

42.00

Duty Entered for Taxation  
Subject to Final Acceptance for Transfer

October 11, 1990

*Sandra S. Huntziger*  
Auditor Madison County,  
Ind

SIXTEENTH AMENDMENT  
TO  
ENABLING DECLARATION  
ESTABLISHING A PLAN FOR  
HORIZONTAL PROPERTY REGIME  
OF  
COLLEGE PARK CONDOMINIUMS  
ANDERSON, INDIANA

This sixteenth Amendment to Enabling Declaration made this  
11<sup>th</sup> day of October, 1990, by College Park Condominiums, Ltd., an  
Indiana Limited Partnership, hereinafter referred to as  
"Declarant," the sole owner in fee simple of certain real prop-  
erty hereafter described, which property is referred to as the  
"Annexed Property."

R E C I T A L S:

WHEREAS, College Park Condominiums, a horizontal property  
regime consisting of fifty-four (54) units, was created on the  
16th day of July, 1985, with College Park Condominiums, Ltd., the  
Declarant herein, as Grantor, by an Enabling Declaration filed 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; first  
amended in Deed Record Book 255 at page 658 on November 25, 1985;  
amended in Deed Record Book 261 at page 642; amended in Deed  
Record Book 263 at page 144; amended in Deed Record Book 264 at  
pages 124-132; amended in Deed Record Book 266 at pages 544-553;  
and amended in Deed Record 267 at pages 247-257; and amended in  
Deed Record Book 271 at pages 601-611; and amended in Deed Record  
Book 277 at pages 196-208; and amended in Deed Record Book 277 at

914173

page 630; and amended in Deed Record Book 278 at pages 525-538; and amended Deed Record Book 1989A at page 477; and amended as Instrument Number 65273; and as amended by Instrument Number \_\_\_\_\_; and as amended by Instrument Number 911159;

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 construction 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 Declarant has constructed on said Annexed Property four (4) additional units in one (1) building which harmonize with the development of the original Condominium; and

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 Enabling 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 Enabling Declaration to fifty-four (54) Units are hereby changed to fifty-eight (58) Units.

3. Exhibit "B" attached hereto is a perimeter description of the total area of the land now included in this Condominium, both the original real property and the Annexed Property. The legal description of real property as contained on page one and page two of said Enabling Declaration is hereby amended to that as described in Exhibit "B" attached hereto.

4. Item II C. of the Enabling Declaration shall hereafter read as follows:

C. Designation and Description of Units. The fifty-eight (58) individual Units hereby established are described as follows:

1. The Units shall be contained in a building designated as Building 1 without basement and as follows:
  - a. Unit A is located in Building 1 and is a three-bedroom, one story unit without basement.
  - b. Unit B is located in Building 1 and is a three-bedroom, one story unit without basement.
  - c. Unit C is located in Building 1 and is a three-bedroom, one story unit without basement.

S14173

d. Unit D is located in Building 1 and is a three-bedroom, one story unit without basement.

e. Unit E is located in Building 1 and is a three-bedroom, one story unit without basement.

The Unit locations and dimensions in Building 1 are more particularly described in documents filed in Plat Book 17, pages 97-98, records of Madison County, State of Indiana.

2. The Units shall be contained in a building designated as Building 2 without basement and as follows:

a. Unit A is located in Building 2 and is a two-bedroom, one-story Unit without basement.

b. Unit B is located in Building 2 and is a two-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 2 are more particularly described in documents filed in Plat Book 17, pages 86-87, 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-bedroom, one story Unit without basement.

- b. Unit B is located in Building 3 and is a two-bedroom, one story unit without basement.
- c. Unit C is located in Building 3 and is a three-bedroom, one-story Unit without basement.
- d. Unit D is located in Building 3 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 3 are more particularly described in documents filed in Plat Book 17, pages 68-69, records of Madison County, State of Indiana.

- 4. The Units shall be contained in a building designated as Building 4 without basement and as follows:
  - 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, one-story Unit without basement.
  - d. Unit D is located in Building 4 and is a two-

bedroom, one-story Unit without basement.

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

5. The Units shall be contained in a building designated as Building 5 without basement and as follows:

- a. Unit A is located in Building 5 and is a three-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 5 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 5 are more particularly described in documents filed in Plat Book 17, pages 72-73, records of Madison County, State of Indiana.

6. The Units shall be contained in a building designated as Building 6-A without basement and as follows:

- a. Unit A is located in Building 6-A and is a three-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 6-A and is a

three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 6-A are more particularly described in documents filed in Plat Book 18, pages 66-67, records of Madison County, Indiana.

7. The Units shall be contained in a building designated as Building 6-A without basement and as follows:

- a. Unit A is located in Building 6-B and is a three-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 6-B and is a two-bedroom, one-story Unit without basement.
- c. Unit C is located in Building 6-B and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 6-B are more particularly described in documents filed in Plat Book 18, pages 76-77, records of Madison County, Indiana.

