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FIRST AMENDMENT

enabling declaration establishing a plan for horizonta! Property regime

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College Park Condoniniums

ANDERSON, INDIANA

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MADISON COUNTY RECORDER

This first Amendment to Enabling Declaration made this Asday of November, 1985, by College Park Condoninions, Ltd., an
Indiana Limited Partnership, hereinafter referred to as
"Declarant", the sole owner in fee simple of certain feel
property hereafter described, which property is referred to as
the "Annexed Property",

# RECITALS:

WHEREAS, College Park Condominiums, a horizontal property regime consisting of four (4) units, was created on the 16th day of July, 1985, with College Park Condominiums, Ltd., the Declarant herein, as Grantor, by an Emabling Declaration filled in the Office of the Recorder of Madison County, Indiana, in Deed Record 625 at pages 627 through 703 inclusive, with Exhibit Main thereto recorded in Plat Book 17 at pages 26 and 27, and

WHEREAS, in Item IX of such Enabling Declaration, the Declarant retained the right to amend said Brabling Declaration to increase the number of units in the Condominium by constitues then upon any part or all of certain real estate described in said Item IX and designated "Future Development"; and

WHEREAS, the Annexed Property above referred to is a part of and is situated within the Future Development, and the Deckarant has constructed on said Annexed Property six (6) additional units in one (1) building which harmonize with the dewelopment of the original Condominium; and

WHEREAS, the Declarant desires to submit the Annexed Property 6572491 to Condominium Ownership,

NOW, THEREPORE, the said Declarant hereby makes the following amendments to said Enabling Declaration;

- 1. The Annexed Property, the description of which appears for Exhibit "A" attached hereto and made a part hemeof, is hereby incorporated into and made a part of the real property subject to said Enabling Declaration. All provisions of said Enabling Declaration as herein amended shall constitute coverants consists with the land and shall be binding on this Declarant, its successors and assigns and all subsequent Owners of all or any part of said Annexed Property and the improvements there increases grantees, successors, heirs, devisees, personal centesentatives 19 万国的原产 毛選號 and assigns.
- 2. All references in the Enabling Declaration to four (4) Units are hereby changed to ten (10) Units. and the second of the second
- 3. Exhibit "B" attached hereto is a perimeter description of the total area of the land now included in this Condominating both the original real property and the Annexed Property. The becaldescription of real property as concamed to page one and page two of said Enabling Declaration is hereby amended to that as described in Binibit "B" attached heretounes Zotometi.

- 4. Item II C. of the Enabling Declaration shall hereafter read as follows:
  - C. Designation and Description of Units. The ten (ED) individual Units hereby established are described as follows
    - 1. The Units shall be contained in a building designated as Building 9 without basement and as follows:
    - a. Unit A is located in Building 9 and is a two bedroom, one-story Unit without basement.
    - b. Unit B is located in Building 9 and is a twobedroom, one and one-half story Unit without basement.
    - c. Unit C is located in Building 9 and is a Thise bedroom, one and one-half story Unit without basement.
    - d. Unit D is located in Building 9 and is a three bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 9 and more particularly described in documents filed in Plats Book 17, pages 26 and 27, records of Madison Sounty; State of Indiana.

- 2. The Units shall be contained in a building designabled as Building 8 without basement and as Follows:
- a. Unit A is located in Building 8 and is a times bedroom, one-story Unit without basement.
- b. Unit B is located in Building 8 and is a form bedroom, one-story Unit without basement.
- c. Unit C is located in Building 8 and is a from bedroom, one-story Unit without basement.

- d. Unit D is located in Building 8 and is a twobedroom, one-story Unit without basement.
- e. Unit E is located in Building 8 and is a two-
- f. Unit F is located in Building 8 and is a thingsbedroom, one-story Unit without basement.

The additional Unit locations and dimensions are more particularly described in Exhibit "A".

- 5. Item II D. of the Enabling Declaration shall hereafter read as follows:
  - Common Expenses. The undivided interest in the Common Elements hereby established, which shall be conveyed with each respective Unit, and which is also the proportional voting right of each Unit Owner and the Unit Owner's shale of common expenses and common surplus, is based on the ratio of the Unit to the total number of all Units of the condomination and reflecting a continuing total interest of one hundred percent (1001) for the entire Condomination. The individual Units have the following undivided interests:

# TABLE OF COURT SHARES

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The above respective undivided interests established and to be conveyed with the respective Units as indicated above cannot be changed, except by amendment of this Declaration as hereelies provided, and the Grantor, its successors and assigns, and are grantees, covenant and agree that the undivided interests in the Common Elements and the fee titles to the respective Units conveyed therewith, shall not be separated nor separately conveyed, and each said undivided interest shall be deemed to be conveyed or encumbered with its respective Unit, even though the decimination in the instrument of conveyance or encumbrance may reper only to the fee title to the Unit.

