

**2020-12245**

**ELKHART COUNTY RECORDER  
JENNIFER L. DORIOT  
FILED FOR RECORD ON  
06/10/2020 10:02 AM  
AS PRESENTED**



**AMENDED TO DECLARATION OF CONDOMINIUM  
OWNERSHIP, RESTRICTIONS  
AND COVENANTS FOR LARIMER VILLAGE  
CONDOMINIUMS, INC.**

This Amendment to Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Larimer Village Condominiums, Inc. (the "Amendment") is made and entered into by Larimer Village Condominiums, Inc. (the "Association");

RECITALS:

A. Larimer Development, Ltd., an Indiana Limited Partnership (the "Declarant") recorded the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Larimer Village Condominiums Horizontal Property Regime with the Office of the Elkhart County Recorder on September 21, 1988 as Instrument No. 88 017525 (the "Original Covenants and Bylaws").

B. All lots in Larimer Village Condominiums Horizontal Property Regime, as plated in Plat Book 18, page 7, Elkhart County Records, are subject to and impressed with the Original Covenants and Bylaws.

C. Prior to June 12, 2015, the Association entered into and recorded several amendments to the Original Covenants and Bylaws.

D. On June 12, 2015, the Association recorded the Amended and Restated Declaration of Condominium Ownership Restrictions and Covenants for Larimer Village Condominiums, Inc. with the Office of the Recorder as Instrument No. 2015-11346 (the "Restated Covenants").

E. The Owners desire to add additional covenants and restrictions to the Property to restrict leasing of the Units.

F. The affirmative vote of a majority of the entire Board of Directors is necessary to affect any change in the covenants and bylaws subject to the approval of the Unit Owners owning seventy-five percent (75%) of the Units.

G. The Board of Directors of the Association made an affirmative vote to amend the Covenants.

H. The proposed amendments to the Covenants were duly approved by at least seventy-five percent (75%) of the Unit Owners.

I. This Amendment amends the Restated Covenants and shall be impressed upon all lots of the Larimer Village Horizontal Property Regime.

NOW, THEREFORE, the Association hereby amends the Restated Covenants as follows:

1. Article IV is amended by adding the following language as a new Section:

**4.20 Restrictions on Leasing.** At any given time, no more than three (3) Units may be leased for occupancy by a person[s] who is not the Unit Owner. Prior to entering into a lease for his/her Unit, an Owner must submit a written request to the Board for approval. The Board will approve an Owner's request to lease his/her Unit provided that each of the following conditions are met:

- a. Approval would not cause more than three (3) Units at one time to be occupied by a person/persons who is/are not the Unit Owner.
- b. The Owner and proposed lessee agree to use the form lease pre-approved by the Board.
- c. The Owner agrees to furnish his/her lessee with a copy of the Restated Covenants and this Amendment, and the lessee agrees to abide by the covenants and restrictions contained in the Restated Covenants and this Amendment.
- d. The term of the proposed lease does not exceed one (1) year.

Upon approval of an Owner's request to lease his/her Unit, the Board will provide the Owner with the form lease pre-approved by the Board. The Owner must return a copy of the executed form lease to the Board for the Association's record keeping. An Owner wishing to renew a previously-approved lease for a subsequent term must submit a written application to the Board at least thirty days (30) before the anniversary date of the Board's initial approval of the Owner's written request to lease his/her Unit. No lease may be renewed without prior Board approval.

Notwithstanding the above provisions, the Board may approve a short-term lease with a duration of six (6) months or less for special circumstances such as extended travel or Owner absences due to health or education related reasons.

2. All other terms and conditions of the Restated Covenants remain in full force and effect.

