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FIRST AMERICAN

200600007848
Filed for Record in
BOONE COUNTY, INDIANA
MARY ALICE "SAM" BALOWIN
07-21-2006 At 03:15 pm.
COVENANTS 22.00

**FIRST AMENDMENT
TO
MASTER DECLARATION OF COVENANTS AND RESTRICTIONS
OF
ANSON**

THIS AMENDMENT to that certain Master Declaration of Covenants and Restrictions of Anson (the "Master Declaration"), is executed as of the 17 day of July, 2006, by DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership, ("Declarant"), who by the execution hereof, hereby declares that:

1. **Recitals.** The following facts are true:
 - (a) The Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana on January 11, 2006 as Instrument Number 200600000262.
 - (b) Declarant has the right unilaterally to amend and revise the Master Declaration pursuant to the provisions of Paragraph 26(b) of the Master Declaration.
 - (c) Capitalized terms used, but not defined, herein shall have the meaning given such terms in the Master Declaration.

2. **Amendments.**
 - (a) The following is added as Paragraph 16(k) to the Master Declaration:

Master Billing. The Corporation may, upon request of a Supplemental Association, collect Parcel Assessments and other Assessments under a Supplemental Declaration for and on behalf of such Supplemental Association.
 - (b) The following is added as Paragraph 19(c) to the Master Declaration:

Maintenance of Portion of Right-of-Way Adjoining Certain Lots. Each Owner of a (i) Nonresidential Lot or (ii) Residential Lot used or intended to be used for an Attached Living Unit shall at such Owner's expense and subject to and in accordance with the requirements of any applicable governmental authority, keep that portion of the public-right-of-way between such Lot and the back of curb of the street located in such right-of-way in good order and repair and free of debris including, but not limited to, the seeding, watering, and mowing of any Planting Area; the pruning, cutting and replacement of all Street Trees and shrubbery; the maintenance and repair of any Site Furniture and Facilities therein; and the maintenance, including removal of snow and ice, resurfacing and repair of any paved areas, including sidewalks. All such maintenance and repair shall be performed in a manner and with such frequency as is consistent with good property management as determined by the Board of Directors.

In the event an Owner of a Lot subject to this Paragraph 19(c) shall fail to keep and maintain such portion of the right-of-way as provided herein, the Corporation, after notice to the Owner as provided by the By-Laws and approval by two-thirds (2/3) vote of the Board of Directors, shall have the right to correct drainage and to repair, replace, maintain and restore any of the foregoing to be maintained and repaired by the Owner. All costs related to such correction, repair or restoration shall become a Special Assessment upon such Lot.

(c) The following is added as Paragraph 40 to the Master Declaration, and is entitled "Anson Medallions":

The external façade of the principal building on each Nonresidential Lot in Anson must include a stone medallion of size, design and materials specified by Declarant and displaying the Anson logo and stating the year in which such building was constructed. Such medallion shall be placed at a location on a corner of such building approved by the applicable Design Review Board as part of its approval of a Lot Development Plan.

(d) Exhibit A, "Definitions," is amended to add the following definition of "Attached Living Unit":

"Attached Living Unit" means a Living Unit attached to another Living Unit developed side by side for sale as Condominiums, or as fee simple dwellings where land is sold with the dwelling.

(e) The definition of "Multifamily Structure" in Exhibit A, "Definitions," is hereby deleted and the following is inserted in lieu thereof:

"Multifamily Structure" means a structure with two or more Living Units under one roof, except when such Living Units are Attached Living Units or are located in a Multiuse Structure.

(f) The definition of "Nonresidential Unit" in Exhibit A, "Definitions," is hereby deleted and the following is inserted in lieu thereof:

"Nonresidential Unit" means any (i) structure (including common areas) or (ii) portion of a Multiuse Structure which is designed and intended for use and occupancy for such non-residential purposes as are permitted under the Zoning Ordinance exclusive of home-based offices and other uses accessory to the use and enjoyment of a Residential Lot. A Nonresidential Unit may be a Condominium.

(g) The definition of "Owner" in Exhibit A, "Definitions," is hereby amended by deleting the phrase "or is acquiring" from each place where it is contained therein.

(h) Schedule 16 is hereby deleted and Schedule 16 attached to this First Amendment is inserted in lieu thereof.

3. **Effective Date.** Except as expressly amended hereby, the Master Declaration shall remain in full force and effect without amendment. The foregoing amendments shall be effective as of the date this First Amendment is recorded in the Office of the Recorder of Boone County, Indiana.

IN WITNESS WHEREOF, this First Amendment has been executed as of the date first above written.

DUKE REALTY LIMITED PARTNERSHIP, an
Indiana limited partnership

By: Duke Realty Corporation, its general partner

By: Thomas A. Dickey
(Signature)
Thomas A. Dickey
(Printed Name)
Its: VP and Gen. Mgr. Anson
(Title)

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared Thomas A. Dickey, by me known and by me known to be the VP and Gen. Mgr. Anson of Duke Realty Corporation, an Indiana corporation, the general partner of Duke Realty Limited Partnership, an Indiana limited partnership, who acknowledged the execution of the foregoing "First Amendment to Master Declaration of Covenants and Restrictions of Anson" on behalf of said partnership.

WITNESS my hand and Notarial Seal this ___ day of July, 2006.

My Commission Expires: _____



Leigh Ann Conway
Notary Public Residing in _____ County, _____

(Printed Signature) Leigh Ann Conway, Notary Public
State of Indiana
My Commission Expires: May 10, 2008
My County of Residence: Hamilton

CHICAGO TITLE

This instrument prepared by David R. Warshauer, Attorney at Law, Barnes & Thornburg LLP,
11 South Meridian Street, Indianapolis, Indiana 46204.

I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. (George H. Able, II)

DECLARATION OF COVENANTS AND RESTRICTIONS

SCHEDULE 16

GENERAL ASSESSMENT RATES FOR ALL UNITS

PRIOR TO THE DETERMINATION DATE

Type of Unit	Amount of Assessment for Calendar Year 2006 ¹
1. Each Residential Lot for a Single Family Detached Living Unit:	\$200.00 per year
2. Each Lot for a Living Unit attached to another Living Unit developed side by side for sale as Condominiums or as fee simple dwellings where land is sold with the dwelling:	\$275.00 per year
3. Each unimproved Nonresidential Lot:	\$100 per acre per year
4. Each Nonresidential Lot improved with one or more Multifamily Structures or a structure containing a Horizontal Property Regime not included within a Multiuse Structure:	\$275.00 per year per Living Unit in such Multifamily Structure and Condominium in such Horizontal Property Regime
5. Each Nonresidential Lot improved with one or more Multiuse Structures (including Multiuse Structures that include a Condominium):	\$275.00 per year per Living Unit in such Multiuse Structure (including Living Units that are Condominiums) and an amount per square foot of Nonresidential Units located in such Multiuse Structure determined as provided in 6(a), 6(b) or 6(c) below.
6. Each other Nonresidential Lot:	Per square foot of the Nonresidential Units ² located on such Lot:
(a) Nonresidential Units where the predominant use (meaning 50% or more of the gross square footage of such Units, as reasonably determined by Declarant) is industrial, including warehousing and distribution	
0-25,000 square feet	\$0.080 per square foot
25,000-50,000 square feet	\$0.075 per square foot
50,000-100,000 square feet	\$0.070 per square foot
100,000-250,000 square feet	\$0.065 per square foot
250,000-500,000 square feet	\$0.060 per square foot
500,000-1,000,000 square feet	\$0.050 per square foot
more than 1,000,000 square feet	\$0.045 per square foot

¹ Each rate of assessment set forth herein may be adjusted annually to reflect annual increases in the Consumer Price Index for All Urban Consumers (CPI-U), all items index (Base 1982-84=100), for the Midwest Region (Size Class A), provided that no such increase shall exceed five percent (5%) for any one year.

² Square footage is determined by the plans submitted for approval to the applicable Design Review Board. Square footage is subject to adjustment upon completion of construction of the Unit.

(b) Nonresidential Units where the predominant use (meaning 50% or more of the gross square footage of such Units, as reasonably determined by Declarant) is office/medical office/flex office

0-10,000 square feet	\$0.180 per square foot
10,000-25,000 square feet	\$0.170 per square foot
25,000-50,000 square feet	\$0.160 per square foot
50,000-100,000 square feet	\$0.150 per square foot
100,000-200,000 square feet	\$0.140 per square foot
more than 200,000 square feet	\$0.130 per square foot

(c) Nonresidential Units where the predominant use (meaning 50% or more of the gross square footage of such Units, as reasonably determined by Declarant) is not one of the uses described in 3 (a) or 3 (b) above

0-10,000 square feet	\$0.180 per square foot
10,000-25,000 square feet	\$0.170 per square foot
25,000-50,000 square feet	\$0.160 per square foot
50,000-100,000 square feet	\$0.150 per square foot
100,000-200,000 square feet	\$0.140 per square foot
more than 200,000 square feet	\$0.130 per square foot



CHICAGO TITLE

21.00
+ 2.00
+ 2.00 Non
Chicago Title

200700007559
Filed for Record in
BOONE COUNTY, INDIANA
MARY ALICE "SAM" BALDWIN
07-18-2007 At 02:03 pm.
COVENANTS 25.00

SECOND AMENDMENT
TO
MASTER DECLARATION OF
COVENANTS AND RESTRICTIONS
OF
ANSON

THIS SECOND AMENDMENT ("Second Amendment") to that certain Master Declaration of Covenants and Restrictions of Anson (the "Master Declaration"), is executed as of the 3rd day of July, 2007 (the "Effective Date"), by DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership ("Declarant"), who by the execution hereof, hereby declares that:

1. **Recitals.** The following facts are true:

(a) The Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana (the "Recorder's Office") on January 11, 2006, as Instrument Number 200600000262, and amended by that First Amendment recorded in the Recorder's Office on July 21, 2006, as Instrument number 200600007848.

(b) The Applicable Date has not yet occurred and, therefore, Declarant has the right unilaterally to amend and revise the Master Declaration pursuant to the provisions of Paragraph 26(b) thereof.

(c) Pursuant to Paragraph 3(b) of the Declaration, Declarant has the right to amend the Declaration for the purpose of removing any portion of the Property which has not yet been improved with structures from the coverage of the Declaration.

2. **Recitals and Defined Terms.** The Recitals set forth above are hereby incorporated by reference. Any capitalized terms, used, but not defined, herein shall have the meaning given such terms in the Master Declaration.

3. **Amendment - Withdrawn Property.** The following amendment shall become effective as of the Effective Date:

(a) Pursuant to the provisions of Paragraph 3(b) of the Master Declaration, the property set out in Exhibit A attached hereto (the "Withdrawn Property") is hereby withdrawn from the Master Declaration, the Parcel and the Property and is not part of the General Plan of Development, and is removed from any document recorded to establish easements or other agreements created in the Master Declaration, including but not limited to, those documents recorded in the office of the Recorder of Boone County, Indiana as Instruments Number 200600001996, Instrument Number 200600013389 and Instrument Number 200700001463.