- 6. Section II B. of the Bubling Declaration shall hereafter read as follows:
  - E. Legal Description of Unit. The following Small De an adequate legal description of each Unit:

Unit contained in Building and all apper tenances thereto in Gollege Park Condominiums Host Offer! Property Regime as delipested in the Declaration recorded in the Office of the Madison County Recorder on July 15, 1985, in Book 625, paged 627 through 705 as amended 3, 3 First Amendment to Brabling Declaration recorded in Sard office on the 25th day of November, 1985, in Book 25 at page. 658

Attached hereto as Exhibit "C" and made a part December is a survey consisting of \_\_\_\_\_\_\_ (\_\_\_\_\_) sheets as prepared by Harold E. Smith & Associates, such sheets being dated the \_\_\_\_\_\_\_ day of November, 1985. The Condominium Survey for College Park Condominiums Horizontal Property Regime shall hereafter consist of Exhibit "A" to the original Enabling Declaration and of Exhibit "\_\_\_ " to this First Amendment to Enabling Declaration.

AND Secretiences from Exchibate which with the Enabeliance because them. now reclude all documents comparising the Condombiacum Stave. above defined.

OF Except as above apended, all promisions of Said ordernal balong Deckaration shall remain the Europe doce and effect.

INTERESS NHEREOF, Time said declarant has executed this

rist amendment the day and year durist above writeten

COLLEGE PARK CONDONING MASS.

By Busylns Development Comp.

Inc., General Parking.

ATE OF INDIANA

OUNTRY TOE MADE SON !! Before me a Notary Public in and For sand County and Star Before me a Notary Public in and For sand County and Star examalist appeared John M. Blevains, the President and Secret ha acknowledged the execution of the foregoing inseruments for advon behalf of sand comporactions.

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nylgomiessocom æexpades. Nogary Rubling Resident of Wadison Count Resident

STPREPARED BY:

Todac y Blevilas Attaorney as Ley 205 Wese Stan St 4100 **255566** 

# 100 **25**5 mi**1634**

# -EXPERIMENTAL

A tract of land located in the East half of the Northeast Owerter of Section 7, Township 19 North Range 8 Fast an the Cit of Anderson Anderson Township, Madrish Compty. Endiana.

Beginning at a point on the West line of Electest nail of the Northeast Quarter of Section 7. Promiship 19. North Wange 8 Fact without 15.858 St feet morth 90 degrees Quantimutes 00 seconds (assumed bearing) from the Southwest corner of seld Last havis of the Northeast Quarter; There e entimies north 00 degrees 00 minutes of minutes of seconds data feet, there north 80 degrees Seminables of seconds east 258 OS feet fo the populat of beginnings of a curve conceive to the march, and curve having a radius of life of law eat and a central angle of 19 devices 50 minutes of observables, then e easterdy along said curve an architecture of 59.61 feet to the point of the continue of the contest of the contest of the curve of said curve and account of the point of the contest of the Rational said curve and the center line of contest lanes. Hence door privates crives of the contest line of the private crives of the contest line of the point privates crives the new forms of the center line of the point of the center line of the point of the center line of the point of the center line of the contest line of the conte

EXHIBIT "B"

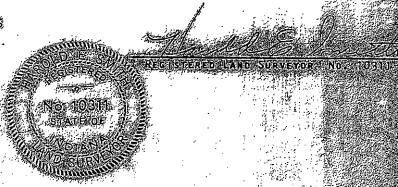
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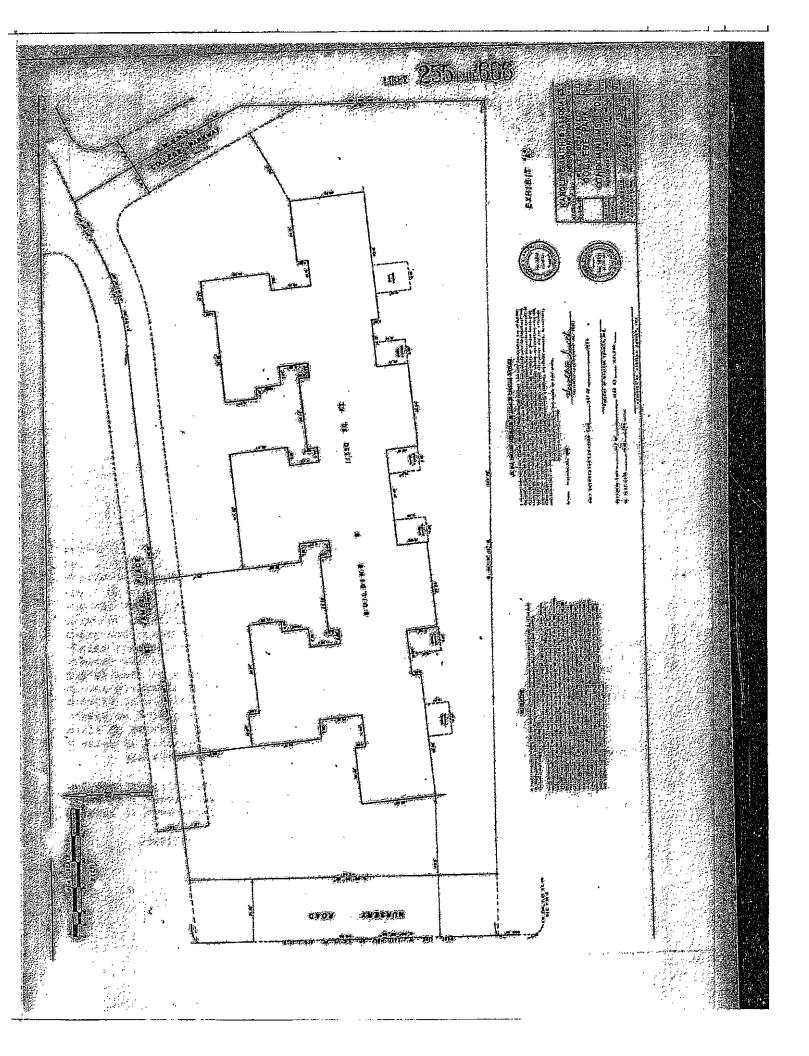
# COMBINED DESCRIPTION OF LAND INCLUDED WITH BUILDINGS 8 AND 9