8. The Units shall be contained in a building designated as Building 7-A without basement and as follows:

- a. Unit A is located in Building 7-A and is a two-bedroom, one-story Unit without basement.

b. Unit B is located in Building 7-A and is a two-bedroom, one-story Unit without basement. The Unit locations and dimensions in Building 7-A are more particularly described in documents filed in Plat Book 18, pages 70-71, records of Madison County, Indiana.

9. the Units shall be contained in a building designated as Building 7-C without basement and as follows:

a. Unit A is located in Building 7-C and is a two-bedroom, one-story Unit without basement.

b. Unit B is located in Building 7-C and is a two-bedroom, one-story Unit without basement.

The unit locations and dimensions in Building 7-C are more particularly described in documents filed in Plat Book \_\_\_\_\_, page \_\_\_\_\_, records of Madison County, Indiana.

10. 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, one-story Unit without basement.

b. Unit B is located in Building 8 and is a two-bedroom, one-story Unit without basement.



- c. Unit C is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- d. Unit D is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- e. Unit E is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- f. Unit F is located in Building 8 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 8 are more particularly described in documents filed in Plat Book 17, pages 42-43, records of Madison County, Indiana.

11. 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 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 Unit without basement.
- d. Unit D is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.

DESCRIPTION

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:

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) 1123.34 FEET ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 180.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 295.00 FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 204.42 FEET; THENCE SOUTH 89 DEGREES 48 MINUTES 59 SECONDS EAST 209.79 FEET; THENCE SOUTH 04 DEGREES 34 MINUTES 03 SECONDS WEST 189.03 FEET; THENCE SOUTH 85 DEGREES 30 MINUTES 00 SECONDS WEST 195.34 FEET BACK TO THE PLACE OF BEGINNING. CONTAINING 0.911 OF AN ACRE, MORE OR LESS.

TO ALL PARTIES INTERESTED IN TITLE TO PREMISES SURVEYED

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND LOCATED THE BUILDING THEREON AS SHOWN ON THIS PLAN AND THE ATTACHED FLOOR PLANS AND DIVISIONS BOTH HORIZONTALLY AND VERTICALLY SAID BUILDING AND THAT THIS SURVEY AND ATTACHED FLOOR PLANS ARE ACCURATE COPIES OF POSITIONS OF PLANS OF BUILDINGS AS FILED WITH AND APPROVED BY THE BOARD OF ZONING APPEALS OF THE CITY OF ANDERSON, INDIANA, WHICH IS THE GOVERNMENTAL AGENCY HAVING JURISDICTION OVER THE ISSUANCE OF PERMITS FOR THE CONSTRUCTION OF BUILDINGS AND THAT THIS SURVEY AND THE ATTACHED FLOOR PLANS FULLY AND ACCURATELY DEPICT THE LAYOUT, LOCATION, APARTMENT NUMBERS, ELEVATIONS, AND DIRECTIONS OF THE APARTMENTS AS BUILT.

BEARINGS ARE ASSUMED AND NOT BASED ON TRUE NORTH.  
BUILDINGS ARE NOT LINED.

DATE: 10-1-90

*Harold E. Smith*  
REGISTERED LAND SURVEYOR No. 10311

RECEIVED FOR RECORD

OCT 12 11 08 AM '90

*Franklin*  
MADISON COUNTY RECORDER

914173

and on behalf of said corporation.

WITNESS my hand and notarial seal this 11<sup>th</sup> day of October,  
1990.

My Commission Expires:

6/25/88

*Julie A. Ward*  
\_\_\_\_\_  
JULIE A. WARD  
Notary Public and Resident of  
Madison County

PREPARED BY:  
John M. Blevins  
Attorney at Law  
205 West 8th Street  
Anderson, Indiana 46016  
(317) 649-9201

"C" to this Fourteenth Amendment to the Enabling Declaration; and Exhibit "C" to this Fifteenth Amendment to the Enabling Declaration; Exhibit "C" to this Sixteenth Amendment to the Enabling Declaration.

8. All references to Exhibit "A" in the Enabling Declaration shall now include all documents comprising the Condominium Survey as above defined.

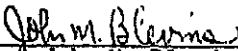
9. Except as above amended, all provisions of said original Enabling Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the said Declarant has executed this Fifteenth Amendment to Enabling Declaration this day and year first above written.

COLLEGE PARK CONDOMINIUMS, LTD.

By Blevins Development Company, Inc.