(b) The Withdrawn Property is not General Community Area, so the consent of the Corporation is not required pursuant to Paragraph 3(a) of the Master Declaration.

4. **Effect of Amendment.** This Second Amendment shall not affect Declarant's right to annex additional property pursuant to Paragraph 3(a) of the Declaration.

5. **Effective Date.** Except as expressly amended hereby, the Master Declaration shall remain in full force and effect without amendment. The foregoing amendments shall be effective as of the date this Second Amendment is recorded in the Recorder's Office.

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CHICAGO TITLE

IN WITNESS WHEREOF, this Second Amendment has been executed as of the date first above written.

DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership

By: Duke Realty Corporation, its general partner

By: Thomas A. Dickey
(Signature)

THOMAS A. DICKY
(Printed Name)

Its: Vice President & General Manager, Anson
(Title)

STATE OF INDIANA)
COUNTY OF Hamilton) SS:

Before me, a Notary Public in and for said County and State, personally appeared Thomas A. Dickey, VP + General Manager of Duke Realty Corporation, an Indiana corporation, the general partner of Duke Realty Limited Partnership, an Indiana limited partnership, who acknowledged the execution of the foregoing "Second Amendment to Master Declaration of Covenants and Restrictions of Anson" on behalf of said partnership.

WITNESS my hand and Notarial Seal this 20th day of April, 2007

My Commission Expires: 10/27/2013
Julie Hoyt
Notary Public Residing in Hamilton Co
Julie Hoyt
(Printed Signature)



CHICAGO TITLE

**CONSENTS TO SECOND AMENDMENT TO
MASTER DECLARATION OF
COVENANTS AND RESTRICTIONS
OF
ANSON**

Duke Construction Limited Partnership, an Indiana limited partnership ("DCLP"), is the owner of the Withdrawn Property described in the foregoing Second Amendment to Master Declaration of Covenants and Restrictions of Anson, and does hereby consent on behalf of itself, its successors and assigns, to the terms of the foregoing Second Amendment to Master Declaration of Covenants and Restrictions of Anson.

**DUKE CONSTRUCTION LIMITED
PARTNERSHIP, an Indiana limited partnership**

By: Duke Business Centers Corporation, its sole general partner

By: Thomas A. Dickey
(Signature)

THOMAS A. Dickey
(Printed Name)

Its: Vice President + General Manager,
(Title) Anson

STATE OF INDIANA)
) SS:
COUNTY OF Hamilton)

Before me, a Notary Public in and for said County and State, personally appeared Thomas A. Dickey, by me known and by me known to be the VP + General Manager, Anson of Duke Business Centers Corporation, the sole general partner of Duke Construction Limited Partnership, an Indiana limited partnership, who acknowledged the execution of the foregoing "Second Amendment to Master Declaration of Covenants and Restrictions of Anson" on behalf of said partnership. ®

WITNESS my hand and Notarial Seal this 20th day of April, 2007.

My Commission Expires: 10/27/2013

Jolie Hunt
Notary Public Residing in Hamilton County
JOLIE HUNT
(Printed Signature)



I affirm, under the penalties of perjury that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

Angela E. Tempel

This instrument prepared by: Angela E. Tempel, Bose McKinney & Evans LLP, 2700 First Indiana Plaza, 135 N. Pennsylvania Street, Indianapolis, Indiana 46204.



CHICAGO TITLE

EXHIBIT A**Lowe's Parcel**

A part of Block – J in Anson Development – Phase I South as per plat thereof recorded as instrument #200600001996 by the Recorder of Boone County, Indiana being bounded as follows:

BEGINNING at the northeastern corner of Block – J in Anson Development – Phase I South as per plat thereof recorded as instrument 200600001996 by the Recorder of Boone County, Indiana; thence South 01 degree 01 minute 27 seconds East (the bearing system of the plat is assumed) 988.17 feet along the eastern boundary of said Block – J; thence South 89 degrees 32 minutes 33 seconds West 82.53 feet; thence North 68 degrees 37 minutes 36 seconds West 26.54 feet; thence North 89 degrees 54 minutes 14 seconds West 592.71 feet; thence North 00 degrees 00 minutes 00 seconds West 213.84 feet; thence North 90 degrees 00 minutes 00 seconds East 30.31 feet; thence North 00 degrees 00 minutes 00 seconds 225.16 feet; thence North 90 degrees 00 minutes 00 seconds East 25.40 feet; thence North 00 degrees 00 minutes 00 seconds 171.50 feet; thence South 89 degrees 52 minutes 54 seconds East 208.77 feet to a point that is South 00 degrees 07 minutes 06 seconds West of a point on the southern right-of-way line of State Road 334, which is also the northern boundary of said Block – J, that is South 87 degrees 18 minutes 53 seconds West 417.55 feet from the northeastern corner of said Block – J; thence North 00 degrees 07 minutes 06 seconds East 348.39 feet to said point on the southern right-of-way line of State Road 334; thence North 87 degrees 18 minutes 53 seconds East 417.55 feet along the southern right-of-way line of State Road 334 to the **POINT OF BEGINNING** containing 12.839 acres, more or less.



CHICAGO TITLE

23
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+ 3.00 Cross
+ 2.00 Non
Just American

200800000889
Filed for Record in
BOONE COUNTY, INDIANA
MARY ALICE "SAM" BALDWIN
01-23-2008 At 10:03 am.
COVENANTS 60.00

THIRD AMENDMENT
TO
MASTER DECLARATION OF COVENANTS AND RESTRICTIONS
OF
ANSON

THIS AMENDMENT to that certain Master Declaration of Covenants and Restrictions of Anson (the "Master Declaration"), is executed as of the 17th day of January, 2008, by DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership, ("Declarant"), who by the execution hereof, hereby declares that:

1. Recitals. The following facts are true:

- (a) The Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana on January 11, 2006 as Instrument Number 200600000262.
- (b) The First Amendment to the Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana on July 21, 2006 as Instrument Number 200600007848.
- (c) The Second Amendment to the Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana on July 18, 2007 as Instrument Number 200700007559.
- (d) Declarant, Browning/Duke, LLC, an Delaware limited liability company, ("BDLLC"), and Duke Construction Limited Partnership, an Indiana limited partnership, ("DCLP") are the owner(s) of the fee simple title to the real estate located in Boone County, Indiana, more particularly described in Exhibit A attached hereto and incorporated herein by this reference (the "Additional Real Estate"), which is Part of the Development Area;
- (e) Pursuant to Paragraph 3 of the Master Declaration, Declarant has the right, with the consent of BDLLC and DCLP, to bring the Additional Real Estate within the scheme of the Master Declaration and add the Additional Real Estate to the Property.
- (f) Declarant has the right unilaterally to amend and revise the Master Declaration pursuant to the provisions of Paragraph 26(b) of the Master Declaration.
- (g) Capitalized terms used, but not defined, herein shall have the meaning given such terms in the Master Declaration.

2. Amendments.

- (a) Pursuant to Paragraph 3 of the Master Declaration and with the consent of BDLLC and DCLP, the Additional Real Estate is made part of the Property, and the Restrictions shall run with the land and shall be binding upon and inure to the benefit of the parties having or acquiring any interest in the Additional Real Estate or any part or parts thereof.
- (b) Schedule 16 is hereby deleted and Schedule 16 attached to this Third Amendment is inserted in lieu thereof.
- (c) Paragraph 17 is hereby amended by adding "(including, without limitation, the landscaping and related appurtenances such as irrigation that are to be located within any public

CHICAGO TITLE

right-of-way or Private Street adjoining any Lot that is required to be maintained by the Owner of such Lot)" after the word "Lots" the second time which it appears.

(d) Paragraph 19(c) of the Master Declaration is hereby amended to add the words "or Private Street" after the phrase "right-of-way" wherever it appears.

(e) Notwithstanding anything in the Master Declaration to the contrary, if a Supplemental Declaration so provides, Declarant may exercise the powers (unless and until relinquished by Declarant in accordance with the Supplemental Declaration) within the Parcel subject to such Supplemental Declaration, in lieu of (i) a Supplemental Association of owning, maintaining and administering the General Community Area and Limited General Community Area, administering and enforcing the Restrictions, collecting and disbursing the General Assessments, Special Assessments and other charges created by the Master Declaration, and promoting the health, safety and welfare of the Owners and Occupants of Lots and Units such Parcel, or (ii) a Design Review Board of architectural control. In the event a Supplemental Declaration so provides for Declarant to exercise such powers, the Corporation shall not have the power to veto any action taken or contemplated to be taken by Declarant under such Supplemental Declaration or to require specific action to be taken by Declarant in connection with its express obligations and responsibilities under a Supplemental Declaration. Declarant may, within a Parcel that does not have a Supplemental Association and where it has such powers pursuant to the Supplemental Declaration, exercise any of the easements described in Section 20 of the Master Declaration that would otherwise run to the benefit of a Supplemental Association having jurisdiction of such Parcel.

(f) Paragraph 39 of the Master Declaration is hereby amended to add the words "without the prior written approval of Declarant" to the end of the first sentence thereof.

3. **Effective Date.** Except as expressly amended hereby, the Master Declaration shall remain in full force and effect without amendment. The foregoing amendments shall be effective as of the date this Third Amendment is recorded in the Office of the Recorder of Boone County, Indiana.

IN WITNESS WHEREOF, this Third Amendment has been executed as of the date first above written.

DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership

By: Duke Realty Corporation, an Indiana corporation, its general partner

By: Thomas A. Dickey
(Signature)

Thomas A. Dickey
(Printed Name)
Vice President and General Manager, Anson

Its: _____
(Title)

CHICAGO TITLE

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared Thomas A. Dickey, by me known and by me known to be the VP + GEN. MGR., ANSON of Duke Realty Corporation, an Indiana corporation, the general partner of Duke Realty Limited Partnership, an Indiana limited partnership, who acknowledged the execution of the foregoing "Third Amendment to Master Declaration of Covenants and Restrictions of Anson" on behalf of said partnership.

WITNESS my hand and Notarial Seal this 17th day of January, 2008.

My Commission Expires: _____

Nancy Kaye Eagley
Notary Public Residing In _____ County, _____

(Printed Signature)



CHICAGO TITLE

CONSENT TO ADDITION OF ADDITIONAL PROPERTY

BROWNING/DUKE, LLC, a Delaware limited liability company, ("BDLLC") is owner of all or a portion of the Additional Property described in the foregoing Third Amendment to Master Declaration of Covenants and Restrictions (such of the Additional Property being owned by BDLLC being hereafter referred to as the "BDLLC Property"), and does hereby consent on behalf of itself, its successors and assigns, to the submission of the BDLLC Property to the Master Declaration of Covenants and Restrictions. BDLLC further agrees that from and after the date of this Consent, the BDLLC Property shall be owned, held, transferred, sold, conveyed, used, occupied, mortgaged or otherwise encumbered subject to all of the terms, provisions, covenants and restrictions contained in the Master Declaration of Covenants and Restrictions, as the same may be amended from time to time, all of which shall run with the title to the BDLLC Property and shall be binding upon all persons having any rights, title or interest in the BDLLC Property, their respective heirs, legal representatives, successors, successors-in-title and assigns.