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE MORTHEAST QUARTER OF SECTION TO TOUNSHIP 19-HORTH, RANCE & EAST IN THE CITY OF ANDERSON, ANDERSON TOUNSHIP, MADISON COUNTY, INDUMNA, DESCRIBED AS FOILUNGS

BESTINBLING AT A POINT ON THE HEST LUBE OF THE EAST HALF OF THE NORTHERST DUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST, WHICH IS 858335 FEET NORTH OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST, WHICH IS 858335 FEET NORTH OF SAID EAST HALF OF THE NORTHEAST QUARTER; WHENCE CONFINUE HORTH ODD DEGREES 0.00 HIRUTES 0.00 SECONDS 265,00 FEET ACONG THE WEST ALKE OF SAID FAST HALF OF THE NORTH AST QUARTER; THENCE SOUTH 89 GEGBEES 37 HILMUTES 19 SECONDS EAST 20.00 FEET DOTAL NORTH AST QUARTER; THENCE SOUTH 89 GEGBEES 37 HILMUTES 19 SECONDS EAST 20.00 FEET DOTAL ON THE ANGENT POINT ON A CURVE WHOSE RADIUS, 15 22 39 2 FEET AND CENTRAL ANGES IS USED EAST AND CENTRAL ANGES OF COLLEGE PARKVAY, AND PRIOVATE STREET; THENCE SOUTHERSTAND, THE PROJECT OF TAKEEN OF SAIDS CURVE; MHENCE CONTINUES SOUTH PROPERTIES OF THE ROUTE SAIDS CURVE; MHENCE CONTINUES SOUTH PROPERTIES OF THE ROUTE SAIDS CURVE; MHENCE CONTINUES SOUTH PROPERTIES OF PARKVAY, THENCE NORTH 89 DECREES SI HINDTES 109 SECONDS WEST 128 75 FEET BACK TO THE REGISH OF BEGINNING CONTAINING IS BOOK AND ALL OTHER CONTINUES OF SAID CONTAINING IS BOOK AND ALL OTHER CONTINUES OF FOR NURSERY ROAD, AND ALL OTHER CONTINUES OF FOR NURSERY ROAD, AND ALL OTHER CASE WAY OF 25 FEET BACK TO THE REGISH OF WAY OF 25 FEET BACK TO THE REGISH OF WAY OF 25 FEET BACK TO THE REGISH OF WAY OF 25 FEET BACK TO THE REGISH OF WAY OF 25 FEET BACK TO THE REGISH OF WAY OF 25 FEET BACK TO THE REGISH OF WAY OF 25 FEET BACK TO THE BEAUTION OF THE BEAUTY OF WAY OF 25 FEET BACK TO THE BEAUTY OF WAY OF 25 FEET BACK TO THE BEAUTY OF WAY OF 25 FEET BACK TO THE BEAUTY OF WAY OF 25 FEET BACK TO THE BEAUTY OF WAY OF 25 FEET BACK TO THE BEAUTY OF WAY OF 25 FEET BACK TO THE BEAUTY OF WAY OF 25 FEET BACK TO THE BEAUTY OF WAY OF 25 FEET BACK TO THE BEAUTY OF WAY OF THE BEAUTY OF

CATED: NOVEMBER 11 1980





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Duly entered for treation

Luly 99 1986

Landre & Hustry wy

Andrew Malleon County,

Indiana

SECOND AMENUMENT

ENABLING DECLARATION
ESTABLISHING A PLAN FOR
HORIZONIAL PROPERTY REGIME
OF
COLLEGE PARK CONDOMINIOMS

ANDERSON, INDIANA

261 rate 642

This Second Amendment to Enabling Declaration made this day of July, 1986, by College Park Condominiums, Ltd., an Indiana Limited Partnership, hereinafter referred to as "Declarant", the sole owner in fee simple of certain real property hereafter described, which property is referred to as the "Annexed Property".

### RECITALS:

WHEREAS, College Park Condeminiums, a Lorizontal property regime consisting of ten (10) units, was created on the 16th day of July, 1985, with Gollege Park Condeminiums, Ltd., the Deckarant herein, as Grantor, by an Emabling Deckaration filled in the Office of the Recorder of Madison County, Indiana, in Deed Record 625 at pages 627 through 703 inclusive, with Exhibit "A" thereto recorded in Plat Book 17 at pages 26 and 27 and amended in Deed Record Book 255 at page 658 on November 25, 1985; and

WHEREAS, in Item IX of such Enabling Declaration, the Declarant retained the right to amend said Enabling Declaration to increase the number of units in the Condominium by constituetion upon, any part or all of cert real estate described in said Item IX and designated Engage Development, and

WHEREAS, the Annexed Property above referred to is a part of and is situated within the Future Development, and the Declarant has constituted on said Annexed Property from (4) additional units in one (1) binishing which happenize with the development of the original Condominium; and

Charles Blavers

**新疆教物** 

WHEREAS, the Declarant desires to submit the Annexed Property to Condominium Ownership.

