
(219) 426-4451
AIN: 9481-02
ATTORNEY FOR PETITIONERS

DATED: 1-12-93

Connie L. Campbell
ALLEN COUNTY CLERK
#616

PROOF OF PUBLICATION

ALLEN COUNTY, SS.

In the City of Fort Wayne, Jan 15 A.D. 19 93

Personally appeared before the undersigned, who, being duly sworn according to law, saith that he/she is the Clerk of

Fort Wayne Journal-Gazette

a Daily Newspaper of general circulation, printed and published in said County and State, and that the notice herewith attached was published in the said Fort Wayne Journal-Gazette in the daily

edition for One times, the first publication

being on the 15th day of Jan, 19 93;

the second on the day of 19;

and the third on the day of 19;

and the fourth on the day of 19;

Cindy Gullen writes

Subscribed and Sworn to before me, this

15th day of Jan, 19 93

Shelley R. LaRue

Notary Public Shelley R LaRue
Whitley County, IN

March 3, 1994

My Commission expires

Fort Wayne Journal-Gazette
FORT WAYNE, INDIANA

No. 02C01-9207-CP-571

Proof of Publication

Indian Village

or

Owners of real estate in

Indian Village

Filed 19

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