BROWNING/DUKE, LLC, a Delaware limited liability company

By: Duke Realty Limited Partnership, an Indiana limited partnership, its manager

By Duke Realty Corporation, an Indiana corporation, its general partner

By: Charles E. Podell (Signature)

(Printed Name) Charles E. Podell Senior Vice President, Indiana Industrial

Its: (Title)

STATE OF INDIANA)) SS:) COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared Charles E. Podell, the Sr. V.P. of Duke Realty Corporation, an Indiana corporation, the general partner of Duke Realty Limited Partnership, an Indiana limited partnership the manager of Browning/Duke, LLC, a Delaware limited liability company, who acknowledged the execution of the foregoing Consent to Third Amendment to Master Declaration of Covenants and Restrictions of Anson for and on behalf of said limited liability company.

Witness my hand and Notarial Seal this 17 day of January, 2008

Gina L. Longene (Signature) [Notary Seal]

My Commission Expires: 3-12-08

Notary Public Residing in Mng... Indiana Gina L. Longene (Printed Name)

CHICAGO TITLE

CONSENT TO ADDITION OF ADDITIONAL PROPERTY

DUKE CONSTRUCTION LIMITED PARTNERSHIP, an Indiana limited partnership, ("DCLP") is owner of all or a portion of the Additional Property described in the foregoing Third Amendment to Master Declaration of Covenants and Restrictions (such of the Additional Property being owned by DCLP being hereafter referred to as the "DCLP Property"), and does hereby consent on behalf of itself, its successors and assigns, to the submission of the DCLP Property to the Master Declaration of Covenants and Restrictions. DCLP further agrees that from and after the date of this Consent, the DCLP Property shall be owned, held, transferred, sold, conveyed, used, occupied, mortgaged or otherwise encumbered subject to all of the terms, provisions, covenants and restrictions contained in the Master Declaration of Covenants and Restrictions, as the same may be amended from time to time, all of which shall run with the title to the DCLP Property and shall be binding upon all persons having any rights, title or interest in the DCLP Property, their respective heirs, legal representatives, successors, successors-in-title and assigns.

DUKE CONSTRUCTION LIMITED PARTNERSHIP, an Indiana limited partnership

By: Duke Business Centers Corporation, an Indiana corporation, its general partner

By: Thomas A. Dickey

Thomas A. Dickey
(Printed) Vice President and General Manager, Anson

Its:

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared Thomas A. Dickey, by me known and by me known to be the VP - GEN. MGR. ANSON of Duke Business Centers Corporation, an Indiana corporation, the general partner of Duke Construction Limited Partnership, an Indiana limited partnership, who acknowledged the execution of the foregoing Consent to Third Amendment to Master Declaration of Covenants and Restrictions of Anson for an on behalf of said limited partnership.

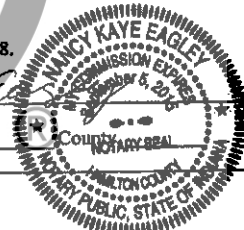
Witness my hand and Notarial Seal this 17th day of January, 2008.

My Commission Expires:

Nancy Kaye Eagley
(Signature)

Notary Public Residing in _____

(Printed Name)



I affirm, under the penalties of perjury that I have taken reasonable care to redact each Social Security Number in this document, unless required by law.

David R. Warshauer

This instrument prepared by David R. Warshauer, Attorney at Law, Barnes & Thornburg LLP, 11 South Meridian Street, Indianapolis, Indiana 46204

EXHIBIT A**Legal Description****PARCEL 1:**

A part of the Northwest Quarter of Section 25, Township 18 North, Range 1 East located in Worth Township, Boone County, Indiana being bounded as follows:

BEGINNING at the Northwest Corner of the Northwest Quarter of Section 25, Township 18 North, Range 1 East; thence North 89 degrees 20 minutes 51 seconds East (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 1,334.05 feet along the North Line of said Northwest Quarter to the Northeast Corner of the Northwest Quarter of said Northwest Quarter; thence South 00 degrees 58 minutes 32 seconds East 110.00 feet along the East Line of the Northwest Quarter of said Northwest Quarter; thence South 89 degrees 20 minutes 51 seconds West 1,333.78 feet; thence South 88 degrees 25 minutes 13 seconds West 0.36 feet to the West Line of said Northwest Quarter; thence North 00 degrees 55 minutes 51 seconds West 110.01 feet along the West Line of said Northwest Quarter to the **POINT OF BEGINNING** containing 3.369 acres, more or less.

Transfer Reference: Browning/Duke (Methodist Church Children's Home) from 2006/00/005/194

PARCEL 2:

A part of the Northwest Quarter of Section 25, Township 18 North, Range 1 East located in Worth Township, Boone County, Indiana being bounded as follows:

Commencing at the Northwest Corner of the Northwest Quarter of Section 25, Township 18 North, Range 1 East; thence North 89 degrees 20 minutes 51 seconds East (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 1,334.05 feet along the North Line of said Northwest Quarter to the Northeast Corner of the Northwest Quarter of said Northwest Quarter; thence South 00 degrees 58 minutes 32 seconds East 110.00 feet along the East Line of the Northwest Quarter of said Northwest Quarter to the southeastern corner of the 3.369 acre tract of land described in the **GENERAL WARRANTY DEED** recorded as instrument #200600002805 by the Recorder of Boone County, Indiana and to the **POINT OF BEGINNING** of this description; thence South 00 degrees 58 minutes 32 seconds East 1,214.27 feet along the East Line of the Northwest Quarter of said Northwest Quarter to the Southeast Corner of the Northwest Quarter of said Northwest Quarter; thence South 89 degrees 08 minutes 41 seconds West 667.53 feet along the South Line of the Northwest Quarter of said Northwest Quarter to the Northeast Corner of the West Half of the Southwest Quarter of said Northwest Quarter; thence South 00 degrees 57 minutes 11 seconds East 663.31 feet along the East Line of the West Half of the Southwest Quarter of said Northwest Quarter to the Southeast Corner of the North Half of the West Half of the Southwest Quarter of said Northwest Quarter; thence South 89 degrees 02 minutes 37 seconds West 667.79 feet along the South Line of the North Half of the West Half of the

Southwest Quarter of said Northwest Quarter to the Southwest Corner of the North Half of the West Half of the Southwest Quarter of said Northwest Quarter; thence North 00 degrees 55 minutes 51 seconds West 664.49 feet along the West Line of said Northwest Quarter to the Southwest Corner of the Northwest Quarter of said Northwest Quarter; thence North 00 degrees 55 minutes 51 seconds West 1,218.98 feet along the West Line of said Northwest Quarter to the southwestern corner of said 3.369 acre tract of land; thence North 88 degrees 25 minutes 13 seconds East 0.36 feet along the southern boundary of said 3.369 acre tract of land; thence North 89 degrees 20 minutes 51 seconds East 1,333.78 feet along the southern boundary of said 3.369 acre tract of land to the **POINT OF BEGINNING** containing 47.451 acres, more or less.

Transfer Reference: Browning/Duke (Methodist Church Children's Home) from 2006/00/006/023

PARCEL 3:

Tract I:

A part of the Northeast Quarter of the Southeast Quarter of Section twenty-six (26), Township eighteen (18) North, Range one (1) East of the Second Principal Meridian, situated in Worth Township, Boone County, Indiana and more particularly described as follows:

BEGINNING at the Northwest Corner of the Northeast Quarter of the Southeast Quarter of Section 26, Township 18 North, Range 1 East, and run thence south 610.50 feet following the quarter-quarter section line and an existing fence; thence east 648.70 feet along an existing fence; thence north 619 feet along an existing fence to the Half Section Line and center of public road 450-S; thence west 649.30 feet following the Half Section Line and center road 450-S to the **PLACE OF BEGINNING**.

(ref only 9.16 acres more or less)

Tract II:

Part of the Northeast Quarter of the Southeast Quarter of Section 26, Township 18 North, Range 1 East, Boone County, Indiana, and being more particularly described as follows:

BEGINNING at the Southwest Corner of said quarter-quarter section; thence North 1 degree 06 minutes 21 seconds East along an existing fence line, 713.24 feet to an existing fence corner; thence South 89 degrees 12 minutes 10 seconds East along an existing fence line, 648.29 feet to an existing fence corner; thence South 1 degree 15 minutes 37 seconds West 707.73 feet to an iron pin set on the South Line of said quarter-quarter section; thence North 89 degrees 41 minutes 32 seconds West along said South Line; 646.43 feet to the **POINT OF BEGINNING**.

(ref only 10.558 acres more or less)

Transfer Reference: Browning/Duke (Dunbar) from 2006/00/009/833

PARCEL 4:

A part of the Southeast Quarter of Section 26, Township 18 North, Range 1 East located in Worth Township, Boone County, Indiana being bounded as follows:

Commencing at the Southeast Corner of the Southeast Quarter of Section 26, Township 18 North, Range 1 East; thence South 88 degrees 30 minutes 23 seconds West (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 1,336.04 feet along the South Line of said Southeast Quarter to the Southwest Corner of the East Half of said Southeast Quarter; thence North 00 degrees 48 minutes 40 seconds West 1,324.29 feet along the West Line of the East Half of said Southeast Quarter to the Southwest Corner of the Northeast Quarter of said Southeast Quarter and the POINT OF BEGINNING of this description; thence North 00 degrees 48 minutes 40 seconds West 714.15 feet along the West Line of the Northeast Quarter of said Southeast Quarter to the southwestern corner of the 9.16 acre tract of land (called "Tract I" in the following reference) described in the WARRANTY DEED recorded as instrument #0213885 by the Recorder of Boone County, Indiana; thence North 88 degrees 44 minutes 08 seconds East 651.85 feet along the southern boundary of said 9.16 acre tract of land, along the westerly extension of the northern boundary of the 10.558 acre tract of land (called "Tract II") also described is said WARRANTY DEED and along the northern boundary of said 10.558 acre tract of land to its northeastern corner; thence South 00 degrees 35 minutes 22 seconds East 708.91 feet along the eastern boundary of said 10.558 acre tract of land to its southeastern corner on the South Line of the Northeast Quarter of said Southeast Quarter; thence South 88 degrees 16 minutes 16 seconds West 649.17 feet along the South Line of the Northeast Quarter of said Southeast Quarter to the POINT OF BEGINNING containing 10.625 acres, more or less.

Transfer Reference: Browning/Duke (Dunbar) from 2006/00/009/834

PARCEL 5:

The East One-Half (1/2) of the Northeast One-Quarter (1/4) of Section 26, Township 18 North, Range 1 East of the Second Principal Meridian, containing Eighty acres, more or less, located in Worth Township, Boone County, Indiana.

