

RECORDER
VANDERBURGH COUNTY
DEBBIE STUCKI
2023R00009270
05/17/2023 01:09 PM
RECORDING FEES: 25.00
PAGES: 21

**AMENDMENT TO CONDITIONS, RESTRICTIONS AND PROTECTIVE COVENANTS
OF WELLINGTON ACRES**

THIS AMENDMENT, made and entered into by the undersigned, being the owners of all of the lots in Wellington Acres Subdivision (hereinafter individually referred to as an "Owner" and collectively as the "Owners"),

WITNESSETH, THAT:

WHEREAS, the Owners are owners of record of lots in the subdivision known as Wellington Acres Subdivision (the "Subdivision"), as per plats entitled Wellington Acres Phase I, recorded in Plat Book Q, Page 60 and Wellington Acres Phase II, recorded in Plat Book Q, Page 78, both in the Office of the Recorder of Vanderburgh County, Indiana; and

WHEREAS, the use of lots in the Subdivision is governed by those certain Conditions, Restrictions, and Protective Covenants recorded January 12, 2000 as Instrument No. 2000R00001086 and re-recorded January 17, 2000 as Instrument No. 2000R00020013, both in the office of the Recorder of Vanderburgh County, Indiana (the "Restrictions"); and

WHEREAS, Drew F. Peyronnin and Denise B. Peyronnin, husband and wife ("Peyronnin"), own certain real estate commonly known as 13110 Kettleshill Walk, Evansville, Indiana and more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof (the "Peyronnin Real Estate"); and

WHEREAS, by virtue of that certain Corporate Warranty Deed recorded on August 9, 2000 as Instrument No. 2000R00022739 in the office of the Recorder of Vanderburgh County, Indiana (the "Peyronnin Deed"), a portion of the Peyronnin Real Estate, while not a part of the Subdivision, became subject to some of the terms and conditions set forth in the Restrictions; and

WHEREAS, Peyronnin desires to purchase land lying adjacent to the Peyronnin Real Estate and to have to ability to parcelize and divide such additional land (with some portion or portions of the Peyronnin Real Estate) to create two parcels for building lots, and allow such newly created parcels to cross the Peyronnin Real Estate for the extension of utilities and as a passageway (through existing or newly constructed private roads) to Kettleshill Walk for access to and from such newly created parcels (the "Peyronnin Parcelization"); and

WHEREAS, the Owners agree to amend the Restrictions to allow the Peyronnin Parcelization.

NOW, THEREFORE, in consideration of the recitals above, the undersigned do hereby agree as follows:

1. Amendment of Restrictions for the Peyronnin Parcelization. The undersigned hereby agree to amend the Restrictions to allow the Peyronnin Real Estate to be parcelized and used for the extension of utilities and as a passageway (through existing or newly constructed private roads) for access to Kettleshill Walk for the additional parcels created by the Peyronnin Parcelization and that all provisions of the Restrictions which might be interpreted against Parcelization of the Peyronnin Real Estate and utilizing the Peyronnin Real Estate for extension of utilities or as a passageway are hereby null, void and of no further effect.

2. Waiver of Peyronnin Deed Restrictions. The undersigned acknowledge and agree that the Grantor of the Peyronnin Real Estate in the Peyronnin Deed, Windsor Realty and Development, Inc., has been dissolved as a corporation, and that all restrictions which might be interpreted against Parcelization of the Peyronnin Real Estate and utilizing the Peyronnin Real Estate for extension of utilities or as a passageway are hereby null, void and of no further effect.

3. Ratification of Restrictions. Except for the amendments hereinabove set forth, all of the other terms, conditions and provisions of the Restrictions shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned owners have executed this Amendment as of the dates set forth below.