NOW, THEREFORE, the said Declarant hereby makes the following amendments to said Enabling Declaration:

- 1. The Annexed Property, the description of which appears on Exhibit "A" attached hereto and made a part hereof, is hereby incorporated into and made a part of the real property subject to said Hnabling Declaration. All provisions of said Enabling Declaration as herein amended shall constitute covenants running with the land and shall be binding on this Declarant, its successors and assigns, and all subsequent Owners of all or any part of said Annexed Property and the improvements thereon, their grantees, successors, heirs, devisees, personal representatives, and assigns.
- 2. All references in the Boabling Declaration to ten (10) Units are hereby changed to fourteen (14) Units.
- 3. Exhibit "B" attached hereto is a perimeter description of the total area of the land new included in this Condominium, both the original real property and the Annexed Property. The tagal description of real property as contained on page one and page two of Said Ematting Declaration is hereby amended to that as described in Exhibit the attached before.
  - 4. Item II/C. of the madding Declaration shirt hereafter read as follows:
  - C. <u>Designation and Descraption of Aunts</u>. The fourteen (149) individual Units hereby established are described as follows:
    - 1. The Units shall be contained in a biolding designated as Boolding without basement and as Equitows:
      - a: \*Dirit Aris i ocated in abuilding 9 and is a rive-bedrocm, one-stor Unif without that energy

- b. Unit B is located in Building 9 and is a two-b broom, one and one-half story Unit without basement.
- c. Unit C is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.
- d. Unit D is located in Building 9 and is a three-bedroom, onestory Unit without basement.

The Unit locations and dimensions in Building 9 are more particularly described in documents willed in Plat Book 17, pages 26 and 27, records of Madison County, State of Indiana.

- 2. The Units shall be contained in a building designated as Building 8 without basement and as follows:
- a. Unit A is located in Building 8 and is a three-bedroom, onestory Unit without basement.
- b. Then B is located in Building 8 and is a two-bedroom, onestory Unit without basement.
- c. Unit C is located in Building 8 and is a two-bedroom, onestory Unit without basement.
- d. Unit D is located in Building 8 and is a two-bedroom, onestory Unit without basement.
- e. Unit E is located in Building 8 and is a two-bedroom, onestory Unit without basement.

f. Unit F is located in Building 8 and is a three-bedroom, onestory Inst without basement.

The Unit locations and dimensions in Building 8 are more particularly described in documents filed in Plat Book 17, page

The Units shall be contained in a building designated as building designated as building designated as

- a. Unit A is located in Building 4 and is a three-bedroom, one story Unit without basement.
- b. Unit B is located in Building 4 and is a two-bedroom, one and one-half story unit without basement.
- c. Unit C is located in Building 4 and is a two-bedroom, onestory Unit without basement.
- d. Unit D is located in Building 4 and is a two-bedroom, onestory Unit without basement.

The Unit locations and dimensions in Building 4 are more particularly described in documents filled in Plat Book \_\_\_\_\_\_\_ page 60-61 , records of Madison County, State of Indiana.

- 5. Item II D. of the Engbling Declaration shall hereafter read as follows.
- D. Percentage Interest in Common Allements and Share of Common Expenses.

  The undivided interest in the Common Allements beneby established; which shall be conveyed with each respective Unit, and which is also the proportional voting right of each Unit Owner and the Unit Owner's share of common expenses and common surprise, is based on the ratio of the Unit to the total number of all Units of the Condominium and reflecting as continuing total interest of one hundred percent (1903) for the entire Condominium. The individual Units have the following until dead interests:

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The above respective undivided interests established and to be conveyed with the respective Units as indicated above cannot be changed, except by amendment of this Declaration as hereafter provided, and the Grantor, its successors and assigns, and its grantees covenant and agree that the undivided interests in the Common Elements and the fee titles to the respective Units conveyed therewith, shall not be separated nor separately conveyed, and each said undivided interest shall be deemed to be conveyed or encumbered with its respective Unit, even though the description in the instrument of conveyance or encumbrance may refer only to the fee title to the Unit.

- 6. Section II E. of the Enabling Declaration shall hereafter read as follows:
  - E. <u>Legal Description of Unit</u>. The following shall be an adequate legal description of each Unit:

thereto in Wolflege Pank Condominious Horizontal Property Regime as delineated in the Declaration recorded in the Office of the Madison County Resoulder on July 16, 1985, in Book 625, paged 627 through 703 as amended by a First Amendment to Enabling Declaration recorded in said office on the 25th day of November, 1985, in Book 755 at page 658 and further amended by a Second Amendment to the Enabling Declaration recorded in said office on the 25th day of July, 1986, in Book 251 at page 6142

- 8. All references to Axhabit "A" in the Hoobling Declaration shall now include all documents comprising the Condomination Survey as above defined.

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9. Except as above amended, all provisions of said original Enabling Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the said Declarant has executed this Second Amendment the day and year first above written.

> COLLEGE PARK CONDOMINIUMS, LID. By Blevins Development Company, Inc. General Partner

John M. Blevins

President

ATTEST:

iolm M. Blevins Secretary

STATE OF INDIANA COUNTY OF MADISON ?