Transfer Reference: Browning/Duke (Isenhower) from 2006/00/005/194

PARCEL 6:

A part of the Southwest Quarter of the Northwest Quarter of Section Twenty-five (25), Township Eighteen (18) North, Range One (1) East of the Second Principal Meridian, situated in Worth Township, Boone County, Indiana, and more particularly described as follows:

Beginning at a point 331.94 feet north (North 00 degrees 55 minutes 51 seconds West measured, the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) of the southwest corner of the southwest quarter of the northwest quarter, and thence north (North 00 degrees 55 minutes 51 seconds West measured) 331.94 feet

following the section line and center of public road 500-E; thence east 668.33 feet (North 89 degrees 03 minutes 13 seconds East 669.92 feet measured) to an iron pipe (found); thence south 331.46 feet (South 00 degrees 55 minutes 45 seconds East 329.00 feet measured) to an iron pipe (found); thence west 668.175 feet (South 88 degrees 48 minutes 06 seconds West 669.02 feet measured) to the section line, center of public road 500-E and the place of beginning. (Ref only 5.09 acres more or less)

Transfer Reference: Browning/Duke (Matters) from 2006/00/005/194

PARCEL 7:

Part of the Northeast Quarter of the Southwest Quarter of Section 26, Township 18 North, Range 1 East, Boone County, Indiana, more particularly described as follows, to-wit:

BEGINNING in the East Line of said Quarter Quarter section at a point 60 feet south of the Northeast Corner of said Quarter Quarter section; thence south upon and along the East Line of said Quarter Quarter section 805.27 feet to a point in the northeasterly right of way line of Interstate Road #65; thence in a northwesterly direction upon and along said right of way line 592.85 feet to a point; thence in a northeasterly direction at a right angle to the last described line, 544.96 feet; more or less, to the **PLACE OF BEGINNING**.

Containing 3.71 acres, more or less and located in Worth Township, Boone County, Indiana.

Transfer Reference: Browning/Duke (Wilson) from 2006/00/005/194

PARCEL 8:

A part of the Northeast [Quarter] of the Southwest Quarter of Section Twenty-six (26), Township Eighteen (18) North, Range One (1) East of the Second Principal Meridian, situated in Worth Township, Boone County, Indiana described as follows:

BEGINNING at the Northeast Corner of the Northeast Quarter of the Southwest Quarter of Section 26, Township 18 North, Range 1 East, a run thence south 865.37 feet following [the] quarter section line fence to the northeast right-of-way line of Interstate Road No. 65; thence North 43 degrees 27 minutes West 1185.70 feet following said right-of-way line to the east-west section line; thence east 810.60 feet following [said] quarter section line and public road to the **PLACE OF BEGINNING**

EXCEPTING THEREFROM: Part of the Northeast Quarter of the Southwest Quarter of Section 26, Township 18 North, Range 1 East, Boone County, Indiana, more particularly described as follows:

BEGINNING in the East Line of said quarter-quarter section at a point 60 feet south of the Northeast Corner of said quarter-quarter section; thence south upon and along the East Line of said quarter-quarter section 805.27 feet to a point in the northeasterly right of way line of Interstate No. I-65 (access road); thence in a northwesterly direction upon and along said right-of-way line 592.85 feet to a point; thence in a northeasterly direction at a right angle to

the last described line, 544.96 feet, more or less, to the **PLACE OF BEGINNING**, containing 3.71 acres, more or less.

Transfer Reference: Browning/Duke (Wishart) from 2006/00/005/418

PARCEL 9:

A part of the Northwest Quarter of Section 26, Township 18 North, Range 1 East, situated in Worth Township, Boone County, Indiana, more particularly described as follows:

From the Northeast Corner of the aforesaid Northwest Quarter, proceed thence South 88 degrees 43 minutes 22 seconds West, (bearing computed from centerline of I-65 as shown on state highway plans), along the north quarter section line 592.07 feet to the **POINT OF BEGINNING**. From said point of beginning proceed thence South 0 degrees 24 minutes 01 seconds West, generally with a fence and said fence line extended, 617.97 feet; thence South 89 degrees 08 minutes 51 seconds West, generally with an existing fence 170.00 feet; thence North 0 degrees 24 minutes 01 seconds East 616.71 feet to the north quarter section line, thence North 88 degrees 43 minutes 22 seconds East, along said North Line 170.03 feet to the **POINT OF BEGINNING**.

Except that part conveyed to the Commissioners of Boone County, Indiana by a certain Dedication and Deed of Public Right-of-Way recorded March 28, 2006 as Instrument No. 2006-2975, more particularly described as follows:

BEGINNING at a point on the North Line of the Northwest Quarter of Section 26, Township 18 North, Range 1 East, said point of beginning being the northeastern corner of the 2.415 acre tract of land described in the **WARRANTY DEED** recorded as instrument #0204616 by the Recorder of Boone County, Indiana and being South 88 degrees 16 minutes 21 seconds West (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 592.07 feet from the Northeast Corner of said Northwest Quarter; thence South 00 degrees 03 minutes 00 seconds East 104.19 feet along the eastern boundary line of said 2.415 acre tract of land to a point on a non-tangent curve concave to the north, said point being South 04 degrees 49 minutes 31 seconds West 896.50 feet from the radius point of said curve; thence westerly 145.14 feet along said curve to its point of tangency, said point of tangency being South 14 degrees 06 minutes 04 seconds West 896.50 feet from the radius point of said curve; thence North 75 degrees 53 minutes 56 seconds West 27.83 feet to the western boundary line of said 2.415 acre tract of land; thence North 00 degrees 03 minutes 00 seconds West 68.45 feet along the western boundary line of said 2.415 acre tract of land to its northwestern corner on the North Line of said Northwest Quarter; thence North 88 degrees 16 minutes 21 seconds East 170.04 feet along the North Line of said Northwest Quarter to the **POINT OF BEGINNING** containing 0.347 acres, more or less.

Transfer Reference: Duke (Garrison) from 2006/00/003/895

PARCEL 10:

A part of the Southeast quarter of the Northwest Quarter of Section Twenty-Five (25), Township Eighteen (18) North, Range One (1) East of the Second Principal Meridian, situated in Worth Township, Boone County, Indiana, and containing 1.95 acres, more or less, and more particularly described as follows:

Beginning at a point 120 feet West of the Southeast corner of the Southeast Quarter of the Northwest Quarter of Section 25, Township 18 North, Range 1 East, and run thence West 250 feet following the half section line and center of public road 450-S; thence North 340 feet to an iron pipe; thence East 250 feet to an iron pipe; thence South 340 feet to the half section line, center of public road 450-S and place of beginning.

Transfer Reference: Browning/Duke (Padgett Jr.) from 2006/00/005/194

PARCEL 11:

A part of the Northwest Quarter of Section 25, Township 18 North, Range 1 East located in Worth Township, Boone County, Indiana being bounded as follows:

BEGINNING at the Northeast Corner of the Northwest Quarter of Section 25, Township 18 North, Range 1 East; thence South 01 degree 01 minute 15 seconds East (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 783.50 feet along the East Line of said Northwest Quarter; thence South 89 degrees 20 minutes 51 seconds West 1,334.66 feet parallel with the North Line of said Northwest Quarter to the West Line of the East Half of said Northwest Quarter; thence North 00 degrees 58 minutes 32 seconds West 783.49 feet along the West Line of the East Half of said Northwest Quarter to the Northwest Corner of the East Half of said Northwest Quarter; thence North 89 degrees 20 minutes 51 seconds East 1,334.05 feet along the North Line of said Northwest Quarter to the **POINT OF BEGINNING** containing 24.000 acres, more or less.

ALSO, a part of the Northwest Quarter of Section 25, Township 18 North, Range 1 East located in Worth Township, Boone County, Indiana being bounded as follows:

BEGINNING at the Southeast Corner of the Northwest Quarter of Section 25, Township 18 North, Range 1 East; thence South 88 degrees 56 minutes 33 seconds West (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 120.00 feet along the South Line of said Northwest Quarter to the southeastern corner of the 1.95 acre tract of land described in the **WARRANTY DEED** recorded in Deed Record 230, page 410 by the Recorder of Boone County, Indiana, the following three (3) courses are along the boundary of said 1.95 acre tract of land; 1) thence North 01 degree 20 minutes 08 seconds West 340.86 feet to an iron pipe found; 2) thence South 88 degrees 49 minutes 21 seconds West 249.78 feet to an iron pipe found; 3) thence South 01 degree 17 minutes 57 seconds East 340.34 feet to the South Line of said Northwest Quarter; thence South 88 degrees 56 minutes 33 seconds West 966.11 feet along the South Line of said Northwest Quarter to the Southwest Corner of the East Half of said Northwest Quarter; thence South 88 degrees 56 minutes 33 seconds

West 668.05 feet along the South Line of said Northwest Quarter to the Southwest Corner of the East Half of the Southwest Quarter of said Northwest Quarter; thence North 00 degrees 57 minutes 11 seconds West 585.94 feet along the West Line of the East Half of the Southwest Quarter of said Northwest Quarter; thence North 88 degrees 56 minutes 33 seconds East 2,003.47 feet parallel with the South Line of said Northwest Quarter to the East Line of said Northwest Quarter; thence South 01 degree 01 minute 15 seconds East 585.94 feet along the East Line of said Northwest Quarter to the **POINT OF BEGINNING** containing 25.000 acres, more or less.

Transfer Reference: Browning/Duke (Padgett Sr.) from 2006/00/005/194

PARCEL 12:

A part of the Southwest Quarter of the Northwest Quarter of Section Twenty-five (25), Township Eighteen (18) North, Range One (1) East of the Second Principal Meridian, situated in Worth Township, Boone County, Indiana, and more particularly described as follows:

Beginning at the Southwest corner of the Southwest quarter of the Northwest Quarter of Section 25, Township 18 North, Range 1 East, and run thence 331.94 feet following the section line and center of Public road 500-E; thence East 668.175 feet to an iron pipe; thence south 331.47 feet to the half section line and center of Public Road 450-S; thence West 668.02 feet following the half section line and center of Public Road 450-S to the Place of Beginning. (Ref only 5.09 acres more or less)

Transfer Reference: Browning/Duke (Shepard) from 2006/00/006/417

PARCEL 13:

A part of the Northwest Quarter of Section 26, Township 18 North, Range 1 East, situated in Worth Township, Boone County, Indiana, more particularly described as follows:

From the Northwest Corner of the aforesaid Northwest Quarter proceed thence South 88 degrees 43 minutes 22 seconds West (the bearing computed from the centerline of I-65, as shown on state highway plans), along the section line 592.07 feet to the **POINT OF BEGINNING**. From said point of beginning, proceed thence South 00 degrees 24 minutes 01 seconds West, with the fence and said fence line extended, 617.97 feet; thence South 89 degrees 08 minutes 51 seconds West, with an existing fence, 731.95 feet; thence North 00 degrees 02 minutes 52 seconds East, along the quarter quarter section line, 612.45 feet; thence North 88 degrees 43 minutes 22 seconds East, along the section line, 735.86 feet to the **POINT OF BEGINNING**.

