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CAROLYN GRASS 11P  
HANCOCK COUNTY RECORDER  
CJG Date 11/25/2002 Time 09:05:18  
FEE: 31.00  
I 020019085 Page 1 of 11

Cross Reference – (1) Declaration of Covenants and Restrictions of Bay Creek at Geist printed on the Plat of Bay Creek at Geist, Section I, which was recorded with the Recorder of Hancock County, Indiana, on the 13<sup>th</sup> day of December, 2000, as Instrument Number 2000-13233, in Slide 34-36, Cabinet C, (2) the Plat of Bay Creek at Geist, Section I, which was recorded with the Recorder of Hancock County, Indiana, on December 13, 2000, as Instrument Number 2000-13233, Slides 34-36, Cabinet C, and (3) the Plat of Bay Creek at Geist, Section 2, which was recorded with the Recorder of Hancock County, Indiana, on the 13<sup>th</sup> day of December, 2000, as Instrument Number 2000-13252, Slide 37, Cabinet C.

FIRST  
ADDITION TO THE DECLARATION OF  
COVENANTS CONDITIONS AND RESTRICTIONS  
OF BAY CREEK AT GEIST

This First Addition (the "Additional Declaration") to the Declaration of Covenants, Conditions and Restrictions of Bay Creek at Geist is made and entered into this 4<sup>th</sup> day of NOVEMBER, 2002 by Crossmann Communities Partnership, an Indiana general partnership (hereinafter referred to as the "Developer");

WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions, and Restrictions of Bay Creek at Geist (hereafter "Declaration") is printed on the Plat of Bay Creek at Geist, Section I, which was recorded with the Recorder of Hancock County, Indiana, in Slide 34-36, Cabinet C, as Instrument Number 2000-13233 (the "Section 1 Plat");

WHEREAS, the Declaration applies also to the Plat of Bay Creek at Geist, Section 2, which was recorded with the Recorder of Hancock County, Indiana, in Slide 37, Cabinet C, as Instrument Number 2000-13252 (the "Section 2 Plat");

WHEREAS, the Developer is desirous of supplementing the Declaration by adding to the Declaration the provisions hereafter set forth;

WHEREAS, the Developer is the owner of all lots, common areas, and other land located within the Section 1 Plat and the Section 2 Plat (collectively, the "Real Estate");

WHEREAS, the real estate more completely described by what is attached hereto and incorporated herein by reference as Exhibit "A" shall hereafter be referred to as the "Additional Real Estate";

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WHEREAS, the term "Development" shall mean and refer to the Real Estate together with such portions of the Additional Real Estate as have from time to time been subjected to this Additional Declaration.

NOW, THEREFORE, the Developer declares that all of the platted lots and lands located within the Development as they become platted are held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved, subject to the following restrictions, all of which are declared and agreed to be in furtherance of a plan for the improvement and sale of said lots and lands in the Development, and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the Development as a whole and of each of said lots situated therein. All of the restrictions shall run with the land and shall be binding upon the Developer and upon the parties having or acquiring any right, title or interest, legal or equitable, in and to the real property or any part or parts thereof subject to such restrictions, and shall inure to the benefit of the Developer and every one of the Developer's successors in title to any real estate in the Development.

As of the date of execution hereof, the Development consists only of the Real Estate. Developer shall have, and hereby reserves the right, at any time, and from time to time, to add to the Development and subject to this Additional Declaration all or any part of the Additional Real Estate. Any portion of the Additional Real Estate shall be added to the Development, and therefore and thereby becomes a part of the Development and subject in all respects to this Additional Declaration and all rights, obligations, and privileges herein, when Developer places of record with the County in which the Development is located, an instrument so declaring the same to be part of the Development, which supplementary declaration (hereafter "Supplementary Declaration") may be as part of a subdivision plat for any portion of the Additional Real Estate, or by an amendment or supplement to this Additional Declaration. Such Supplementary Declaration may contain modifications hereto and additional terms, conditions, restrictions, maintenance obligations, and assessments as may be necessary to reflect the different character, if any, of the Additional Real Estate. Upon recording of any such instrument, the real estate described therein shall, for all purposes, thereafter be deemed a part of the Development and the owners of any lots within such real estate shall be deemed for all purposes, to have and be subject to all of the rights, duties, privileges, and obligations of owners of lots within the Development. No single exercise of Developer's right and option to add and expand the Development as to any part or parts of the Additional Real Estate, shall preclude Developer from thereafter from time to time further expanding and adding to the Development to include other portions of the Additional Real Estate, and such right and option of expansion may be exercised by Developer from time to time as to all or any portions of the Additional Real Estate. Such expansion of the Development is entirely at the discretion of the Developer and nothing contained in this Additional Declaration or otherwise shall require Developer to expand the Development beyond the Real Estate, or to any portions of the Additional Real Estate which

Developer may voluntarily and in its sole discretion from time to time subject to this Additional Declaration.

## ARTICLE I

### Supplemental Provisions Pertaining to Technology Infrastructure:

Section 1.1. "Community Network" shall mean a system of communication and internet connectivity which may include some or all of the Provider Services, and which is achieved through the Technology Infrastructure.

Section 1.2. "Provider" shall mean and refer to the entity or entities which provides Provider Services.

Section 1.3. "Provider Services" shall mean, without limitation, television, cable, computer connection and/or internet connection by line, wire, cable, fiber optic, main, duct, pipe conduit, pole, antenna, microwave, satellite dish, or wire or wireless technology.

Section 1.4. "Technology Infrastructure" shall mean and refer to technological devices, hardware, co-axial or other cable, optic fibers, software, lines, wire, mains, ducts, pipe conduits, poles, antennas, microwaves, satellite dishes and/or other wired connections and wireless connections.

Section 1.5. Developer's General Network Easement. The following rights and easements reserved and retained in this Section 1.5 shall not be exercised with respect to a lot, after the conveyance of such lot in a manner that (i) unreasonably and absolutely affects any dwelling unit or portion thereof located upon such lot or the owners use or enjoyment thereof or (ii) unreasonably affects the rights of ingress and egress to such lot. The Developer hereby forever reserves, retains, and is granted a blanket, exclusive, perpetual easement over, above, across, under, upon, along, and through the Development and all lots, common areas, and streets located therein (i) for the purpose of owning, installing, maintaining, repairing, replacing, relocating, removing, improving, expanding and otherwise servicing the Community Network and Technology Infrastructure, and any other equipment, facilities, and installations of any type bringing Provider Services to any lot, dwelling unit, and/or any improvements on the common area. This General Network Easement may be conveyed, assigned, and transferred by the Developer, in the Developer's sole discretion, without notice or consent of the association, the owners, or any other person. The General Network Easement is for the exclusive benefit of the Developer, and its successors, designees and assigns, and is an appurtenant easement which runs with the Development and all lots, common areas, and streets therein. Only those Providers

which receive the Developer's explicit written permission shall be permitted within the General Network Easement. The Developer's right under this Section 1.5 shall survive and exist in perpetuity, and this General Network Easement shall be in addition to any easement identified or designated on a plat.