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205 West alth Street Anderson, Indiana (317) 549-9701

### EXHIBIT "A"

Commencing at the Southwest corner of the East half of the Northeast Quarter of Section 7, Township 19 North, Range 3 East, thence north 90 degrees 00 minutes 00 seconds (assumed bearing) 903.53 feet along the West line of said East half of the Northeast Quarter; thence north 89 degrees 31 minutes 19 seconds east 328.75 feet to the centerline of Gollege Parkway (a private street); thence north 30 degrees 00 minutes 00 seconds west 74.52 feet to the point of intersection of the centerlines of Gollege Parkway and St. James Place (a private drive); thence north 65 degrees 00 minutes 00 seconds east 27.85 feet along the centerline of St. James Place to the point of beginning of a curve concave to the south, said curve having a radius of 88.466 feet and a central angle of 25 degrees 28 minutes 41 seconds; thence easterly along said curve and centerline of St. James Place an arc distance of 39.34 feet to the point of tangency of said curve; thence south 89 degrees 31 minutes 19 seconds east 106.25 feet along the centerline of St. James Place to the point of beginning of a curve concave to the north, said curve having a radius of 73.415 feet and a central angle of 30 degrees 28 minutes 41 seconds; thence northeasterly along said curve and centerline of St. James Place an arc distance of 39.05 feet to the point of tangency of said curve; thence north 60 degrees 00 minutes 00 seconds east 48.71 feet along the centerline of St. James Place; thence south 30 degrees 00 minutes 00 seconds east 48.71 feet along the centerline of St. James Place; thence south 30 degrees 00 minutes 00 seconds east 48.71 feet along the centerline of St. James Place; thence south 30 degrees 00 minutes 00 seconds east 48.71 feet along the centerline of St. James Place; thence south 30 degrees 00 minutes 00 seconds east 48.71 feet thence north 69 degrees 31 minutes 19 seconds west 247.66 feet back to the point of beginning. Containing 0.829 of an acre, more or less.

# 

# COMBINED DESCRIPTION OF LAND INCLUDED WITH BUILDINGS 8, 9 AND 4

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE HORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 HORTH, RANGE 8 EAST IN THE CITY OF ANDERSON, ANGERSON TOWNSHIP, HADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST WALF OF THE NORTHEAST QUARTER OF SECTION 7. TOWNSHIP 19 NORTH, RANGE 8 EAST WHICH IS 858, 34 FEET NORTH 00 DEGREES OO HINUTES OD-SECONDS (ASSUMED BEARING) FROM THE SOUTHWEST CORNER OF SAFO EAST HALF OF THE NORTHEAST QUARTER; THENCE CONTINUE NORTH DO DEGREES DO RENUTES DO SECONDS 265.80 FEET ALDRE THE WEST LINE OF SALD EAST HALF OF THE HOMENEST QUARTER; THERCE SOUTH 89 DEGREES 31 NUMBER 19 SECONDS CAST 230.69 FEET TO A HOR-TANCERS POINT OH A CURVE WHOSE RADIUS IS 223-92 FEET AND CENTRAL ANGLE IS 03 DEGREES 24 MENUTES 24 SECONDS, SAID POINT ALSO BEING ON THE CENTERLINE OF COLLEGE PARKURY (A PRIVATE STREET); THERCE SOUTHEASTERLY ALONG SAID CURSE AND CENTERLINE OF COLLEGE PARKUAY AN ARC DISTANCE OF 13.31 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THEREE CONTINUE SOUTH 30 DEGREES DO SINOTES OD SECONDS EAST 108.97 FEET TO THE POINT OF PRICESECTION OF THE CENTERLING OF COLLEGE PARKHAY AND THE CENTERLING OF ST. JAMES PLACE IN PROPERTY DRIVE), THENCE HORTH 65 DECREES OF HINDRES DO SECONDS EAST 27-85 PORT ALONG THE CENTER-LINE OF ST. JAMES PLACE TO THE POINT OF RECIMINATE OF A CURVE CONCAST TO THE SCOTH, SAFE CURVE HAVING A RADIUS OF 88,486 FRET AND A CENTURE ABELS OF 25 DECREES 28 HINGELS 44 SECONDS; THENCE EASTERLY SLONG SAID CURVE AND CENTERLINE OF ST. JAMES PLACE AN AND DISTANCE OF 39-34 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 106.25 FEET ALONG THE CENTERLINE OF ST. JAMES PLACE TO THE POINT OF BEGINNING OF A CURNE CONCAVE TO THE NORTH, SAND CURVE MAYING & RADIUS OF 73.415 FEET AND A CENTRAL ANGLE OF 30 DEGREES 28 HERUTES 41 SECONDS! THENCE HONTHEASTERLY ALONG SAID CORVE AND CENTERLINE OF ST. JAMES PLACE AN AND DESTANCE O. 39-05 FEET TO THE POINT OF TANGENCY OF SAFD CURVE; THENCE HORTH 60 DEGREES OU MINUTES OF SECONDS EAST 48.71 FEET ALONG THE CENTERLINE OF ST. JAMES PLACES THENCE SQUIR 30 DECREES GO MINUTES DO SECONOS EAST 73.41 FEET; THENCE SOUTH OD DECREES 28 ATROTES 41 SECONOS NEST 179.80 FEET; THENCE NORTH BY DECREES 31 HIMOTES 19 SECONOS NEST 247.68 FEET; THENCE SOUTH OU DEGREES OU REMUTER DO SECONDS 45.13 FEET; THENCE MONTH BY DECREES 31 MINUTES 19 SECONDS WEST 328.75 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 2.637 ACCESS, HORE OR LESSE SUBJECT TO THE LEGAL RIGHT OF UNT OF 25 FREET OFF THE ENTIRE MEET STOR THEREOF. FOR HURSERY ROAD.