EXCEPT therefrom the following:

A part of the Northwest Quarter of Section 26, Township 18 North, Range 1 East, situated in Worth Township, Boone County, Indiana, more particularly described as follows:

From the Northeast Corner of the aforesaid Northwest Quarter, proceed thence South 88 degrees 43 minutes 22 seconds West (the bearing computed from the centerline of I-65, as shown on state highway plans), along the section line 1,114.77 feet to the **POINT OF BEGINNING**. From said point of beginning proceed thence South 00 degrees 02 minutes 52 seconds West, 614.03 feet; thence South 89 degrees 08 minutes 51 seconds West, along an existing fence, 213.13 feet; thence North 00 degrees 02 minutes 52 seconds East, along the quarter-quarter section line, 612.45 feet; thence North 88 degrees 43 minutes 22 seconds East, along the section line, 213.16 feet to the **POINT OF BEGINNING**.

ALSO, EXCEPT the following:

A part of the Northwest Quarter of Section 26, Township 18 North, Range 1 East, situated in Worth Township, Boone County, Indiana, more particularly described as follows:

From the Northeast Corner of the aforesaid Northwest Quarter, proceed thence South 88 degrees 43 minutes 22 seconds West (the bearing computed from the centerline of I-65, as shown on state highway plans), along the north quarter section line 592.07 feet to the **POINT OF BEGINNING**. From said point of beginning proceed thence South 0 degrees 24 minutes 01 seconds West, generally with a fence and said fence extended, 617.97 feet; thence South 89 degrees 08 minutes 51 seconds West, generally with an existing fence 170.00 feet; thence North 0 degrees 24 minutes 01 seconds East, 616.71 feet to the north quarter section line, thence North 88 degrees 43 minutes 22 seconds East, along said North Line 170.03 feet to the **POINT OF BEGINNING**.

Also except that part conveyed to the Commissioners of Boone County, Indiana by a certain Dedication and Deed of Public Rights-of-Way recorded March 28, 2006 as Instrument No. 2006-2974, more particularly described as follows:

BEGINNING at a point on the North Line of the Northwest Quarter of Section 26, Township 18 North, Range 1 East, said point of beginning being the northeastern corner of the 4.960 acre tract of land described in the **WARRANTY DEED** recorded as instrument #9912240 by the Recorder of Boone County, Indiana and being South 88 degrees 16 minutes 21 seconds West (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 762.11 feet from the Northeast Corner of said Northwest Quarter; thence South 00 degrees 03 minutes 00 seconds East 68.45 feet along the eastern boundary line of said 4.960 acre tract of land; thence North 75 degrees 53 minutes 56 seconds West 141.49 feet to the point of curvature of a curve to the left, said point of curvature being North 14 degrees 06 minutes 04 seconds East 786.50 feet from the radius point of said curve; thence westerly 217.28 feet along said curve to its point of tangency and the northwestern corner of said 4.960 acre tract of land on the North Line of said Northwest Quarter, said point being North 01 degree 43 minutes 39 seconds West 786.50 feet from the radius point of said curve; thence North 88 degrees 16 minutes 21 seconds East 352.66 feet along the North Line of said Northwest Quarter to the **POINT OF BEGINNING** containing 0.204 acres, more or less.

Transfer Reference: Duke (Sosinski) from 2006/00/003/893

PARCEL 14:

Tract I:

The Southeast Quarter of the Northwest Quarter of Section 26, in Township 18 North, Range 1 East, containing forty (40) acres, more or less, located in Worth Township, Boone County, Indiana.

Tract II:

The Southwest Quarter of the Northeast Quarter of Section 26, Township 18 North, Range 1 East, containing forty (40) acres, more or less, located in Worth Township, Boone County, Indiana.

Tract III:

A part of the west half of the southeast quarter of Section 26, Township 18 North, Range 1 East of the Second Principal Meridian, described as follows, to-wit:

Commencing at the northwest corner of said tract and running thence south 37.28 chains to the center line of State Road No. 52, thence south 42 degrees east 3.5 chains with said center line, thence east 17.57 chains with the south line of said tract to the southeast corner thereof, thence north 40.20 chains to the northeast corner of said tract, thence west 20.12 chains to the point of beginning, containing 80.35 acres, more or less, located in Worth Township, Boone County, Indiana.

Except, however, approximately 14.30 acres thereof which was appropriated for highway right-of-way and being particularly described as follows:

Project I-030-4 (11) Parcel No. 1: Beginning at the Southeast corner of Section twenty-six, Township eighteen North, Range one East, Worth Township, Boone County, Indiana; thence West, one thousand one hundred sixty-one and one half feet along the South line of said Section twenty-six to Station 297+37.3, line "E", thence North, two thousand six hundred twenty-three and nine tenths feet to a point; thence West two thousand four hundred eighty-five and six tenths feet to the point of beginning, being that point on centerline at Station 261+23 ± on line "T", as shown upon the plans of Project I-03-4 Section 11, Sheet 8, on file in the office of the State Highway Department of Indiana; And from said Point of Beginning; thence to enclose a parcel of land to be acquired as Right of Way and is further described as Parcel No. 1 Right of Way;

Parcel No. 1 Right of Way: Thence West, one hundred forty-four and six tenths feet to a point; thence North forty-three degrees and twenty-seven minutes West, three hundred forty-nine and seven tenths feet to a point; Thence North, three hundred seventy and eight tenths feet to a point; Thence North three hundred seventy and eight tenths feet to a point; Thence

South forty-three degrees and twenty-seven minutes East, eight hundred and four tenths feet to a point; Thence West two hundred six and six tenths feet to the Point of Beginning.

Parcel No. 1A Right of Way: hence thence the survey so continues South two thousand four hundred forty-four and eight tenths feet to a point; thence East two thousand three hundred fifteen and nine tenths feet to a point at Station 294 + 80, Line "E" to enclose Parcel No. 1A Right of Way;

Thence South one hundred thirty-seven and seven tenths feet (South deed) to a point;

Thence North forty-three degrees and twenty-seven minutes West, seven hundred eighty-five and six tenths feet to a point;

Thence North forty-four degrees and ten minutes West, eight hundred and one tenth feet to a point; Thence North forty-one degrees and fifty-four minutes West, three hundred sixty-eight and one half feet to a point; Thence North three hundred forty-four and four tenths feet to a point; Thence South forty-three degrees and twenty-seven minutes East one thousand nine hundred fifty-four feet to a point; Thence South two hundred and six tenths feet (South deed) to the Place of Beginning.

Being all land conveyed to Lester R. Bradley and Alice Bradley a/k/a Lester E. Bradley and Alyce Bradley, husband and wife, by deed from the Indiana National Bank of Indianapolis, as Executor dated March 9, 1987 and recorded March 17, 1987, in Deed Record 227, page 757, in the Office of the Recorder of Boone County, Indiana.

Excepting therefrom that portion of the real estate conveyed by Lester E. Bradley and Alyce Bradley, husband and wife, to Lafayette Auto Exchange, Inc, by deed dated October 8, 1996 and recorded October 9, 1996 as Instrument No. 96-09435 in the Office of the Recorder of Boone County, Indiana, said real estate described in said deed as follows:

A part of the West Half of the Southeast Quarter of Section 26, Township 18 North, Range 1 East, Worth Township, Boone County, Indiana, more fully described by:

Commencing at the Southwest Corner of the Southeast Quarter of said Section 26; thence North 00 degrees 13 minutes 48 seconds West, along the Quarter Section line, a distance of 193.41 feet to the POINT OF BEGINNING; thence continuing North 00 degrees 13 minutes 48 seconds West, along the Quarter Section line and the east described line of the Cloud Property, as recorded in Deed Record 181, pages 566-567, a distance of 1289.28 feet; thence South 41 degrees 54 minutes 00 seconds East, along the southwesterly limited access right of way of Interstate 65, a distance of 362.10 feet; thence South 44 degrees 10 minutes 00 seconds East, along said southwesterly limited access right of way, a distance of 800.10 feet; thence South 43 degrees 27 minutes 00 seconds East, along said southwesterly limited access right of way a distance of 788.70 feet; thence South 00 degrees 16 minutes 42 seconds East, along the Quarter-Quarter Section line, a distance of 42.52 feet; thence South 88 degrees 57 minutes 33 seconds West, along the Section line, that part of the north described line of the Lafayette Auto Exchange, Inc., the property, as recorded in Deed

Record 256, pages 676-677 and the north described line of the Guest property, as recorded in Deed Record 227, page 966, a distance of 1167.22 feet; thence North 41 degrees 42 minutes 59 seconds West, along the approximate centerline of the right of way of Indianapolis Avenue (formerly U.S. 52), a distance of 255.02 feet to the **POINT OF BEGINNING**.

Transfer Reference: Browning/Duke (Maplelawn) from 2006/00/005/194

PARCEL 15:

A part of the Northeast Quarter of Section 25, Township 18 North, Range 1 East located in Worth Township, Boone County, Indiana being bounded as follows:

BEGINNING at the Northwest Corner of the Northeast Quarter of Section 25, Township 18 North, Range 1 East; thence North 89 degrees 12 minutes 35 seconds East (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 1,099.70 feet along the North Line of said Northeast Quarter to the centerline of Fishback Creek, the following four (4) courses are along the centerline of Fishback Creek; 1) thence South 39 degrees 30 minutes 31 seconds East 69.32 feet; 2) thence South 64 degrees 52 minutes 50 seconds East 79.96 feet; 3) thence South 36 degrees 28 minutes 05 seconds East 141.65 feet; 4) thence South 59 degrees 49 minutes 30 seconds East 43.94 feet to a point on the East Line of the West Half of said Northeast Quarter; thence South 00 degrees 56 minutes 59 seconds East 123.31 feet along the East Line of the West Half of said Northeast Quarter to a point being 350.00 feet (measured in a perpendicular direction) from the North Line of said Northeast Quarter; thence South 89 degrees 12 minutes 35 seconds West 1,334.20 feet parallel with the North Line of said Northeast Quarter to the West Line of said Northeast Quarter; thence North 01 degree 01 minute 15 seconds West 350.00 feet along the West Line of said Northeast Quarter to the **POINT OF BEGINNING** containing 10.114 acres, more or less.

Transfer Reference: Browning/Duke (Maxson) from 2006/00/005/194

PARCEL 16:

The Northwest Quarter of the Northeast Quarter and a part of the Northeast Quarter of the Northwest Quarter, located in Section 26, Township 18 North, Range 1 East, Worth Township, Boone County, Indiana, more fully described by:

Beginning at the Northwest Corner of the Northeast Quarter of said Section 26, thence North 88 degrees 51 minutes 20 seconds East, along the section line, a distance of 1328.55 feet; thence South 00 degrees 17 minutes 42 seconds East, along the quarter-quarter section line, a distance of 1333.21 feet; thence South 88 degrees 38 minutes 59 seconds West, along the quarter-quarter section line, a distance of 1333.27 feet; thence South 89 degrees 01 minutes 25 seconds West along the quarter-quarter section line, a distance of 1331.16 feet; thence North 00 degrees 02 minutes 51 seconds East, along the quarter-quarter section line and that part of the east described line of the Bell Property as recorded in Instrument No. 96-9047, a distance of 718.71 feet; thence North 89 degrees 08 minutes 50 seconds East a distance of

731.95 feet; thence North 00 degrees 24 minutes 00 seconds East, along the east described line of the Weinerman Property as recorded in Instrument No. 96-6077, a distance of 617.97 feet; thence North 88 degrees 43 minutes 22 seconds East, along the section line and the approximate centerline of County Road 400 South, a distance of 592.07 feet to the Point of Beginning.