Section 1.6. Designated Network Easement. Any strips of ground identified on a plat as a Network Easement are hereby forever exclusively for the Developer, and the Developer's successors, designees and assigns, for the purpose of installing, maintaining, repairing, replacing, improving, relocating, expanding, removing or otherwise servicing the Technology Infrastructure and Community Network, and any other equipment, facilities, and installations of any type bringing Provider Services to any lot, dwelling unit, and/or any improvements on the common areas. Notwithstanding anything in the Declaration to the contrary, no planting, hedges, walls, structures, signs, fences, or any other improvements shall be constructed, placed, or erected within such Designated Network Easement, except by Developer or as expressly permitted by Developer in writing. Only those Providers which receive the Developer's explicit written permission shall be permitted within the Designated Network Easement. The Developer's rights under this Section 1.6 shall survive and exist in perpetuity, and may be conveyed, assigned, or transferred by the Developer, in the Developer's sole discretion, without notice to or consent of the association, owners, or any other person.

Section 1.7 Community Network. Developer, in Developer's sole and subjective discretion, may but shall not be obligated to install or cause to be installed within the Development the Community Network and Technology Infrastructure. Notwithstanding the conveyance by Developer of any lot or common area, the Technology Infrastructure, whether located upon, above, under, or within a lot, common area, right of way, or easement shall forever remain the property of and be owned by the Developer or the entity to which the Developer assigns or conveys such ownership.

Section 1.8 Provider. In the event the Developer installs or causes to be installed in the Development the Community Network and Technology Infrastructure, the Developer shall have the sole and exclusive right to select the Provider(s) of the Provider Services. To the extent permitted by law, the Provider(s) selected by the Developer shall be the sole and exclusive provider(s) of the Provider Services, so long as such services are generally available to the owners for subscription. The Association may not contract with others to provide Provider Services within the Development without the prior written consent of the Developer, or Developer's successors or assigns.

Section 1.9. Prohibition Against Further Permits, Licenses, and Easements The Association and each Owner shall be prohibited from granting permits, licenses, and easements over any lot, common area, or street within the Development for any Technology Infrastructure or Provider Services, or which will impair or limit the Developer's General Network Easement or Designated Network Easement, absent the explicit written consent of the Developer, which consent may be granted or withheld in Developer's sole discretion.

Section 1.10. Community Advisory Board In the event the Community Network is installed, the Community Advisory Board ("Advisory Board") will be established by the Developer. The initial Advisory Board will consist of three (3) persons who shall be appointed and replaced by the Developer until such time as the Developer, in writing, turns over to the Association the control of the Advisory Board, at which time the Advisory Board shall be comprised of three (3) Owners appointed by the Board of Directors. The Advisory Board shall act only in an advisory role, and shall consult with the Developer regarding the Community Network, Provider Services and Technology Infrastructure.

Section 1.11. Developer's Rights The Developer's rights under this Article I shall survive and exist in perpetuity.

## ARTICLE II

### Provisions Pertaining to Common Areas and HUD Requirements

Section 2.1. Owners' Easements of Enjoyment of Common Area Every lot owner (hereinafter "Owner") shall have a nonexclusive right and easement of enjoyment, in common with all Owners, in and to any common area, which nonexclusive right and easement or enjoyment shall be appurtenant to and shall pass with title to every lot (in the form of a right to membership in the Association), subject to the following provisions:

- (a) The right of the Association to charge reasonable admission and other fees for the use of recreational facilities, if any, situated upon the common area owned by the Association;
- (b) The right of the Association to suspend the voting rights and right to use of any recreational facilities, if any, by any Owner (i) for any period during which any assessment remains unpaid and (ii) for a period not to exceed sixty (60) days for any infraction of its published rules and regulations;

- (c) The right of the Association to promulgate reasonable rules and regulations governing the use of the common area owned by the Association including, without limitation, parking, swimming, boating, fishing, (including the denial thereof of any such rights) and upon improvements, additions or alterations to the lots and the common area owned by the Association;
- (d) The rights of Developer as provided in this Additional Declaration, as the same may be amended from time to time;
- (e) The right of the Association to mortgage any or all of the common area owned by the Association, upon the approval of two-thirds ( $\frac{2}{3}$ ) of the membership of each class of members of the Association;
- (f) The easements reserved elsewhere in this Additional Declaration and the right of the Association to grant further reasonable utility easements across and through the common area owned by the Association for the benefit of its members;
- (g) The right of the Association to dedicate or transfer all or any part of the common area owned by the Association to any public agency, authority or utility for such purposes and subject to such conditions as may be agreed to by the members or otherwise allowed pursuant to this Declaration, as amended. No such dedication or transfer, except as allowed pursuant to this Declaration, shall be effective unless there is recorded an instrument agreeing to such dedication or transfer signed by two-thirds ( $\frac{2}{3}$ ) of the membership of each class of members of the Association;
- (h) If ingress or egress to any lot is through the common area, any conveyance or encumbrance of such common area is subject to such lot owner's easement for ingress and egress;
- (i) The right of the Developer to erect any signs (i) advertising the sale of any part of the Development or any lot and/or (ii) identifying the Development;
- (j) The right of the Developer to install, or cause to be installed, Technology Infrastructure in common areas; and
- (k) All other rights, obligations and duties as set forth in this Declaration, as the same may be from time to time amended or supplemented.

Section 2.2. Delegation of Use. In accordance with the By-Laws and any reasonable and nondiscriminatory rules and regulations promulgated from time to time by the Association, and subject to the rights of others as set forth in this Additional Declaration, any owner may assign his or her right of enjoyment of the common area owned by the Association, to family members, guests, tenants or contract purchasers who reside on the lot.

Section 2.3. Subordination of the Lien to Mortgages; Sale or Transfer The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage. The sale or transfer of any lot pursuant to the foreclosure of any first mortgage on such lot (without the necessity of joining the Association in any such foreclosure action) or any proceedings or deed in lieu thereof shall extinguish the lien of all assessments becoming due prior to the date of such sale or transfer. No sale or transfer of any lot (whether voluntary or pursuant to foreclosure or otherwise) shall relieve such lot from liability for any assessments thereafter becoming due or from the lien thereof; and, except as hereinabove provided, the sale or transfer of any lot shall not affect the lien of assessments becoming due prior to the date of such sale or transfer except to the extent that a purchaser may be protected against the lien for prior assessments by a binding certificate from the Association, issued pursuant to this Additional Declaration, as to whether or not such assessments have been paid.