DATED: JUNE 9, 1986

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# THIRD AMENAMENT TO ANABISHOS DECLARATION ASTABLISHENG A BLAN FOR HORIZONTAL PROBERTS REGIME OF COLLEGE PARK CONDOMINATIOS ANDERSON TABLANA

Third Amendment to Enabling Declaration made this day of the local Amendment to Enabling Declaration made this day of the local investigation in the sole owner in fee simple of certain real property hereafter described, which property is referred to as the l'Amered Property.

# REGITATIO

OFFICE COLLEGE Task (on the later as a horizontal sproperty regime Consisting of Folly, 1985; with College Park Condon at the later of the Later has Granton, by an Habbarry Declaration, as Granton, by an Habbarry Declaration, and in the Office of the Recorder of Madison County, Indiana, in the office of the Recorder of Madison County, Indiana, in the office of the Recorder of Madison County, Indiana, in the office of the Recorder of Madison County, Indiana, in the office of the Recorder of Madison County, Indiana, in the office of the Recorder of Madison County, Indiana, in the office of the Recorder of Madison County, Indiana, in the office of the pages 627 through 703 inclasives with Exhibit and Record Book 1888 of November, 25, 1985; and secondly amended in Deed Record Book (St. 1986) and the office of the Record Book (St. 1986) and the office of the Record Book

WHEREAS, in tremalator such Enabling Declarations the Declarant retained the sight to a and such Enablings Declarations to Englare the number of units in the Declaration to Englaration to Englaration of the number of units in the Declaration by construction appear any part or all of Certain real estates that the first in said less the and designated Future Development'; and

Property four (4) additional index one (1) building which changonizes with the development, of the original Condonnium; and

WHEREAS, the Declarant desires to submit the Annexed Property to Condomination

NOW, THEREFORE: the said Declarant hereby makes the following amendments to

- 1. The Annexed Property, the description of which appears on Exhibit "An attached herero and made a part hereof, is hereby incorporated into and made a part of the real property subject to said finabling Declaration. All provisions of said limibiling Declaration as herein amended shall constitute covenants running with the land and shall be binding on this Declarate. Its successors and assigns, and all subsequent Amers of all or any parts of said Annexed Property and the improvements thereon, their grantees; successors, heirs devisees, personal representatives, and assigns.
- 2. All references in the anabiting Declaration to Sourceen (14) Units are nearly changed to eighteen (14) Units

Finisher UBL antached hereto is a perimeter description of the total area of the transform included in this Condonnium, both the original real property and the Annexed Property. The regal description of real property as contained on page one and page two of said Enabling Declaration is hereby amended to that as described an exception and page two of said Enabling Declaration is hereby amended to that

- A. Trem: II C. of the Enabling Declaration shart hereafter read as ficitions.
- (C. <u>Designation and Description of Units</u>。) The eighteen (48) individual Units shereby established are described as 所创业ws
  - or. Theatmits shall be contained in a building designated as Building 9.
  - a Unit Alis Accated in Ruilding 9 and is a two bedroom, one story

# LIDER 263 MARIE 1416

- b. Unit B is located in Building 9 and is a two-bedroom, one and one-half story Unit without basement.
- c. Unit C is located in Building 9 and is a three-bedroom, one and one-half story That without basement.
- d. Unit D is located in Building 9 and is a three-bedroom, onestory Unit without basement.

The Unit locations and dimensions in Building 9 are more particularly described in documents fixed in Plat Book 17, pages 25 and 27, records of Madison Gounts, State of Indiana.

- 2. The Units shall be contained in a building designated as Building 8 without basement and as follows:
- a. Unit A is located in Building 8 and is a three-bedroom, onestory Unit without basement.
- b. Unit B is located in Building 8 and is a two-bedroom, onestory Unit without basement.
- c. Unit C is located in Building 8 and is a two-bedroom, onestory Unit without basement.
- it. Unit D is located in Building 8 and is a two-bedroom, onestory Unit without basement.
- e. Unit B is located in Building B and is a two-bedroom, onestony unit without basement.
- f. Unit F is located in Building 8 and is a three-bedroom, one-

The Unit locations and dimensions an Unitaing & are more particularly described in absoments filled in Unitabook 17, pages 47-43, records of Madison County, State of Indiana.

The units short the contained in a building designated as a building designated as

" - E Hallow - 1918

- a. Unit A is located in Building 4 and is a three-bedroom, one story Unit without basement.
- b. Unit B is located in Building 4 and is a two-bedroom, one and one-half story unit without basement.
- c. Unit C is located in Building 4 and is a two-bedroom, onestory Unit without basement.
- d. Unit D is located in Building 4 and is a two-bedroom, onsstory Unit without Dassment.