Transfer Reference: Duke (Jarrell) from 2006/00/004/820

PARCEL 17:

Tract I:

A part of the Northeast Quarter of Section 25, Township 18 North, Range 1 East, situated in Worth Township, Boone County, Indiana, particularly described as follows:

From the southeast corner of the west Half of the aforesaid northeast quarter, proceed thence North 0 degrees east (an assumed bearing), along the Quarter-Quarter section line, 336.79 feet to the point of beginning; From said point of beginning, proceed thence north 88 degrees 43 Minutes 59 seconds west, with an existing fence, 203.32 feet; thence North 00 degrees 25 minutes 59 seconds west, with an existing fence, 146.72 feet; thence south 89 degrees 58 minutes 28 seconds east, with an existing fence 204.38 feet; thence south 00 degrees west, with the quarter-quarter section Line, 151.12 feet to the point of beginning.

Tract II:

Part of the West Half of the Northeast Quarter of Section 25, Township 18 North, Range 1 East, Worth Township, Boone County, Indiana, more fully described as follows:

Commencing at the Southeast Corner of the West Half of the approximate centerline of County Road 575 East and the Quarter-Quarter Section line, North 00 degrees 00 minutes 00 seconds West 487.91 feet to the Point of Beginning; thence along the North line described of the F. Mike Wolfa Property recorded in Deed Record 230, page 572 Boone County Recorder's Office, North 89 degrees 58 minutes 28 seconds West 204.38 feet; thence North 00 degrees 25 minutes 59 seconds West 64.50 feet; thence North 90 degrees 00 minutes 00 seconds East 204.87 feet; thence along the approximate centerline of County Road 575 East and the Quarter-Quarter Section line, South 00 degrees 00 minutes 00 seconds East 64.50 feet to the Point of Beginning.

Transfer Reference: Browning/Duke (Wolfla)

PARCEL 18:

A part of the Northeast Quarter of Section 36, Township 18 North, Range 1 East, situated in Perry Township, Boone County, Indiana, particularly described as follows:

BEGIN at a railroad rail monument at the Southeast Corner of the aforesaid Northeast Corner, and proceed thence South 89°02'06" West (the bearing determined from I-65 centerline as shown on State Highway plans), 519.77 feet to a point 2,159.31 feet east of a

railroad rail monument at the Southwest Corner of the aforesaid Northeast Quarter; thence North 00°19'53" West, 152.54 feet; thence South 89°58'52" West, 150.00 feet along an existing fence line; thence North 00°20'02" West, 1,424.92 feet along the quarter-quarter-quarter section line; thence North 89°08'13" East, 669.91 feet to a point 1,058.52 feet south of the Northeast Corner of the aforesaid Northeast Quarter; thence South 00°19'42" East, 1,578.75 feet to the **POINT OF BEGINNING**. Containing 23.7555 acres, more or less.

EXCEPT the tract of land described in the **WARRANTY DEED** recorded as instrument #9802165 by the Recorder of Boone County, Indiana as follows:

A part of the Northeast Quarter of Section 36, Township 18 North, Range 1 East, situated in Perry Township, Boone County, Indiana, particularly described as follows:

From a railroad rail monument at the Southeast Corner of the aforesaid Northeast Quarter, proceed South 89 degrees 02 minutes 06 seconds West (the bearing determined from the centerline of I-65 as shown on State Highway plans), 369.77 feet along the quarter section line to the **POINT OF BEGINNING**. From said point of beginning, continue thence South 89 degrees 02 minutes 06 seconds West, 150.00 feet to a point 2,159.31 feet east of a railroad rail monument at the Southwest Quarter of the aforesaid Northeast Quarter; thence North 00 degrees 19 minutes 53 seconds West, 152.54 feet along the quarter-quarter-quarter section line [sic]; thence North 89 degrees 58 minutes 52 seconds East, 150.00 feet along an existing fence; thence South 00 degrees 19 minutes 43 seconds East, 150.07 feet to the **POINT OF BEGINNING**, containing 0.5210 acres, more or less.

Transfer Reference: DCLP (Edmonds)

PARCEL 19:

A part of the Southwest Quarter of Section 31, Township 18 North, Range 2 East of the Second Principal Meridian and being more particularly described as follows, to-wit:

From a railroad rail at the Northeast Corner of the aforesaid tract, proceed thence South 88 degrees 44 minutes 0 seconds West for a distance of 265.90 feet to the Point of Beginning; from said Point of Beginning proceed thence South 88 degrees 44 minutes 0 seconds West for a distance of 200.00 feet along the North line of the Southwest Quarter; thence South 1 degree 16 minutes 0 seconds East for a distance of 217.80 feet; thence North 88 degrees 44 minutes 0 seconds East for a distance of 200.00 feet; thence North 1 degree 16 minutes 0 seconds West for a distance of 217.80 feet to the Point of Beginning, containing 1.00 acres, more or less.

Transfer Reference: DCLP (Gordon)

CHICAGO TITLE

PARCEL 20:

The Southeast Quarter of the Northwest Quarter of Section 31, Township 18 North, Range 2 East of the Second Principal Meridian, containing 40 acres, more or less.

Transfer Reference: DCLP (CPF Forms -- 4th Option Parcel)

PARCEL 21:

A part of the Northwest Quarter of Section 25, Township 18 North, Range 1 East located in Worth Township, Boone County, Indiana being bounded as follows:

BEGINNING at a point on the East Line of the Northwest Quarter of Section 25, Township 18 North, Range 1 East, said point of beginning being the southeastern corner of the 24.000 acre tract of land called "Tract VI-(Padgett, Sr. Tract), Parcel I" in the LIMITED WARRANTY DEED recorded as instrument #200600005194 by the Recorder of Boone County, Indiana and being South 01 degree 01 minute 15 seconds East (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 783.50 feet from the Northeast Corner of said Northwest Quarter; thence South 01 degree 01 minute 15 seconds East 1,269.67 feet along the East Line of said Northwest Quarter to the northeastern corner of the 25.000 acre tract of land called "Tract VI-(Padgett, Sr. Tract), Parcel II" in said LIMITED WARRANTY DEED; thence South 88 degrees 56 minutes 33 seconds West 2,003.47 feet along the northern boundary of said 25.000 acre tract of land to its northwestern corner on the West Line of the East Half of the Southwest Quarter of said Northwest Quarter; thence North 00 degrees 57 minutes 11 seconds West 740.69 feet along the West Line of the East Half of the Southwest Quarter of said Northwest Quarter to the Northwest Corner of the East Half of the Southwest Quarter of said Northwest Quarter; thence North 89 degrees 08 minutes 41 seconds East 667.53 feet along the North Line of the East Half of the Southwest Quarter of said Northwest Quarter to the Northeast Corner of the East Half of the Southwest Quarter of said Northwest Quarter and the West Line of the East Half of said Northwest Quarter; thence North 00 degrees 58 minutes 32 seconds East 540.78 feet along the West Line of the East Half of said Northwest Quarter to the southwestern corner of said 24.000 acre tract of land; thence North 89 degrees 20 minutes 51 seconds East 1,334.66 feet along the southern boundary of said 24.000 acre tract of land to the **POINT OF BEGINNING** containing 50.396 acres, more or less.

Transfer Reference: Browning/Duke (Padgett, Sr. - Parcel C, Parcel II Property)

PARCEL 22**Tract I:**

A part of the Northeast Quarter of Section 36, Township 18 North, Range 1 East, situated in Perry Township, Boone County, Indiana, particularly described as follows:

From a railroad rail monument at the Southeast Corner of the aforesaid Northeast Quarter, proceed thence South 89 degrees 02 minutes 06 seconds West (the bearing determined from the centerline of I-65 as shown on highway plans) 519.77 feet along the Quarter Section line to the Point of Beginning; from said Point of Beginning continue South 89 degrees 02 minutes 06 seconds West 150.00 feet to a point 2,009.31 feet East of a railroad rail monument at the Southwest Corner of the aforesaid Northeast Quarter; thence North 00

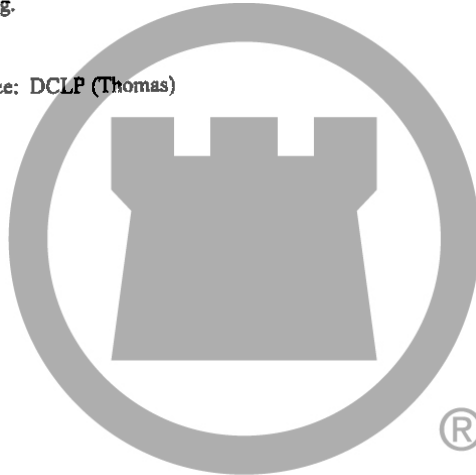
degrees 20 minutes 02 seconds West, 155.02 feet along the Quarter-Quarter-Quarter Section line; thence North 89 degrees 58 minutes 52 seconds East 150.00 feet along an existing fence; thence South 00 degrees 19 minutes 53 seconds East 152.54 feet to the Point of Beginning.

Tract II:

A part of the Northeast Quarter of Section 36, Township 18 North, Range 1 East, situated in Perry Township, Boone County, Indiana, particularly described as follows:

From a railroad rail monument at the Southeast Corner of the aforesaid Northeast Quarter, proceed thence South 89 degrees 02 minutes 06 seconds West (the bearing determined from the centerline of I-65 as shown on the State Highway Plans), 369.77 feet along the Quarter Section line to the Point of Beginning; from said Point of Beginning, continue thence South 89 degrees 02 minutes 06 seconds West, 150.00 feet to a point 2,159.31 feet East of a railroad rail monument at the Southwest Corner of the aforesaid Northeast Quarter; thence North 00 degrees 19 minutes 53 seconds West, 152.54 feet along the Quarter-Quarter-Quarter Section line; thence North 89 degrees 58 minutes 52 seconds East, 150.00 feet along an existing fence; thence South 00 degrees 19 minutes 43 seconds East, 150.07 feet to the Point of Beginning.

Transfer Reference: DCLP (Thomas)



CHICAGO TITLE

PARCEL 23

50 acres of uniform width off of and across the entire South end of the West Half of the Northwest Quarter of Section 31, Township 18 north, Range 2 East located in Eagle Township, Boone County, Indiana.