(Individual signature pages to follow)

Owner of Lot 3:

By: J. Michael Conkright Address: 2046 Oldbury Way
(signature) Evansville, IN 47725

J. Michael Conkright Date: 5/11/23
Michael Conkright

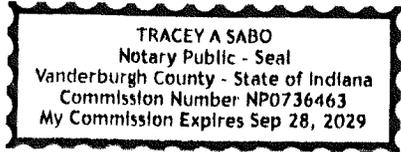
STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

The foregoing instrument was acknowledged before me this 11 day of May, 2023 by Michael Conkright.

Vanderburgh
County of Residence

Tracey A Sabo
Notary Public Signature

Tracey A Sabo
Printed Name



My Commission expires: 9-28-29

Owner of Lot 4:

By: Patricia A Jackson
(signature)

Address: 2128 Oldbury Way
Evansville, IN 47725

Patricia A. Jackson
Patricia Jackson

Date: 5-9-23

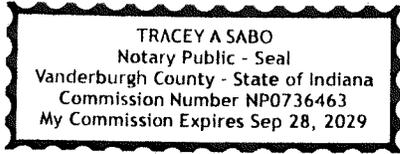
STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

The foregoing instrument was acknowledged before me this 9 day of May, 2023 by Patricia Jackson.

Vanderburgh
County of Residence

Tracey A. Sabo
Notary Public Signature

Tracey A. Sabo
Printed Name



My Commission expires: 9-28-29

Owners of Lot 7:

By: [Signature]
(signature)

Address: 2221 Oldbury Way
Evansville, IN 47725

William Wagner
William Wagner

Date: 5/11/23

By: [Signature]
(signature)

Address: 2221 Oldbury Way
Evansville, IN 47725

Brooke Wagner
Brooke Wagner

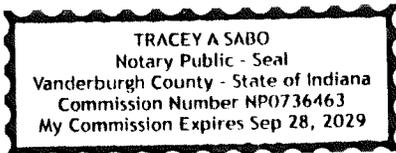
Date: 5/11/2023

STATE OF INDIANA)
COUNTY OF VANDERBURGH)

The foregoing instrument was acknowledged before me this 11 day of May, 2023 by William Wagner and Brooke Wanger, husband and wife.

Vanderburgh
County of Residence

[Signature]
Notary Public Signature
Tracey A Sabo
Printed Name



My Commission expires: 9-28-29

Owners of Lot 8:

By: Reynaldo Gonzales
(signature)
Reynaldo Gonzales
Reynaldo Gonzales

Address: 2220 Oldbury Way
Evansville, IN 47725

Date: 5-9-2020

By: Sharon Gonzales
(signature)
Sharon Gonzales
Sharon Gonzales

Address: 2220 Oldbury Way
Evansville, IN 47725

Date: 5-9-23

STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

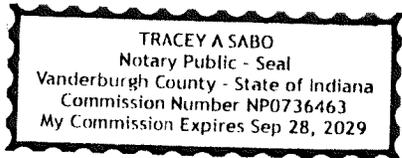
The foregoing instrument was acknowledged before me this 9 day of May, 2023 by Reynaldo Gonzales and Sharon Gonzales, husband and wife.

Vanderburgh
County of Residence

Tracey A Sabo
Notary Public Signature

Tracey A Sabo
Printed Name

My Commission expires: 9-28-29



Owner of Lot 9:

M D'orsay, LLC

By: _____

(signature)

PHILIP EYKAMP

(printed)

Address: 13001 Kettles Hill Walk

Evansville, IN 47725

Date: 5-11-23

Its: MANAGING MEMBER

STATE OF INDIANA)

)

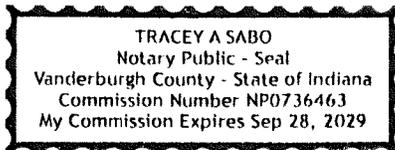
COUNTY OF VANDERBURGH)

The foregoing instrument was acknowledged before me this 11 day of May, 2023 by Philip Eykamp, managing member of M D'orsay, LLC.