The Unit locations and dimensions in Building 4 are more particulably described in documents filed in Flat Book 17, pages 60-61, records of Madison County, State of Indiana.

- 3. The Units shall be contained in a building designated as building 3 without basement and as follows:
- a. Unit A is located in Building 3 and is a three-bedries, one
- b. Unit B is located in Building 3 and is a tropbedicent, one story unit without basement.
- c. Unit C is located bubineding 3 and is a three bedfoon, one.
  - d. Unit D 43 located in Building 3 and is a three-beacon, one we unit sitchaut basements

The Unit locations and dimensions in Building 4 are more paralarly described in documents stilled in place Book <u>L/</u>, page 60-61 records of Matrison County, State of Indiana.

Item vilus, of the that ing peclaration shall shereafter text as follows

D. Parkintage Interestato. Gounon Elements and Share of Common Expenses

Trid Natice (1991) or restriction in the second in the second so her edy established, while in

shall be conveyed with each respective Unit, and which is also the proportional voting right of each Unit Owner and the Unit Owner's share of common expenses and common surplus, is based on the ratio of the Unit to the total number of all Units of the condominium and reflecting a continuing total interest of one hundred persent (1001) for the entire Condominium. The individual Units have the following undivided interests:

# TABLE OF UNIT SHARES

Unit Identification	Share
9.4	5.5555\$
9 <b>≋B</b>	5,555558
9:C.	5.5555%
9.0	5.558554
8-A	5. 585594
&÷B	5.555554
<b>8</b> ∌€.	5.55555
<b>8</b> 20	5.55555
3-E	5.35555 5.66554
<b>83</b>	5.55555 5.5555\$
	- ne-c-10.45.45
	5,55555 5,55555
	5.35235*
	5. 55555%
338	S.5555\$
3:46	5.55555
<b>3</b> ≨ <b>D</b>	5.5555\$

The above respective undivided interests established and to be conveyed with the anspective Units as indicated above cannot be changed, except by amendment of this Declaration as hereafter provided, and the Grantor, its successors and assigns, and its grantees covenant and agree that the undivided interests in the common Elements and the fee thitles to the respective Units conveyed therewith, shall not be separated nor separately conveyed, and each said undivided interest shall be deemed to be conveyed for encumbered with his respective Unit, even thoughthe description in the instrument of conveyance or encumbrance may refer only toothe feest telestorhership.

6. Section 17 B. ogs the that him Declaration shall hereafter read as

E. Legal Description of Unit. The following shall be an adequate legal
description of each Unit:
Unit contained in Building and all appurtenances thereto in College Park Condominiums Horizontal Property Regime as delineated in the Declaration recorded in the Office of the Madison County Recorder on July 16, 1985, in Book 625, paged 627 through 703 as amended by a First Amendment to Enabling Declaration recorded in said office on the 25th day of November, 1985, in Book 255 at page 658; further amended by a Second Amendment to the Enabling Declaration recorded in said office on the 29th day of July, 1986, in Book 261 at page 642; and further amended by a Third Amendment to the Enabling Declaration recorded in said office on the day of October, 1986, in Book at page
7. Attached hereto as Exhibit "C" and made a part hereof is a survey con-
sisting of () sheets as prepared by Harold H. Smith & Associates,
such sheets being dated the 23rd day of September, 1986. The Condominium Survey
for College Park Condominiums Horizontal Property Regime shall hereafter consist
of Exhibit "A" to the original Enabling Declaration; Exhibit "C" to the First
Amendment to Enabling Declaration; Exhibit "C" to the Second Amendment to
Enabling Declaration; and Exhibit "C" to this Third Amendment to Enabling
Deckaration.
8. All references to Exhibit "A" in the Enabling Declaration shall now
include all documents comprising the Condominium Survey as above defined.
9. Except as above amended, all provisions of said original Enabling
Declaration shall remain in full force and effect:
IN WHINESS WHEREOF, the said Declarant has executed this Second Amendment
the day and wear first above written.
of Maying Development Company. Inc.
General Parcher
By Joine M. Blevins
By: Colmen. Blevins Fresident Addest
ATTREST:
Audient Audient
ATTREST:
Audistic  Addition:  The state of the state

STATE OF INDIANA COUNTY OF MADESON ) LIDER 265 PAGE 150

Before me, a Notary Public in and for said County and State, personally appeared John M. Blevins, the President and Secretary, who acknowledged the execution of the foregoing instrument for and on behalf of said corporation.

WITNESS my hand and notarial seal this With day of Ctober, 1986. My Commission Expires:

Claime L. Bridgewater Notary Public
Resident of Madison County

5.F. na

# EXHIBIT "A"

A tract of land located in the East half of the Northeast Quarter of Section 7, Township 19 North, Range 8 East in the Dity of Anderson, Anderson Township, Madison County, Indiana, described as Follows:

Commencing at the Southwest corner of the East half of the Northeast Quarter of Section 7, Township 19 North Range 8 East; thence north 00 degrees 00 minutes 00 seconds (assumed bearing) 658.34 Eest glong the West Line of Said East half of the Northeast Quarter thence south 89 degrees 51 minutes 10 seconds half of the Northeast Quarter thence south 89 degrees 51 minutes 10 degrees 00 minutes 00 seconds 45.19 feet; thence south 89 degrees 31 minutes 19 degrees 00 minutes 00 seconds 45.19 feet; thence south 89 degrees 31 minutes 19 seconds 65.49 seconds 65.49 feet; thence south 89 degrees 35 minutes 35 seconds west 299.65 feet to a boint feet; thence north 89 degrees 35 minutes 35 seconds west 299.65 feet to a boint feet; thence north 80 degrees 96.70 feet flong the centerline of said College Parkway (a private drive); thence north 80 degrees 00 minutes 00 seconds 96.70 feet flong the centerline of said College Parkway, thence north 90 degrees 00 minutes 00 seconds 86.74 feet; thence north 00 degrees 00 minutes 00 seconds 74 f/2 feet back to the point of beginning, containing 0.966 of an acre, more of Tess

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THE RESERVE AS A SECOND OF THE SECOND SECOND

### EXHIBIT B

COLLEGE PARK CONDOMINIUMS

LIDER 263 PAGE 152

# COMBINED DESCRIPTION OF LAND INCLUDED WITH BUILDINGS 8, 9, 3 AND 4

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST IN THE CITY OF ANDERSON, ANDERSON TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7. TOWNSHIP 19 NORTH, RANGE 8 EAST WHICH IS 858.34 FEET HORTH DO DEGREES OF HAMUTES OF SECONDS (ASSUMED BEARING) FROM THE SOUTHWEST CORNER OF SAID EAST HALF OF THE RORTHEAST QUARTER; THENCE CONTINUE HORTH GO DEGREES DO HINUTES OF SECONDS 265-00 FEET ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER; THENDE SOUTH 89 DEGREES 31 HINUTES 19 SECONDS EAST 230.69 FEET TO A NON-TANGENT POINT ON A CURRE WHOSE RADIUS IS 223.92 FEET AND CENTRAL ANGLE IS 03 DEGREES 24 MINOTES 24 SECONDS, SAID POINT ALSO BEING ON THE CENTERLINE OF COLLEGE PARRWAY (A PRIVATE STREET ); THENCE SOUTHEASTERLY ALONG SAID CURVE AND CENTERLINE OF COLLEGE PARKWAY AN AND DISTANCE OF 13, 31 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THEREE CONTINUE SOUTH 30 DEGREES OF HIROTES OF SECONDS EAST 108.97 FEET TO THE POINT OF INTERSECTION OF THE CENTERLINE OF COLLEGE PARRIAY AND THE CENTERLINE OF ST. JAMES PLACE ( A PRIVATE DRIVE); THENCE WORTH 65 DEGREES OF HINDTES OF SECONDS EAST 27.85 FEET ALONG THE CENTER-LIRE OF ST. JAMES PLACE TO THE ROTHT OF BEGINNING OF A CURVE CONCAVE TO THE SOUTH, SAID CORVE HAVENS A RADIUS OF 88.466 FEET AND A CENTRAL ANGLE OF 25 DEGREES 28 MINUTES 41 SECONDS: THENCE EASTERLY ALONG SAID CURVE AND CENTERLINE OF ST. JAMES PLACE AN ARC DISTANCE OF 39-30 FEET TO THE FOINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 89 DEGREES 31 NIMULES 19 SECONDS BAST 106.25 FEET ALONG THE CENTERLINE OF ST. JAMES PLACE TO THE POTRY OF PEGTHENING OF A CURVE CONCAVE TO THE NORTH, SAID CURVE HAVING A RADIUS OF 73.445 SEET AND A CENTRAL ANGLE OF 30 DEGREES 28 HIRUTES 41 SECONDS; THENCE HORTHEASTERLY FLONG SAID CURVE AND CENTERLINE OF ST. JAMES PLACE AN ARC DISTANCE OF 39.05 FEET TO THE POINT OF TARGEREY OF SAID CURVE; THENCE HORTH 60 DEGREES GO HINUTES DO SECONDS ENST 48.70 FEET ALONG THE CENTERLINE OF ST. JAMES PLACE; THENCE SOUTH 30 DEGREES OF MINUTES DO SECONDS EAST 73.41 FEET; THENCE SOUTH OD DEGREES 28 HINUTES 41 SECONDS WEST 195 38 PEET; THENCE SOUTH 89 DECREES 31 HINUTES 19 SECONDS SAST 26.21 FEET; THENCE COUTH OD DECREES OF HANDLES OF SECONDS 165-49 FEET; THENCE HORTH 89 DEGREES 35 MINUTES 33 SECONDS WEST 239-65 PEET TO A MOINT ON THE CENTERLINE OF COLLEGE PARKWAY (A PRIVATE THE OF COULEGE PARKHAT; THENCE SOUTH DO DECREES OF HINDERS OF SECONDS HEST 34-24 FEET; THENCE WONTH OF DEGREES OF MINUTES OF SECONDS 24.12 FEET; THENCE HORTH 89 DEGREES IN MINUTES 19/32/2000 VEST 328.75 FEET BACK TO THE POINT OF RECIPHING. CONTAINING 3,603 ACRES, MORE OF LESS; SUBJECT TO THE LEGAL RIGHT OF WAY OF 25 FEET OFF THE ENTIRE PEET SIDE THEREOF FOR NUMBERY ROAD.

DATEGE SEPARHSER 25, 1986

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