The above legal description has now been modernized by a legal description as created by American Consulting, Inc., more particularly described as follows:

50 acres of uniform width off of and across the entire South end of the West Half of the Northwest Quarter of Section 31, Township 18 north, Range 2 East located in Eagle Township, Boone County, Indiana being bounded as follows:

Commencing at the Southeast Corner of the Northeast Quarter of Section 36, Township 18 North, Range 1 East; thence North 00 degrees 48 minutes 09 seconds West (the basis of bearing is the Indiana West Zone NAD 83 State Plane Coordinate System) 38.58 feet along the East line of said Southeast Quarter to the Southwest Corner of the Northwest Quarter of Section 13, Township 18 North, Range 2 East and the Point Of Beginning of this description; thence North 00 degrees 48 minutes 09 seconds West 1,601.17 feet along the West line of said Northwest Quarter to the Northwestern Corner of 50 acres of uniform width off of and across the entire South end of the West Half of said Northwest Quarter (ref: Parcel 3 in the Quitclaim Deed recorded as Instrument #0305521 by the Recorder of Boone County, Indiana); thence North 88 degrees 15 minutes 27 seconds East 1,376.90 along the Northern boundary of said 50 acre tract of land to its Northeastern Corner on the East line of the West Half of said Northwest Quarter; thence South 00 degrees 22 minutes 28 seconds West 1,602.04 feet along the East line of the West Half of said Northwest Quarter to the Southeast Corner of the West Half of said Northwest Quarter; thence South 88 degrees 15 minutes 27 seconds West 1,343.99 feet along the South line of said Northwest Quarter to the Point Of Beginning, containing 50.000 acres, more or less.

Transfer Reference: DCLP (Clark - 3rd Option Parcel)



CHICAGO TITLE

**DECLARATION OF COVENANTS AND RESTRICTIONS
SCHEDULE 16
GENERAL ASSESSMENT RATES FOR ALL UNITS
PRIOR TO THE DETERMINATION DATE**

Type of Unit	Amount of Assessment for Calendar Year 2008														
1. Each Residential Lot for a Single Family Detached Living Unit:	\$200.00 per year														
2. Each Lot for a Living Unit attached to another Living Unit developed side by side for sale as Condominiums or as fee simple dwellings where land is sold with the dwelling:	\$275.00 per year														
3. Each unimproved Nonresidential Lot:	\$100 per acre per year														
4. Each Nonresidential Lot improved with one or more Multifamily Structures or a structure containing a Horizontal Property Regime not included within a Multiuse Structure:	\$275.00 per year per Living Unit in such Multifamily Structure and Condominium in such Horizontal Property Regime														
5. Each Nonresidential Lot improved with one or more Multiuse Structures (including Multiuse Structures that include a Condominium):	\$275.00 per year per Living Unit in such Multiuse Structure (including Living Units that are Condominiums) and an amount per square foot of Nonresidential Units located in such Multiuse Structure determined as provided in 6(a), 6(b) or 6(c) below.														
6. Each other Nonresidential Lot:	Per square foot of the Nonresidential Units ² located on such Lot:														
(a) Nonresidential Units where the predominant use (meaning 50% or more of the gross square footage of such Units, as reasonably determined by Declarant) is industrial, including warehousing and distribution	<table border="0"> <tr> <td data-bbox="438 987 673 1008">0-25,000 square feet</td> <td data-bbox="950 976 1128 997">\$0.080 per square foot</td> </tr> <tr> <td data-bbox="438 1008 673 1029">25,000-50,000 square feet</td> <td data-bbox="950 997 1128 1018">\$0.075 per square foot</td> </tr> <tr> <td data-bbox="438 1029 673 1050">50,000-100,000 square feet</td> <td data-bbox="950 1018 1128 1039">\$0.070 per square foot</td> </tr> <tr> <td data-bbox="438 1050 673 1071">100,000-250,000 square feet</td> <td data-bbox="950 1039 1128 1060">\$0.040 per square foot</td> </tr> <tr> <td data-bbox="438 1071 673 1092">250,000-500,000 square feet</td> <td data-bbox="950 1060 1128 1081">\$0.035 per square foot</td> </tr> <tr> <td data-bbox="438 1092 673 1113">500,000-1,000,000 square feet</td> <td data-bbox="950 1081 1128 1102">\$0.025 per square foot</td> </tr> <tr> <td data-bbox="438 1113 673 1134">more than 1,000,000 square feet</td> <td data-bbox="950 1102 1128 1123">\$0.020 per square foot</td> </tr> </table>	0-25,000 square feet	\$0.080 per square foot	25,000-50,000 square feet	\$0.075 per square foot	50,000-100,000 square feet	\$0.070 per square foot	100,000-250,000 square feet	\$0.040 per square foot	250,000-500,000 square feet	\$0.035 per square foot	500,000-1,000,000 square feet	\$0.025 per square foot	more than 1,000,000 square feet	\$0.020 per square foot
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100,000-250,000 square feet	\$0.040 per square foot														
250,000-500,000 square feet	\$0.035 per square foot														
500,000-1,000,000 square feet	\$0.025 per square foot														
more than 1,000,000 square feet	\$0.020 per square foot														

¹ Each rate of assessment set forth herein may be adjusted annually to reflect annual increases in the Consumer Price Index for All Urban Consumers (CPI-U), all items index (Base 1982-84=100), for the Midwest Region (Size Class A), provided that no such increase shall exceed five percent (5%) for any one year.

² Square footage is determined by the plans submitted for approval to the applicable Design Review Board. Square footage is subject to adjustment upon completion of construction of the Unit.

(b) Nonresidential Units where the predominant use (meaning 50% or more of the gross square footage of such Units, as reasonably determined by Declarant) is office/medical office/flex office

0-10,000 square feet	\$0.180 per square foot
10,000-25,000 square feet	\$0.170 per square foot
25,000-50,000 square feet	\$0.160 per square foot
50,000-100,000 square feet	\$0.150 per square foot
100,000-200,000 square feet	\$0.140 per square foot
more than 200,000 square feet	\$0.130 per square foot

(c) Nonresidential Units where the predominant use (meaning 50% or more of the gross square footage of such Units, as reasonably determined by Declarant) is not one of the uses described in 3 (a) or 3 (b) above

0-10,000 square feet	\$0.180 per square foot
10,000-25,000 square feet	\$0.170 per square foot
25,000-50,000 square feet	\$0.160 per square foot
50,000-100,000 square feet	\$0.150 per square foot
100,000-200,000 square feet	\$0.140 per square foot
more than 200,000 square feet	\$0.130 per square foot



INDS01 DRW 987289-5 (v4 on Duke Revision seen 10-3-07)

CHICAGO TITLE

②
2/08 + 2nd
FIRST AMERICAN
+ 4 CROSS

FOURTH AMENDMENT
TO
MASTER DECLARATION OF
COVENANTS AND RESTRICTIONS
OF
ANSON

200800002642
Filed for Record in
BOONE COUNTY, INDIANA
MARY ALICE "SAM" BALDWIN
03-10-2008 At 03:42 PM.
COVENANTS 27.00

THIS FOURTH AMENDMENT to that certain Master Declaration of Covenants and Restrictions of Anson (the "Master Declaration"), is executed as of the 7th day of March, 2008, by DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership, ("Declarant"), who by the execution hereof, hereby declares that:

1. Recitals. The following facts are true:

- (a) The Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana on January 11, 2006 as Instrument Number 20060000262.
- (b) The First Amendment to the Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana on July 21, 2006 as Instrument Number 200600007848.
- (c) The Second Amendment to the Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana on July 18, 2007 as Instrument Number 200700007559.
- (d) The Third Amendment to the Master Declaration was recorded in the Office of the Recorder of Boone County, Indiana on January 23, 2008 as Instrument Number 200800000889.
- (e) The Applicable Date has not yet occurred and, therefore, Declarant has the right unilaterally to amend and revise the Master Declaration pursuant to the provisions of Paragraph 26(b) of the Master Declaration.
- (f) Pursuant to Paragraph 3(b) of the Declaration, Declarant has the right to amend the Declaration for the purpose of removing any portion of the Property which has not yet been improved with structures from the coverage of the Declaration.
- (g) Capitalized terms used, but not defined, herein shall have the meaning given such terms in the Master Declaration.

2. Amendments.

- (a) Pursuant to the provisions of Paragraph 3(b) of the Master Declaration, the property described in Exhibit A and further depicted on Exhibit A-1 attached hereto (the "Withdrawn Property") is hereby withdrawn from the Master Declaration, the Parcel and the Property and is not part of the General Plan of Development, and is removed from any document recorded to establish easements or other agreements created in the Master Declaration.
- (b) The Withdrawn Property is not General Community Area, so the consent of the Corporation is not required pursuant to Paragraph 3(b) of the Master Declaration.

CHICAGO TITLE

3. **Effective Date.** Except as expressly amended hereby, the Master Declaration shall remain in full force and effect without amendment. The foregoing amendments shall be effective as of the date this Third Amendment is recorded in the Office of the Recorder of Boone County, Indiana.

IN WITNESS WHEREOF, this Third Amendment has been executed as of the date first above written.

DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership

By: Duke Realty Corporation, its general partner

By: [Signature]
(Signature) James R. Windmiller
Senior Vice President
(Printed Name)
Its: _____
(Title)

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared ^{James R.} ~~Thomas A. Windmiller~~ by me known and by me known to be the ~~Vice President and General Manager, Anson~~ of Duke Realty Corporation, an Indiana corporation, the general partner of Duke Realty Limited Partnership, an Indiana limited partnership, who acknowledged the execution of the foregoing "Third Amendment to Master Declaration of Covenants and Restrictions of Anson" on behalf of said partnership.

WITNESS my hand and Notarial Seal this 7 day of March, 2008.

My Commission Expires: May 10, 2008
My County of Residence: Hamilton
My Commission Expires: May 10, 2008
My County of Residence: Hamilton
Notary Public Residing in _____ County, _____
(Printed Signature) Leigh Ann Conway
Leigh Ann Conway, Notary Public
State of Indiana

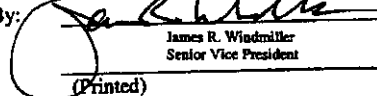


CONSENT TO WITHDRAWAL OF PROPERTY

Duke Construction Limited Partnership, an Indiana limited partnership, ("DCLP") is owner of all or a portion of the Property described in the foregoing Third Amendment to Master Declaration of Covenants and Restrictions (such Property being owned by DCLP being hereafter referred to as the "DCLP Property"), and does hereby consent on behalf of itself, its successors and assigns, to the withdrawal of the DCLP Property from the Master Declaration of Covenants and Restrictions.

DUKE CONSTRUCTION LIMITED PARTNERSHIP

By: Duke Business Centers Corporation,
Its sole general partner

By: 
James R. Windmiller
Senior Vice President
(Printed)

Its: _____

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared James R. Windmiller, by me known and by me known to be the _____ of Duke Business Centers Corporation, an Indiana corporation, the general partner of Duke Construction Limited Partnership, an Indiana limited partnership, who acknowledged the execution of the foregoing Consent to Third Amendment to Master Declaration of Covenants and Restrictions of Anson for an on behalf of said limited partnership.

Witness my hand and Notarial Seal this 7 day of March, 2008.

My Commission Expires _____




(Signature)
Notary Public Residing in Hamilton County, State of Indiana
My Commission Expires May 10, 2008
(Printed Name) My County of Residence: Hamilton

I affirm, under the penalties of perjury that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. (George H. Abel, II) ®

This instrument prepared by George H. Abel, II, Attorney at Law, 600 E. 96th Street, #100, Indianapolis, Indiana 46240.