Section 2.4. Right of First Refusal. The Association DOES NOT have the "right of first refusal" to purchase any dwelling unit. Any right of "right of first refusal" subsequently granted to the Association through amendment of the Additional Declaration, Association articles, Association by-laws or any other document governing the development and administration of the Development must receive the prior written approval of the Federal Housing Administration or Secretary of the Department of Housing and Urban Development. Any "right of first refusal" subsequently added in the Declaration, Association articles, Association by-laws or any other document governing the development and administration of the Development must not impair the rights of a first mortgagee to:

- (a) Foreclose or take title to a dwelling unit, and the lot upon which the dwelling unit is situated, pursuant to the remedies in the mortgage;
- (b) Accept a deed or assignment in lieu of foreclosure in the event of default by a mortgagor; or
- (c) Sell or lease a unit acquired by the mortgagee.

Section 2.5. Amendment. The Declaration and this Additional Declaration and the covenants, conditions and restrictions set forth in them, as from time to time amended in the manner hereafter set forth, shall run with the land and shall be binding upon the persons owning any portion of the Development and all parties closing under them. The Declaration and this Additional Declaration may be amended or modified at any time by an instrument recorded in the Office of the Recorder of the County in which the Development is located, approved and signed by at least seventy-five percent (75%) of the then Owners, including Developer; provided, however, that none of the easements, rights, or duties of Developer reserved or set out hereunder may be amended or changed without Developer's prior written approval. Any amendment must be recorded. Neither the Association, the owners or Developer shall effect any of the following changes without the prior written approval of two-thirds (2/3) of the owners of lots (excluding Developer or Builder):

- (a) By act or omission seek to abandon, partition, subdivide, encumber, dedicate, sell or transfer the common area owned directly or indirectly by the Association for the benefit of the owners of the dwelling units. The granting of easements for public utilities or other public purposes consistent with the intended use of the common area owned by the Association by the dwelling unit owners is not a transfer in the meaning of this clause;
- (b) Fail to maintain fire and extended coverage on insurable common area owned by the Association on a current replacement cost basis in an amount at least one hundred percent (100%) of the insurable value (based on current replacement costs);
- (c) Use hazard insurance proceeds for losses to any common area owned by the Association for other than the repair, replacement, or reconstruction of the common area owned by the Association.

The foregoing notwithstanding, Developer reserves the right and power, and each Owner by acceptance of a deed to a lot is deemed to and does give and grant to Developer a power of attorney, which right and power is coupled with an interest and runs with the title to a lot and is irrevocable (except by Developer), without the consent, approval or signature of each Owner, to (i) amend the Association organizational documents, to the extent necessary to conform to the requirements then governing the purchases or insurance of mortgages by the Association, Federal National Mortgages Association, Governmental National Mortgages Association, Federal Home Loan Mortgage Corporation, Mortgage Guaranty Insurance Corporation, Department of Housing and Urban Development, the Federal Housing Administration, the Veterans Administration, or any other similar agency or organization, and (ii) to correct typographical errors, surveyor errors in descriptions or otherwise or obvious factual errors the correction of which would not impair the interest of any Owner or mortgagee. Each deed.



mortgage, other evidence of obligation, or other instrument affecting a Lot and the acceptance thereof shall be deemed to be a grant and acknowledgment of, and consent to the reservation of the power of Developer to vote in favor of, make, execute and record any of the foregoing amendments.

### ARTICLE III

#### Miscellaneous

Section 3.1 Severability and Waiver. The Declaration and this Additional Declaration shall be enforceable to the fullest extent permitted at law or in equity. Invalidation of any one of the covenants, restrictions or provisions contained in the Declaration and this Additional Declaration by judgment or court order shall not in any way affect any of the other provisions hereof, which shall remain in full force and effect. No delay or failure by any person to enforce any of the restrictions or to invoke any available remedy with respect to a violation or violations thereof shall under any circumstances be deemed or held to be a waiver by that person of the right to do so thereafter, or as estoppel of that person to assert any right available to him upon the occurrence, recurrence or continuation of any violation or violations of the restrictions.

Section 3.2. Assignment. Developer may at any time assign some or all of its rights and obligations under the Declaration and/or this Additional Declaration. Such assignment shall be effective after it is executed and recorded by Developer with the Recorder of the County in which the Development is located. After such assignment is recorded with the Recorder of the County in which the Development is located, Developer shall have no further obligations or liabilities under the Declaration and/or this Additional Declaration with respect to the rights or obligations assigned.

Section 3.3. Right of Enforcement. In the event of a violation, or threatened violation, of any of the covenants, conditions and restrictions herein enumerated, Developer, the Association or any Owner and all parties claiming under them shall have the right to enforce the covenants, conditions and restrictions contained herein, and pursue any and all remedies, at law or in equity, available under applicable Indiana law, with or without proving any actual damages, including the right to secure injunctive relief or secure removal by due process of any structure not in compliance with the covenants, conditions and restrictions contained herein, and shall be entitled to recover reasonable attorneys' fees and the costs and expenses incurred as a result thereof

Section 3.4. Amended Declaration. All provisions in this Additional Declaration shall be and hereby are added to the Declaration and the Declaration, as supplemented by this Additional Declaration, shall remain in full force and effect.

## EXHIBIT "A"

A part of the West Half of the Southwest Quarter of Section 13, Township 17 North, Range 5 East and the East Half of the Southeast Quarter of Section 14, Township 17 North, Range 5 East, Vernon Township, Hancock County, Indiana, more particularly described as follows:

Beginning at the Southeast corner of the West Half of the Southwest Quarter of said Section 13; thence South 86 degrees 55 minutes 10 seconds West (assumed bearing) along the South line of said Section 13, a distance of 1,046.38 feet; thence North 08 degrees 47 minutes 33 seconds West, a distance of 201.18 feet; thence South 89 degrees 59 minutes 17 seconds West 270.83 feet to a point on the West line of said Section 13; thence North 00 degrees 00 minutes 02 seconds East along said West line, a distance of 637.91 feet; thence North 89 degrees 36 minutes 02 seconds East 120.00 feet; thence North 00 degrees 00 minutes 02 seconds East 75.00 feet; thence South 89 degrees 36 minutes 02 seconds West 120.00 feet to a point on the aforesaid West line; thence South 00 degrees 00 minutes 02 seconds West along said West line 48.84 feet; thence North 89 degrees 59 minutes 36 seconds West 468.92 feet; thence South 00 degrees 04 minutes 02 seconds West 541.99 feet; thence South 88 degrees 17 minutes 36 seconds West 370.28 feet; thence South 00 degrees 04 minutes 02 seconds West 342.28 feet to a point on the South line of aforesaid Section 14; thence South 88 degrees 54 minutes 27 seconds West along the South line of said Section 14, a distance of 499.80 feet to the Southwest corner of the East Half of the Southeast Quarter of said Section 14; thence North 00 degrees 03 minutes 28 seconds East along the West line of said Half Quarter Section 2624.44 feet to the Northwest corner thereof; thence North 88 degrees 55 minutes 32 seconds East along the North line of the said Half Quarter Section 1335.40 feet to the Northeast corner thereof, said point also being the Northwest corner of the aforesaid Southwest Quarter Section; thence North 88 degrees 19 minutes 49 seconds East along the North line of said West Half Quarter Section 1347.89 feet to the Northeast corner thereof; thence South 00 degrees 01 minutes 40 seconds East along the East line of said Half Quarter Section 2637.78 feet to the place of beginning, containing 147.817 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