General Partner

  
By: John M. Blevins  
President

STATE OF INDIANA )  
COUNTY OF MADISON ) SS:

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

1989, as Instrument Number 65273; and further amended by a Fourteenth Amendment to the Enabling Declaration recorded in Instrument Number \_\_\_\_\_ in the said office of the Recorder of Madison County, State of Indiana; and further amended by a Fifteenth Amendment to the Enabling Declaration recorded in Instrument Number 911159 in the said office of the Recorder of Madison County, State of Indiana; and further amended by a Sixteenth Amendment to the Enabling Declaration recorded as Instrument Number 914173 in the said office of the Recorder of Madison County, State of Indiana.

7. Attached hereto as Exhibit "C" and made a part hereof is a survey consisting of two (2) sheets as prepared by Harold E. Smith & Associates, such sheets being dated the 1<sup>st</sup> day of October, 1999. 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; Exhibit "C" to the Third Amendment to Enabling Declaration; Exhibit "C" to the Fourth Amendment to Enabling Declaration; Exhibit "C" to the Fifth Amendment to Enabling Declaration; Exhibit "C" to the Sixth Amendment to Enabling Declaration; Exhibit "C" to the Seventh Amendment to Enabling Declaration; Exhibit "C" to the Eighth Amendment to Enabling Declaration; Exhibit "C" to the Ninth Amendment to Enabling Declaration; Exhibit "C" to the Tenth Amendment to Enabling Declaration; Exhibit "C" to this Eleventh Amendment to Enabling Declaration; and Exhibit "C" to this Twelfth Amendment to Enabling Declaration; and Exhibit "C" to the Thirteenth Amendment to the Enabling Declaration; and Exhibit

6. Section II E. of the Enabling Declaration shall hereafter read as follows:

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 Collogo 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, pages 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 Enabling Declaration recorded in said office on the 29th day of July, 1986, in Book 261 at page 642; further amended by a Third Amendment to Enabling Declaration recorded in said office on the 14th day of October, 1986, in Book 263 at pages 144-152; further amended by a Fourth Amendment to Enabling Declaration recorded in said office on the 2nd day of December, 1986, in Book 264 at pages 124-132; further amended by a Fifth Amendment to Enabling Declaration recorded in said office on the 10th day of April, 1987, in Book 266 at pages 544-553; further amended by a Sixth Amendment to Enabling Declaration recorded in said office on the 4th day of June, 1987, in Book 267 at pages 647-657; further amended by a Seventh Amendment to Enabling Declaration recorded in said office on the 1st day of December, 1987, in Book 271 at pages 601-611; further amended by an Eighth Amendment to Enabling Declaration recorded in said office on the 10th day of October, 1988, in Book 277 at pages 196-208; further amended by a Ninth Amendment to Enabling Declaration recorded in said office on the 9th day of November, 1988, in Book 277, Page 630; further amended by a Tenth Amendment to Enabling Declaration recorded in said office on the 3rd day of January, 1989 in Book 278, Page 525; further Amended by an Eleventh Amendment to the Enabling Declaration recorded in said office on the 5th day of September, 1989 in Book 1989A at Page 415; and further Amended by a Twelfth Amendment to the Enabling Declaration recorded in said office on the 12th day of September, 1989 in Book 1989A at Page 477; and further amended by a Thirteenth Amendment to the Enabling Declaration recorded in said office on the 7th day of December,

9-C	1.7241%
9-D	1.7241%
10-A	1.7241%
10-B	1.7241%
10-C	1.7241%
10-D	1.7241%
10-E	1.7241%
10-F	1.7241%
11-A	1.7241%
11-B	1.7241%
11-C	1.7241%
11-D	1.7241%
11-E	1.7241%
11-F	1.7241%
12-A	1.7241%
12-B	1.7241%
12-C	1.7241%
12-D	1.7241%
14-A	1.7241%
14-B	1.7241%
15-A	1.7241%
15-B	1.7241%
15-C	1.7241%
15-D	1.7241%

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.

filed in Plat Book \_\_\_\_\_, page \_\_\_\_\_, records  
of Madison County, State of Indiana.

16. The Units shall be contained in a building  
designated as Building 15 without basement and as  
follows:

- a. Unit A is located in Building 15 and is a  
three-bedroom, one-story unit without  
basement.
- b. Unit B is located in Building 15 and is a  
two-bedroom, one-and-one-half story unit without  
basement.
- c. Unit C is located in Building 15 and is a  
three-bedroom, one story unit without base-  
ment.
- d. Unit D is located in Building 15 and is a  
three-bedroom, one-story unit without base-  
ment.

The Unit locations and dimensions in Building 15  
are more particularly described in documents filed  
in Plat Book \_\_\_\_\_, page \_\_\_\_\_, records of  
Madison County, State of Indiana.

5. Item II D. of the Enabling Declaration shall hereafter  
read as follows:

- D. Percentage Interest in Common Elements and Share of  
Common Expenses. The undivided interest in the  
Common Elements hereby established, which shall be  
conveyed with each respective Unit, and which is also



Madison County, State of Indiana.