CHICAGO TITLE

EXHIBIT A**Legal Description****Parcel I -**

A part of Block G in the Anson Development, Phase I South Right-of-Way Dedication & Easement Location document recorded as instrument #200600001996 in Plat Cabinet 16, pages 63 through 70 by the Recorder of Boone County, Indiana and located in the Northeast Quarter of Section 6, Township 17 North, Range 2 East in Eagle Township, Boone County, Indiana being bounded as follows:

Commencing at the southwestern corner of Block G in the Anson Development, Phase I South Right-of-Way Dedication & Easement Location document recorded as instrument #200600001996 in Plat Cabinet 16, pages 63 through 70 by the Recorder of Boone County, Indiana (the western end of the South 87 degrees 18 minutes 53 seconds West 303.93-foot-long course; see page 66 of the recorded document); thence North 87 degrees 18 minutes 53 seconds East (the bearing system of the document is assumed) 100.97 feet along the southern boundary of said Block G to the POINT OF BEGINNING of this description; thence North 87 degrees 18 minutes 53 seconds

East 123.70 feet along the southern boundary of said Block G; thence North 02 degrees 44 minutes 12 seconds West 277.69 feet; thence South 87 degrees 18 minutes 56 seconds West 252.39 feet to the western boundary of said Block G; thence South 06 degrees 04 minutes 03 seconds East 114.80 feet along the western boundary of said Block G; thence South 31 degrees 14 minutes 02 seconds East 50.17 feet; thence South 02 degrees 41 minutes 20 seconds East 22.78 feet; thence South 44 degrees 00 minutes 18 seconds East 92.72 feet; thence North 87 degrees 17 minutes 14 seconds East 36.96 feet; thence South 02 degrees 42 minutes 36 seconds East 26.63 feet to the POINT OF BEGINNING containing 1.389 acres, more or less.

Parcel II -

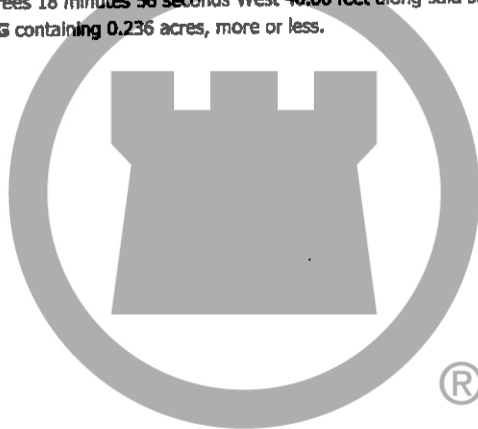
A part of Block G in the Anson Development, Phase I South Right-of-Way Dedication & Easement Location document recorded as instrument #200600001996 in Plat Cabinet 16, pages 63 through 70 by the Recorder of Boone County, Indiana and located in the Northeast Quarter of Section 6, Township 17 North, Range 2 East in Eagle Township, Boone County, Indiana being bounded as follows:

Commencing at the southwestern corner of Block G in the Anson Development, Phase I South Right-of-Way Dedication & Easement Location document recorded as instrument #200600001996 in Plat Cabinet 16, pages 63 through 70 by the Recorder of Boone County, Indiana (the western end of the South 87 degrees 18 minutes 53 seconds West 303.93-foot-long course; see page 66 of the recorded document); thence North 87 degrees 18 minutes 53 seconds East (the bearing system of the document is assumed) 224.67 feet along the southern boundary of said Block G; thence North 02 degrees 44 minutes 12 seconds West 277.69 feet to the POINT OF BEGINNING of this description, said point of beginning being a point of cusp with a curve concave to the northeast (said curve hereinafter referred to as "Curve #1) and being South 87 degrees 15 minutes 48 seconds West 36.00 feet from the radius point of Curve #1; thence North 02 degrees 44 minutes 12 seconds West 329.45 feet; thence North 88 degrees 09 minutes 07 seconds East 58.52 feet; thence North 02 degrees 44 minutes 15 seconds West 223.59 feet; thence North 67 degrees 56 minutes 40 seconds West 40.21 feet; thence North 02 degrees 44 minutes 10 seconds West 235.17 feet to the southern right-of-way line of Central Boulevard (the North 88 degrees 09 minutes 07 seconds East 145.89-foot-long course) as per said Anson Development, Phase I South Right-of-Way Dedication & Easement Location document; thence North 75 degrees 11 minutes 33 seconds East 89.18 feet, the following three (3) courses are along the southern right-of-way line of Central Boulevard; 1) thence North 88 degrees 09 minutes 07 seconds East 630.18 feet to the point of curvature of a curve to the right, said point of curvature being North 01 degree 50 minutes 53 seconds West 470.00 feet from the radius point of said curve; 2) thence easterly 73.83 feet along said curve to its point of tangency, said point of tangency being North 07 degrees 09 minutes 07 seconds East 470.00 feet from the radius point of said curve; 3) thence South 82 degrees 50 minutes 53 seconds East 76.23 feet to a transitional right-of-way line between Central Boulevard and Heartland Boulevard; thence South 42 degrees 05 minutes 52 seconds East 75.76

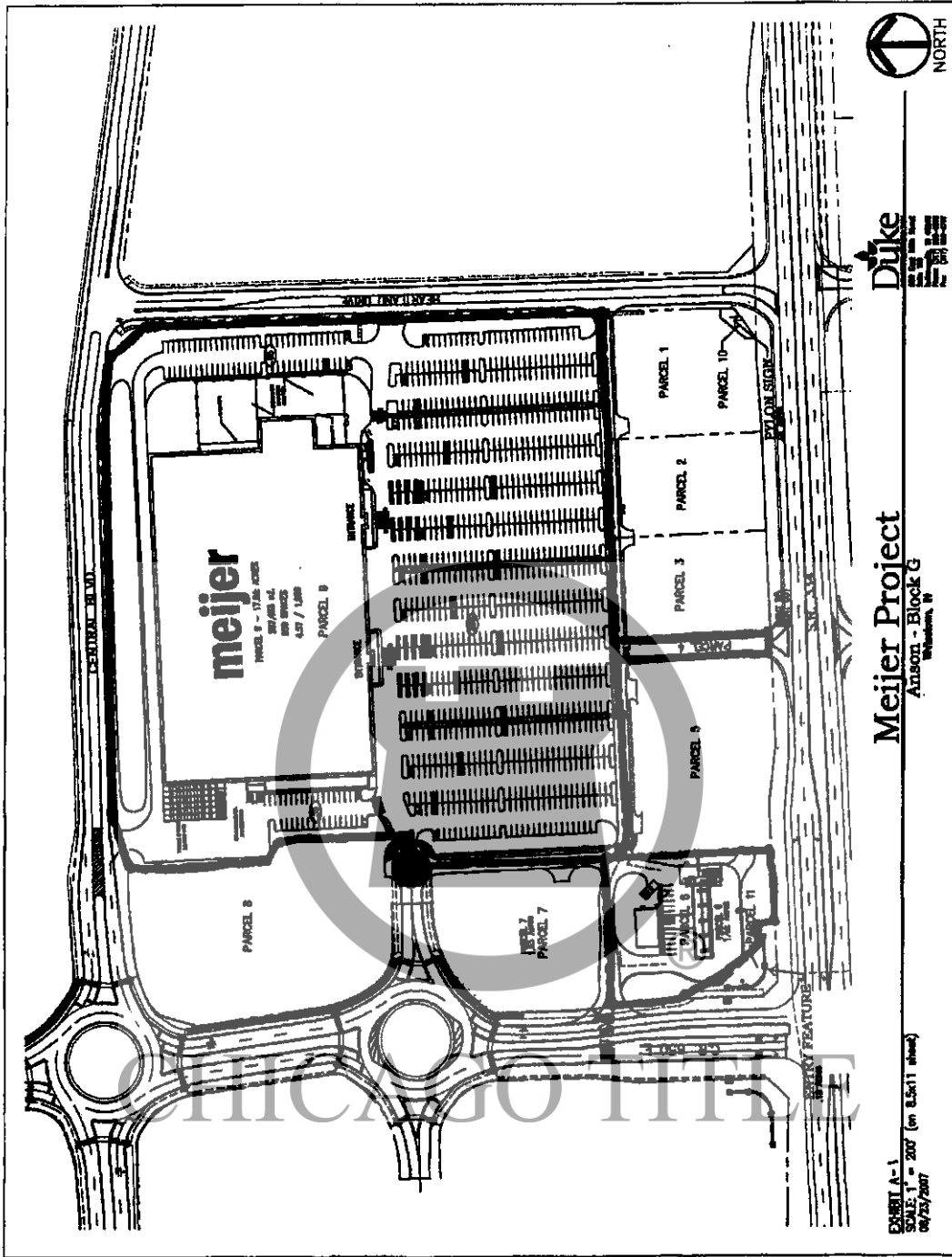
feet along said transitional right-of-way line to the western right-of-way line of said Heartland Boulevard; thence South 01 degree 20 minutes 52 seconds East 771.49 feet along the western right-of-way line of said Heartland Boulevard; thence South 87 degrees 18 minutes 56 seconds West 881.23 feet to the point of curvature of Curve #1, said point of curvature being South 02 degrees 41 minutes 04 seconds East 36.00 feet from the radius point of Curve #1; thence westerly, northwesterly and northerly 56.52 feet along Curve #1 to the POINT OF BEGINNING containing 17.630 acres, more or less.

Parcel III -

A part of Block G in the Anson Development - Phase I South Right-of-Way Dedication & Easement Location document recorded as Instrument #200600001996 in Plat Cabinet 16, pages 63 through 70 by the Recorder of Boone County, Indiana and located in the Northeast Quarter of Section 6, Township 17 North, Range 2 East in Eagle Township, Boone County, Indiana being bounded as follows: Commencing at the southwestern corner of Block G in the Anson Development - Phase I South Right-of-Way Dedication & Easement Location document recorded as instrument #200600001996 in Plat Cabinet 16, pages 63 through 70 by the Recorder of Boone County, Indiana (the western end of the South 87 degrees 18 minutes 53 seconds West 303.93-foot-long course; see page 66 of the recorded document); thence North 87 degrees 18 minutes 53 seconds East (the bearing system of the document is assumed) 303.93 feet along the southern boundary of said Block G; thence South 84 degrees 09 minutes 17 seconds East 101.12 feet along said southern boundary; thence North 87 degrees 18 minutes 56 seconds East 147.28 feet along said southern boundary to the POINT OF BEGINNING of this description; thence North 02 degrees 42 minutes 51 seconds West 256.72 feet; thence North 87 degrees 18 minutes 56 seconds East 40.00 feet parallel with the adjacent portion of the southern boundary of said Block G; thence South 02 degrees 42 minutes 51 seconds East 256.72 feet to the southern boundary of Said Block G; thence South 87 degrees 18 minutes 56 seconds West 40.00 feet along said southern boundary to the POINT OF BEGINNING containing 0.236 acres, more or less.



CHICAGO TITLE



Meijer Project
Anderson - Block G
Anderson, IN

EXHIBIT A-1
SCALE: 1" = 200' (on E&S11 sheet)
08/25/2007