Excepting therefrom (i) all lots, common areas and other lands within Bay Creek at Geist, Section 1, as per the Plat of Bay Creek at Geist, Section I, which was recorded with the Recorder of Hancock County, Indiana, on the 13<sup>th</sup> day of December, 2000, as Instrument Number 2000-13233, in Slide 34-36, Cabinet C, and (ii) all lots, common areas and other lands within Bay Creek at Geist, Section 2, as per the Plat of Bay Creek at Geist, Section 2, which was recorded with the Recorder of Hancock County, Indiana, on the 13<sup>th</sup> day of December, 2000, as Instrument Number 2000-13252, in Slide 37 Cabinet C.

020019085

Dated this 4th day of November, 2002.

CROSSMANN COMMUNITIES PARTNERSHIP,  
an Indiana general partnership

By: BEAZER HOMES INVESTMENT CORP.,  
A Delaware corporation, Member

By: [Signature]  
Steven M. Dunn, Senior Regional President,  
Mid West Region

STATE OF INDIANA )  
) SS:  
COUNTY OF MARION )


Before me the undersigned, a Notary Public in and for said County and State, personally appeared *Steven M. Dunn*, Senior Regional President, Mid West Region, of Beazer Homes Investment Corp., a Delaware corporation, a Member of Crossmann Communities Partnership, an Indiana general partnership, and acknowledged execution of this Additional Declaration.

Witness my hand and Notarial Seal this 4th day of November, 2002

My Commission Expires:

May 21, 2009

Residing in Madison County

[Signature]  
Notary Public 

Shirley J. White  
Printed Name

Prepared By: **Charles D. Frankenberger**, NELSON & FRANKENBERGER, 3021 East 98<sup>th</sup> Street, Suite 220, Indianapolis, Indiana 46280, (317) 844-0106.

465  
10/10/06

CAROLYN GRASS 46P  
HANCOCK COUNTY RECORDER  
RDL Date 08/16/2006 Time 14:57:02  
FEE: 103.00  
I 060009725 Page 1 of 46

Cross Reference - (1) Declaration of Covenants and Restrictions of Bay Creek at Geist printed on the Plat of Bay Creek at Geist, Section I, which was recorded with the Recorder of Hancock County, Indiana, on the 13th day of December, 2000, as Instrument Number 2QOO-13233, in Slide 34-36, Cabinet C, (2) the Plat of Bay Creek at Geist, Section I, which was recorded with the Recorder of Hancock County, Indiana, on December 13, 2000, as Instrument Number 2000-13233, Slides 34-36, Cabinet C, (3) the Plat of Bay Creek at Geist, Section 2, which was recorded with the Recorder of Hancock County, Indiana, on the 13th day of December, 2000, as Instrument Number 2000-13252, Slide 37, Cabinet C, (4) First Addition to the Declaration of Covenants Conditions and Restrictions of Bay Creek at Geist, which was recorded with the Recorder of Hancock County, Indiana, on the 25th day of November, 2002, as Instrument Number 2002-0019085.

AMENDMENT TO THE DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS OF BAY CREEK AT GEIST

The Bay Creek Homeowners Association, Inc. (the "Association"), by its duly authorized officer, now files and records this Amendment to the Declaration of Covenants Conditions and Restrictions of Bay Creek at Geist ("Covenants"). This Amended Covenant shall pertain and apply to all sections of Bay Creek at Geist.

The Association attaches a list of the signatures of the developer and homeowners voting in favor of this Amendment, which exceed the required 75% of the owners, including Developer. The Covenants are hereby AMENDED to change paragraph 19 of the Covenants to read as follows:

"19. There shall be no fences permitted within the front yard(s). Fences in the rear yard shall be permitted to a maximum of seventy-two (72") inches in height and shall be of black vinyl clad chain link or of cedar with flat-top shadow box privacy style or other materials approved by the Committee. Lake lots shall only have of black vinyl clad chain link."

IN WITNESS WHEREOF, the undersigned sets his hand and seal this 29th day of August, 2006.

BAY CREEK HOMEOWNERS ASSOCIATION, INC.

By: Steve Cook  
Printed Name: Steve Cook  
Title: President

Handwritten signature on the left margin.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF Marion )

Before me, a Notary Public in and for said County and State, personally appeared Steve Cook, President of Bay Creek Homeowners Association, Inc. and acknowledged execution of this Amendment.

Witness my hand and Notarial Seal this 2nd day of August, 2006.

My Commission Expires:

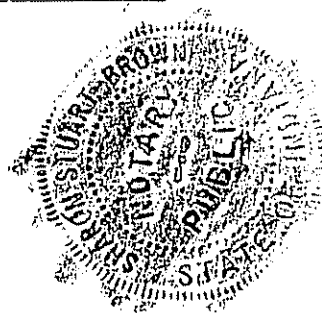
3/10/08

Sharon Stuart-Brown  
Notary Public

County of Residence:

Hamilton

Sharon Stuart-Brown  
Printed



Aug 17 06 09:34a

Bob Roache

(317) 823-0660

p. 2

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.

  
\_\_\_\_\_  
Robert D. Roache, II Attorney

**SCANNED**  
Hancock County Recorder

**Developers' Consent to Amendment to the Declaration of Covenants Conditions and Restrictions of Bay Creek at Geist**

Trinity Homes, LLC, Developer of Bay Creek at Geist subdivision and owner of 48 lots as of this 2<sup>nd</sup> day of August, 2006, hereby consents to the following proposed covenant change to paragraph 19 of the Declaration of Covenants Conditions and Restrictions of Bay Creek at Geist:

*Original covenant:*

"19. There shall be no fences permitted within the front yards. Fences in the side and rear yards shall be permitted to a maximum of forty-two (42") inches in height and shall be of black vinyl clad chain link or other materials approved by the Committee."

*Proposed covenant:*

"19. There shall be no fences permitted within the front yards. Fences in the rear yard shall be permitted to a maximum of seventy-two (72") inches in height and shall be of black vinyl clad chain link or of cedar with flat-top shadow box privacy style or other materials approved by the Committee. Lake lots shall only have of black vinyl clad chain link."

Dated this 2<sup>nd</sup> day of August, 2006.

TRINITY HOMES, LLC,

By: Steve Cook

Printed: Steve Cook

Title: Land Development Manager

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared Steve Cook, Land Development Manager (title) of Trinity Homes, LLC, a Domestic Limited Liability Company, and acknowledged execution of this Consent to Amendment.