Vanderburgh
County of Residence

Tracey A Sabro
Notary Public Signature

Tracey A Sabro
Printed Name



My Commission expires: 9-28-29

Owners of Lot 10:

By: [Signature]
(signature)

Brandon Wynn
Brandon Wynn

Address: 13020 Kettles Hill Walk
Evansville, IN 47725

Date: 5/9/23

By: [Signature]
(signature)

Jessica Wynn
Jessica Wynn

Address: 13020 Kettles Hill Walk
Evansville, IN 47725

Date: 5/9/23

STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

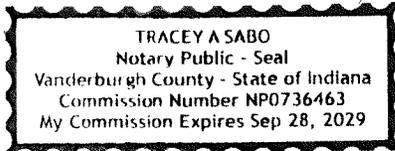
The foregoing instrument was acknowledged before me this 9 day of May, 2023 by Brandon Wynn and Jessica Wynn, husband and wife.

Vanderburgh
County of Residence

[Signature]
Notary Public Signature

Tracey A Sabo
Printed Name

My Commission expires: 9-28-29



Owner of Lot 16:

By: Mindy L Sagez
(signature)

Mindy L Sagez
Mindy Sagez

Address: 2136 Kettles Hill Court
Evansville, IN 47725

Date: 5/15/23

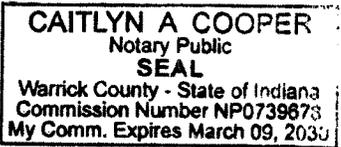
STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

The foregoing instrument was acknowledged before me this 15 day of May, 2023 by Mindy Sagez.

Warrick
County of Residence

Caitlyn A. Cooper
Notary Public Signature

Caitlyn A. Cooper
Printed Name



My Commission expires: March 9, 2030

Owners of Lot 17:

By: Randy Sheffer
(signature)

RANDY SHEFFER
Randy Sheffer

Address: 2131 Kettles Hill Court
Evansville, IN 47725

Date: 5/11/23

By: Andrea Sheffer
(signature)

Andrea Sheffer
Andrea Sheffer

Address: 2131 Kettles Hill Court
Evansville, IN 47725

Date: 5-11-23

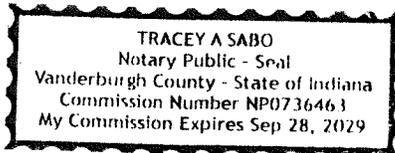
STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

The foregoing instrument was acknowledged before me this 11 day of May, 2023 by Randy Sheffer and Andrea Sheffer, husband and wife.

Vanderburgh
County of Residence

Tracey A Sabo
Notary Public Signature

Tracey A. Sabo
Printed Name



My Commission expires: 9-28-29

Owners of Lot 18:

By: [Signature]
(signature)

Address: 13218 Kettles Hill Walk
Evansville, IN 47725

GREGORY S. DROSTE
Greg Droste

Date: 5/11/2023

By: [Signature]
(signature)

Address: 13218 Kettles Hill Walk
Evansville, IN 47725

Ginger L. Droste
Ginger Droste

Date: 5/11/2023

STATE OF INDIANA)
)
COUNTY OF VANDERBURGH)

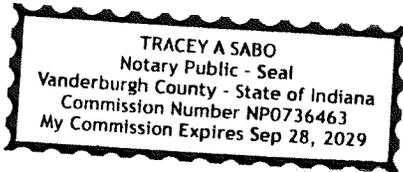
The foregoing instrument was acknowledged before me this 11 day of May, 2023 by Greg Droste and Ginger Droste, husband and wife.

Vanderburgh
County of Residence

[Signature]
Notary Public Signature

Tracey A Sabo
Printed Name

My Commission expires: 9-28-29



This instrument was prepared by: Krista B. Lockyear, Stoll Keenon Ogden PLLC, 1 Main Street, Suite 201, Evansville, Indiana 47708, Telephone (812) 425-1591.

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.

/s/ Krista B. Lockyear _____