Witness my hand and Notarial Seal this 2<sup>nd</sup> day of August, 2006.

My Commission Expires:

3/10/08

County of Residence:

Hamilton

Sharon Stuart-Brown  
Notary Public

Sharon Stuart-Brown  
Printed



**Proxy Vote – Proposed Bay Creek HOA Fence Covenant Amendment**

The Board of Directors of Bay Creek Homeowners Association, Inc. has proposed the following amendment to the Declaration of Covenants Conditions and Restrictions of Bay Creek at Geist. In order to amend our covenants, the approval of 75% of the residents must be obtained. Please read the proposed amendment, fill in your name and address, sign the form and indicate your vote by checking the appropriate box. If approved this document will be filed with the Hancock County Recorder's Office. Thank you.

**Original covenant:**

"19. There shall be no fences permitted within the front yards. Fences in the side and rear yards shall be permitted to a maximum of forty-two (42") inches in height and shall be of black vinyl clad chain link or other materials approved by the Committee."

**Proposed covenant:**

"19. There shall be no fences permitted within the front yards. Fences in the rear yard shall be permitted to a maximum of seventy-two inches (72") in height and shall be of black vinyl clad chain link or of cedar with flat top shadow box privacy style or other materials approved by the Committee. Lake lots shall only have black vinyl clad chain link or other materials approved by the Committee and shall not to exceed forty-eight inches (48") in height."

Printed Name	Street Address	Signature	For	Against	Abstain
Angela Campbell	989 Stormy Port	Angela Campbell	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jenny Davis	6917 W. Bayfront Shore	Jenny Davis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Meridith Mott	6202 W Bayfront Shore	Meridith Mott	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Mott	6202 W Bayfront Shore	David Mott	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary Darley	9270 N. (called) N. Lake	Mary Darley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Clara Darley	9270 N. (called) N. Lake	Clara Darley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Catrina Schneider	9178 N. Waterfront Way	Catrina Schneider	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Javier Schneider	9178 N. Waterfront Way	Javier Schneider	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Annie Davis	9227 N. Bayside Circle	Annie Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robin Eric Davis	9227 N. Bayside Circle	Robin Eric Davis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shelli Champion	9190 N. Waterfront Way	Shelli Champion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Champion	9190 N. Waterfront Way	Greg Champion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Timothy Price	9160 N. Waterfront Way	Timothy Price	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LESA Price	9160 N. Waterfront Way	LESA Price	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sherrie Barnes	9179 N. Waterfront Way	Sherrie Barnes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Angie Barnes	6125 Waterfront Way	Angie Barnes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Brant Barnes	6125 Waterfront Way	Brant Barnes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Angela Proctor	6133 Waterfront Way	Angela Proctor	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BRAND PROCTOR	6133 Waterfront Way	BRAND PROCTOR	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MATT MULLEN	9147 WATERFRONT WAY	MATT MULLEN	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
DANIELLE MULLEN	9147 WATERFRONT WAY	DANIELLE MULLEN	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Darren Gilbert	10145 Waterfront	Darren Gilbert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



**Proxy Vote -- Proposed Bay Creek HOA Fence Covenant Amendment**

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**Original covenant:**

"19. There shall be no fences permitted within the front yards. Fences in the side and rear yards shall be permitted to a maximum of forty-two (42") inches in height and shall be of black vinyl clad chain link or other materials approved by the Committee "

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Printed Name	Street Address	Signature	For	Against	Abstain
Nicole Gardner	Amelia 1059 Waterfront Way	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>Michelle Rodela</del> Rodela	616 W. WATERFRONT WAY	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mike Cantor	616 W. WATERFRONT WAY	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Yvette Jones / Freg Jones	6184 W. Waterfront Way	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PAUL MOORE	6195 W. WATERFRONT WAY	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Brown	6162 W. Waterfront Way	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Brown	6162 W. Waterfront Way	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Erving Williams	9185 Waterfront Way	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Nellie Williams	9185 Waterfront Way	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Andy Ritchie	9236 North Bayside Circle	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Erin Ritchie	6128 W. Bay Front Shores	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Casirek	6148 W. Waterfront Street	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jeff Marshall	6161 West Bayfront Shores	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Amy Marshall	2164 W. Bayfront	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sam Brels	9211 N. Stoney Point	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Briggs	9200 N. Stoney Point	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Caroly M. Ross	9172 N. Stoney Point	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ross	9172 N. Stoney Point	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Angela + Bryan Carter	6206 W. Waterfront Way	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Printed Name	Street Address	Signature	For	Against	Abstain
* Jennifer Hun	9148 N Coral Reef	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Charles McCullough	9179 N Coral Reef	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary McCullough	9179 N Coral Reef	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- [Signature]	9195 Coral Reef	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
* Michelle Skurman	9211 N Coral Reef	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- [Signature]	6211 W Bayfront Shores	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- [Signature]	6251 W Bayfront Shores	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
* [Signature]	9148 N Coral Reef	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[Signature]	6211 W Bayfront Shores	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

only  
credit

4

*See Page 29*

**SCANNED**  
**Hancock County Recorder**

**Proxy Vote - Proposed Bay Creek HOA Fence Covenant Amendment**

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Printed Name	Street Address	Signature	For	Against	Abstain
LYNETTE SCHROWE	9253 N BAYLAND	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Schrowe	9253 Bayland	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Angela & Michael	5939 W Bayfield Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
George Michael	5939 W Bayfield	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Devin Stettler	5917 West Bayfield Drive	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Larry & Madonna	9280 N Bayhill Circle	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William White	9280 N Bayhill Circle	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jeff & Angela Mues	9326 N Bayhill Circle	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Angela Mues	9326 N Bayhill Circle	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amanda Trimble	9291 N Bayhill Cir	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ronald Trimble	9291 N Bayhill Cir	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Daniel Nolte	5877 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Nolte	5877 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim & Norma	5859 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ul & Norma	5859 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOHN DIEHL	5866 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judith Diehl	5866 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jamie Batchelor	5852 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ireg Harris	5843 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Batchelor	5852 W Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

FOR X

Proxy Vote - Proposed Bay Creek HOA Fence Covenant Amendment

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Table with 6 columns: Printed Name, Street Address, Signature, For, Against, Abstain. Contains two handwritten entries for Crissey Lawrence and Kirk Lawrence.

**Proxy Vote – Proposed Bay Creek HOA Fence Covenant Amendment**

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Printed Name	Street Address	Signature	For	Against	Abstain
Michelle Cappelletti	9336 N Bayhill Cir	Michelle Cappelletti	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MIKE DUNCAN	9333 N BAYHILL CIR	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LORETTA DUNCAN	9333 N BAYHILL CIR	Loretta Duncan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MARIS PITTARO	9312 N. Bay Hill Cir	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Diana Pittaro	9312 N Bayhill Cir	Diana Pittaro	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Tharp	6152 W First Watch Way	Robert Tharp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brake Tharp	6152 W. First Watch Way	Brake Tharp	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT LOTTES	6081 W FIRST WATCH WAY	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rebecca Lottes	6081 W. First Watch Way	Rebecca Lottes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Caputo	6061 W. FIRST WATCH WAY	Tom Caputo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Louise S. Robbins	9335 N First Watchway	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rebecca A. Robbins	9335 N. FIRST WATCH WAY	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laura A. Wintzenried	6167 W. First Watch Way	Laura A. Wintzenried	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard A. Wintzenried	6167 W. First Watch Way	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joseph D Baker	9298 N BAYHILL CIR.	Joseph D Baker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barbara Baker	9298 N. Bayhill Cir	Barbara Baker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Printed Name	Street Address	Signature	For	Against	Abstain
Rebecca Owen	5899 W. Falling Waters Dr.	Rebecca Owen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chloe Willhite	5899 W. Falling Waters Dr.	Chloe Willhite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Willhite	5899 W. Falling Waters Dr.	David Willhite	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHRIS WILLIAMS	5817 W. FALLING WATERS DR	Chris Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

W.L.

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Printed Name	Street Address	Signature	For	Against	Abstain
Ryan Leininger	5832 W. River Chase Lane	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Leininger	5852 W. River Chase Ln.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Drew Mienhearty	9692 N. River Chase Ln.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christopher Bless	9078 N. River Chase Ln.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen Bass - Jeff Bass	9090 Driftwood Ct.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BRENDA DAVIS	9088 NO DRIFTWOOD CT	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAMON KING	9089 N. DRIFTWOOD CT	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VICTORIA KING	9089 N. DRIFTWOOD CT	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John P. Abel	9107 N. Driftwood Ct	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christina Abel	9107 N. Driftwood Ct	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
GALY S. HOLLO	5830 W FALLING WATERS DR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anita G. Hollo	5830 W. Falling Waters Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nancy Hammes	5798 W. Falling Waters Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Terome Hammes	"	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lilly Miller	5776 W. Falling Waters Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ally Allen	SAME	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cheryl Hirsig	9141 N. RIVERCHASE LN	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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Printed Name	Street Address	Signature	For	Against	Abstain
Daub Miller	9034 N. F.W.	DAUB MILLER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Karen Miller	9034 N F W Dr	Karen Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Rodger W + Sheila J. Kirkpatrick	5583 W FALLING WATER DR.	Rodger W Kirkpatrick	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cathy A Pappas		Cathy A Pappas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2 ->  
11/16 ->

**Proxy Vote - Proposed Bay Creek HOA Fence Covenant Amendment**

The Board of Directors of Bay Creek Homeowners Association, Inc. has proposed the following amendment to the Declaration of Covenants Conditions and Restrictions of Bay Creek at Geist. In order to amend our covenants, the approval of 75% of the residents must be obtained. Please read the proposed amendment, fill in your name and address, sign the form and indicate your vote by checking the appropriate box. If approved this document will be filed with the Hancock County Recorder's Office. Thank you.

**Original covenant:**

"19 There shall be no fences permitted within the front yards. Fences in the side and rear yards shall be permitted to a maximum of forty-two (42") inches in height and shall be of black vinyl clad chain link or other materials approved by the Committee"

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"19. There shall be no fences permitted within the front yards. Fences in the rear yard shall be permitted to a maximum of seventy-two inches (72") in height and shall be of black vinyl clad chain link or of cedar with flat-top shadow box privacy style or other materials approved by the Committee. Lake lots shall only have black vinyl clad chain link or other materials approved by the Committee and shall not to exceed forty-eight inches (48") in height."

Printed Name	Street Address	Signature	For	Against	Abstain
CLAUDE L. ROGER	9409 N. BAYLAND DR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
EL ECTA, V. ROGERS	9409 N. BAYLAND DR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MIKE BARTHELON	5852 W. BAYFIELD	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BILL TURNER	5804 W BAYFIELD DR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Sch	7298 N Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sandra S	" "	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RANDY WHITEFORD	9309 N. Bayfield Pl.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAURA WHITEFORD	" "	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRISTA MARK	5800 W. NAUTICA BLVD DR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAVE SCHACHTERER	5847 W. NAUTICA BLVD	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joni Schachterer	5847 W. Nautica Blvd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Palma McDaniel / Chris McDaniel	9346 N. Storm Bay	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Angela McDaniel / Chris McDaniel	" "	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jeri Johnson	7320 N Storm Bay	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LEANN JOHNSON	7320 N Storm Bay	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christine J Rodney	5861 Nautica Blvd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael J Tenley	5809 W. Nautica Blvd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CHAD SEIBERT	9391 N. CAPTAIN	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nicole Geller	9391 N. Captain	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Printed Name	Street Address	Signature	For	Against	Abstain
Lauri Harris	5843 W. Bayfield Dr		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Silvana Danni	6838 W. Bayfield Dr		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pijultra Ainaulau	"		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CYNTHIA HANNEMANN	5829 W. BAYFIELD DR		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JIM HANNEMANN	5829 W. BAYFIELD DR		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leslie Shaw	9271 N. Water Bay Cir	Leslie Shaw	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Roxly Shaw	9271 N. Water Bay Cir	Roxly Shaw	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Laura Moss	4245 N. Bayfield Dr	Laura Moss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Shipley	9261 N. Water Bay Cir	Scott Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amy Shipley	9261 Water Bay Circle	Amy Shipley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Craig Shields	9246 N. Water Bay Cir	Craig Shields	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Becky Shields	" "	Becky Shields	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tracy Turner	5804 W. Bayfield		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Turner	5804 W. Bayfield	William Turner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brent Evans	5805 W. Bayfield		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Danilo Evans	"	Danilo Evans	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deborah K Willis	5813 W. Bayfield Dr		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thomas E. Purts	9266 N. Bayhill Circle		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Amy DiPaola	9321 N. Bayhill Circle	Amy DiPaola	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Printed Name	Street Address	Signature	For	Against	Abstain
Sherry C Bickel	5752 West Port Dr	Sherry C Bickel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>James Lindstrom</del>	<del>5740 W. Port Dr</del>	<del>James Lindstrom</del>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JAMES LINDSTROM	5940 W NAUTICA	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason Cape	5780 W Port Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason Cape	5780 W Port Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michelle Kerton	9443 N Bayfield Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JOSHUA KUBNICK	5792 W PORT DR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TIFFANI LUCAS	5769 W PORT DR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Joetta Smethers	5841 W Port Dr	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Chris Paul	5846 W Port Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Karen Agbor	5874 W Port Dr	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wanda Jordan	5898 W Port	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harice Jordan	5898 W Port	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DREW ADAMS	5928 W-Port	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michelle Adams	5928 W Port	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ryan Tolle	9437 N Fairland Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jenni Tolle	9437 N Fairland Dr	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ELIZABETH AMOSBELL	5954 W Port	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Carson	6053 W Baymont	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Printed Name	Street Address	Signature	For	Against	Abstain
Heath Betzels	9321 N Bayhill Circle	Heath Betzels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAUREA ABDULMAK	9267 N BAYLAND DR	Laurea Abdulmak	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zyette McCurt	9246 N. Bayland dr	Zyette McCurt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Charles McGirt	9246 N Bayland dr	Charles McGirt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
V. Viall LE	9272 N. Bayland	V. Viall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
THOMAS LAM	9272 N Bayland	Thomas Lam	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAVID HOKINS	9214 N. Bayland	David Hokin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nancy Grady's	9214 N. Bayland	Nancy Grady	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brian Sackowski	9412 N Bayfield Dr	Brian Sackowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keri Sackowski	9413 N. Bayfield Dr	Keri Sackowski	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Erich Veisel	5832 W. Nautica Blvd.	Erich Veisel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tasha Blue	9332 Bayland	Tasha Blue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sherry Hall	9249 N. WaterBay Cir	Sherry Hall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TONY HALL	9249 N. WaterBay Cir	Tony Hall	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wanda Wyatt	9398 N. Bayfield	Wanda Wyatt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RONALD HYTE	9413 N. BAYFIELD	Ronald HYTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LONDA HYTE	9413 N. BAYFIELD Dr	Londa HYTE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAX TRUMP	9427 N. BAYFIELD DR	Dax Trump	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Beckil	5152 West Pal Dr	Stephen Beckil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Printed Name	Street Address	Signature	For	Against	Abstain
LISA KOON	9429 N. captain cir.	Lisa Koon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MIKE KOON	9429 N captain cir	Mike Koon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WALTER POWERS	9404 N. CAPTAIN CIR.	Walter Powers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Aitchley	9443 Nautica Blvd	John Aitchley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robert Crocker	9364 N Bayland	Robert Crocker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mary Ann Shreffler	9318 N. Bayland	Mary Ann Shreffler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Shreffler	9318 N Bayland Drive	Bob Shreffler	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Brindley	9343 N Bayland	Michael Brindley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ronald E. Atkins	5873 W. Port Dr.	Ronald E. Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stewart Atkins	" "	Stewart Atkins	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Susan Stoltz	5800 W. Bayfield Dr.	Susan Stoltz	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Adam Stoltz	" "	Adam Stoltz	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
[REDACTED]					
Tricia Turner	5804 W. Bayfield	Tricia Turner	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[REDACTED]			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[REDACTED]			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[REDACTED]			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[REDACTED]			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

U

New \* →

Mentioned in another proxy

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Printed Name	Street Address	Signature	For	Against	Abstain
Whitney E. Buckles	Lot 2	<i>Whitney E. Buckles</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott A. Buckles	SECT A. BUCKLES	<i>Scott A. Buckles</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Closing Date to be:  
February 20, 2006













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ELAINE BADGER	5915 W NAUTICA	<i>Elaine Badger</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WALTER BADGER	5915 W NAUTICA	<i>Walter Badger</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

*Tina*

*Both must sign.  
Give me a call when  
complete, I will come  
fetch it.*

*Patty*











Patty Williams 336-7192

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Table with 6 columns: Printed Name, Street Address, Signature, For, Against, Abstain. Row 1: DAVID WATT, 4429 N. SCHOONER CIR., [Signature], [For], [X Against], [Abstain].

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Printed Name	Street Address	Signature	For	Against	Abstain
Scott & Sonya McClelland	6136 First Watchway	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sharon Rager	6097 W. First Watch Way	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tim Rager	6097 W. FIRST WATCHWAY	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MARIE FREDRICK	6095 W Nautica Blvd.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Fredrick	6095 W. Nautica Blvd.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jean Deibel	6129 W. Nautica Blvd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bruce Deibel	6129 W Nautica Blvd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Belinda Morris	6204 West Nautica Blvd	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Morris		[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
STEVE DAWT	9428 N SCHOOVER CIR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lisa DAWT	" "	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>ALBERT FERRELL</del>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ALBERT GRIMM	9466 N. SCHOOVER CIRCLE	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Teresa Grimm	9466 N Schooner Circle	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tammy Walker	9445 N. Schooner Cir.	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Walker	9445 S Schooner Cir.	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LEE WARD	6098 W. NAUTICA	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Broad Kerr	6076 W. Nautica	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anita Kerr	6076 W. Nautica	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Page 1



**Proxy Vote - Proposed Bay Creek HOA Fence Covenant Amendment**

The Board of Directors of Bay Creek Homeowners Association, Inc. has proposed the following amendment to the Declaration of Covenants Conditions and Restrictions of Bay Creek at Geist. In order to amend our covenants, the approval of 75% of the residents must be obtained. Please read the proposed amendment, fill in your name and address, sign the form and indicate your vote by checking the appropriate box. If approved this document will be filed with the Hancock County Recorder's Office. Thank you.

**Original covenant:**

"19. There shall be no fences permitted within the front yards. Fences in the side and rear yards shall be permitted to a maximum of forty-two (42") inches in height and shall be of black vinyl clad chain link or other materials approved by the Committee."

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Printed Name	Street Address	Signature	For	Against	Abstain
Maria Wittmann	9175 Stormy Port	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Catherine Wittmann	9175 Stormy Port	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[Signature]	[Address]	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shannon Walls	6117 First Watch Way	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Matthew Walls	6117 First Watch Way	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Wright	9358 N. Coral Reef Rd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hall	9340 N. Coral Reef Rd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alyson Hall	9340 N. Coral Reef Rd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jason McLaughlin	9308 N. Coral Reef Rd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Emily McLaughlin	9308 N. Coral Reef Rd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<del>XXXXXXXXXXXXXXXXXXXX</del>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[Signature]	9358 N. Coral Reef Rd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[Signature]	9206 N. Coral Reef Rd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
[Signature]	SAME AS ABOVE	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy [Signature]	9168 N. Coral Reef Rd	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ronald [Signature]	9168 N. Coral Reef Rd	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Charlotte [Signature]	9161 N. Coral Reef	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ember R [Signature]	9161 N. Coral Reef	[Signature]	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Proxy Vote -- Proposed Bay Creek HOA Fence Covenant Amendment**

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Printed Name	Street Address	Signature	For	Against	Abstain
Doris J Nelson	6023 W. Bayfront Shores McCordsville, IN	Doris J Nelson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lynn Longman	6036 W Bay Front Shores McCordsville, IN	Lynn Longman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mary CARSON	6037 W. Bayfront Sh. McCordsville, IN	Mary Carson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HAROLD FUNKHOUSER	6052 W BAYFRONT SHORES McCORDSVILLE, IN	Harold Funkhouser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LINDA FUNKHOUSER	6052 W. Bayfront Shores McCordsville, IN	Linda Funkhouser	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Zackery Miller	6069 W Bayfront Shores McCordsville, IN 46055	Zackery Miller	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reubin Allen	6081 W Bay Front Shores x 7C - ALL	Reubin Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marielle Allen	6081 W Bay Front Shores	Marielle Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer A Gaudin	6140 W Bayfront Shores	Jennifer A Gaudin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Eric Mann	5808 W BO DENS CROSS	Eric Mann	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marta Thacker	5827 W Bay Dr. Monte Carlo	Marta Thacker	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Christy Thacker	" " Christy Thacker	Christy Thacker	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Zackery Miller

Patty Williams 336-7192

Proxy Vote - Proposed Bay Creek HOA Fence Covenant Amendment

The Board of Directors of Bay Creek Homeowners Association, Inc. has proposed the following amendment to the Declaration of Covenants Conditions and Restrictions of Bay Creek at Geist. In order to amend our covenants, the approval of 75% of the residents must be obtained. Please read the proposed amendment, fill in your name and address, sign the form and indicate your vote by checking the appropriate box. If approved this document will be filed with the Hancock County Recorder's Office Thank you

Original covenant:

"19. There shall be no fences permitted within the front yards. Fences in the side and rear yards shall be permitted to a maximum of forty-two (42") inches in height and shall be of black vinyl clad chain link or other materials approved by the Committee."

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Table with 6 columns: Printed Name, Street Address, Signature, For, Against, Abstain. Contains two rows of handwritten entries for Nathaniel Jackson and another person, both with 'For' boxes checked.





**Proxy Vote – Proposed Bay Creek HOA Fence Covenant Amendment**

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Printed Name	Street Address	Signature	For	Against	Abstain
Will Baker	9315 N. Shuman Blvd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Virgina + Bud Crigler	9330 N Shuman Blvd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
IGNA A GLEN TUCKER	5929 W. Nantua Blvd	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jonny Tucker / Ellen Tucker		[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harley Noel	9390 N Captain Cir / Harley Noel	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Valerie Noel	9390 N. Captain Cir / Valerie Noel	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BERNARDIE HALLER	1418 N. Captain Cir / Bern Haller	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MICK WHITE	9302 N Bayland Dr. / Mick White	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Margaret White	9302 N Bayland Dr. / Margaret White	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheila Frazier	9428 N Bayland Dr. / Sheila Frazier	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Peter Hainje	9428 N Bayland Dr. / Peter Hainje	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* KENNETH ARMISTRONG	9414 Bayland / Kenneth Armstrong	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
♀ MARY A. ARMISTRONG	9414 Bayland / Mary A. Armstrong	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ALKWIEMER JALIAV	5860 W. Port Dr. / Alkwiemer Jaliav	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Printed Name	Street Address	Signature	For	Against	Abstain
Bryan Towse	4283 N. Bayland Dr.	Bryan Towse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Angela Towse	4283 N. Bayland Dr.	Angela Towse	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephane Spink	4249 N. Bayland Dr.	Stephane Spink	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STEPHAN SPINK	4249 N. Bayland Dr.	Stephane Spink	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jessika Gustitus	4313 N. Bayland Dr.	Jessika Gustitus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kelsey Gustitus	4313 N. Bayland Dr.	Kelsey Gustitus	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CAROL COPE	9349 N. Bayland Dr.	Carol Cope	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WILSON COPE	9349 N. Bayland Dr.	Wilson Cope	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Michael Christophe	5919 W Port Dr.	Michael Christophe	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
JASON WRUCK	5867 W Port Dr.	Jason Wruck	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christa Beckel	5822 W Port Dr.	Christa Beckel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Swanson	5766 W Port Dr.	John Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Swanson	5766 W Port Dr.	Scott Swanson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Hartford	9332 N. Bayland	Scott Hartford	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank Horst	5800 W. Hamilton Blvd	Frank Horst	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ken Newman	9463 N. Storm Bay Cir	Ken Newman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MICHAEL NEWMAN	9463 N. Storm Bay Cir	Michael Newman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul Steen	9321 N. Storm Bay Cir	Paul Steen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Steen	9321 N. Storm Bay Cir	Jennifer Steen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Printed Name	Street Address	Signature	For	Against	Abstain
MAGGIE CABIGAS	3858 W NAUTICA BLVD.	<i>Maggie Cabigas</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
WALLY CABIGAS	5358 W NAUTICA BLVD	<i>Wally Cabigas</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TAMMY DODDS	9316 W Bayland	<i>Tammy Dodds</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Claude Dodds	9316 W Bayland St	<i>Claude Dodds</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ray Mitchell	9333 W. Coral Reef	<i>Raymond C. Mitchell</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Karen E. Mitchell	9333 W. Coral Reef	<i>KAREN E. MITCHELL</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DAVID H. HOWARD	9180 W. S.W. 5th Ave	<i>David Howard</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Annette Kallenberg	9233 N. BAYSIDE	<i>ANNETTE KALLENBERG</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Greg Karge	9233 Bayside Circle McCordsville	<i>Greg Karge</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brenda Karge	9233 Bayside Circle McCordsville	<i>Brenda Karge</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Webb	5817		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KEITH HETVE	5846 W. NAUTICA	<i>Keith Hetve</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christina Hill	5707 W. Bayland	<i>Christina Hill</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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3

Proxy Vote - Proposed Bay Creek HOA Fence Covenant Amendment

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Table with 6 columns: Printed Name, Street Address, Signature, For, Against, Abstain. Row 1 contains handwritten entries: 'Pat Simpson', '5937 W. Port Dr.', and 'P. Simpson'. The 'Against' box is checked. Subsequent rows are empty.

39

**Proxy Vote – Proposed Bay Creek HOA Fence Covenant Amendment**

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Printed Name	Street Address	Signature	For	Against	Abstain
Charly Donaldson	5541 W. Port Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Kimmerling	9373 N. Bayfield	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cory R. Stutzman	9697 " "	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Donna Kimmerling	9373 N. Bayfield	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Julie Marsh	9246 N. Bayland Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richard L. Bowman	9215 Bayside Cir.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7/1/06 - STASON SMITH	6028 NAUTICA BLVD	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Harold Smith	6028 Nautica Blvd.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Henry Webster	6187 W. Nautica Blvd.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kristin Webster	6187 W. Nautica Blvd.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JP KISER	9333 N. BAYFIELD DR	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barbara A. Kiser	9333 N. Bayfield Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Carla K. Stoneberg	9431 N. Bayfield Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Stoneberg	9431 N. Bayfield Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Don Skayton	5813 W. Port Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Skayton	5813 W. Port Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maria Bond	9436 N. Captain Cir.	[Signature]	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Richard L. Sanders Jr.	9423 N. Bayland Dr.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Avin Bowman	9215 N. Bayside Cir.	[Signature]	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>