14. The Units shall be contained in a building designated as Building 12 without basement and as follows:

- a. Unit A is located in Building 12 and is a two-bedroom, one-story unit without basement.
- b. Unit B is located in Building 12 and is a two-bedroom, one-story unit without basement.
- c. Unit C is located in Building 12 and is a two-bedroom, one and one-half story unit without basement.
- d. Unit D is located in Building 12 and is a three-bedroom, one-story unit without basement.

15. The Units shall be contained in a building designated as Building 14 without basement and as follows:

- a. Unit A is located in Building 14, and is a two-bedroom, one and one-half story Unit without basement.
- b. Unit B is located in Building 14, and is a two-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 14 are more particularly described in documents

are more particularly described in documents filed in Plat Book 18, pages 32 and 33, records of Madison County, State of Indiana.

13. The Units shall be contained in a building designated as Building 11 without basement as follows:

- a. Unit A is located in Building 11 and is a three-bedroom, one-story unit without basement.
- b. Unit B is located in Building 11 and is a two-bedroom, one-story unit without basement.
- c. Unit C is located in Building 11 and is a two-bedroom, one-story unit without basement.
- d. Unit D is located in Building 11 and is a two-bedroom, one and one-half story unit without basement.
- e. Unit E is located in Building 11 and is a three-bedroom, one-story unit without basement.
- f. Unit F is located in Building 11 and is a three-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 11 are more particularly described in documents filed in Plat Book \_\_\_\_\_, page \_\_\_\_\_, records of

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

12. The Units shall be contained in a building designated as Building 10 without basement and as follows:

- a. Unit A is located in Building 10 and is a three-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 10 and is a two-bedroom, one-story Unit without basement.
- c. Unit C is located in Building 10 and is a two-bedroom, one and one-half story Unit without basement.
- d. Unit D is located in Building 10 and is a two-bedroom, one and one-half story Unit without basement.
- e. Unit E is located in Building 10 and is a two-bedroom, one-story Unit without basement.
- f. Unit F is located in Building 10 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 10

48.00  
196200

COPY ENTERED FOR TAXATION  
Subj. to Public Accounting Act, 1962  
April 18 1991  
*Sanford S. Heritage*  
Auditor Madison County  
Ind.

SEVENTEENTH AMENDMENT  
TO  
ENABLING DECLARATION  
ESTABLISHING A PLAN FOR  
HORIZONTAL PROPERTY REGIME  
OF  
COLLEGE PARK CONDOMINIUMS  
ANDERSON, INDIANA

This seventeenth Amendment to Enabling Declaration made this  
16<sup>th</sup> day of April, 1991, by College Park Condominiums, Ltd., an  
Indiana Limited Partnership, hereinafter referred to as  
"Declarant," the sole owner in fee simple of certain real prop-  
erty hereafter described, which property is referred to as the  
"Annexed Property."

R E C I T A L S:

WHEREAS, College Park Condominiums, a horizontal property  
regime consisting of fifty-eight (58) units, was created on the  
16th day of July, 1985, with College Park Condominiums, Ltd., the  
Declarant herein, as Grantor, by an Enabling Declaration filed 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; first  
amended in Deed Record Book 255 at page 658 on November 25, 1985;  
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Record Book 263 at page 144; amended in Deed Record Book 264 at  
pages 124-132; amended in Deed Record Book 266 at pages 544-553;  
and amended in Deed Record 267 at pages 247-257; and amended in  
Deed Record Book 271 at pages 601-611; and amended in Deed Record  
Book 277 at pages 196-208; and amended in Deed Record Book 277 at

9113057

page 630; and amended in Deed Record Book 278 at pages 525-538; and amended Deed Record Book 1989A at page 477; and amended as Instrument Number 65273; and as amended by Instrument Number 906661; and as amended by Instrument Number 911159; and amended by Instrument Number 914173;

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 construction 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 Declarant has constructed on said Annexed Property five (5) additional units in one (1) building which harmonize with the development of the original Condominium; and

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 Enabling 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 Enabling Declaration to fifty-four (58) Units are hereby changed to sixty-three (63) Units.

3. Exhibit "B" attached hereto is a perimeter description of the total area of the land now included in this Condominium, both the original real property and the Annexed Property. The legal description of real property as contained on page one and page two of said Enabling Declaration is hereby amended to that as described in Exhibit "B" attached hereto.

4. Item II C. of the Enabling Declaration shall hereafter read as follows:

C. Designation and Description of Units. The sixty-three (63) individual Units hereby established are described as follows:

1. The Units shall be contained in a building designated as Building 1 without basement and as follows:
  - a. Unit A is located in Building 1 and is a three-bedroom, one story unit without basement.
  - b. Unit B is located in Building 1 and is a three-bedroom, one story unit without basement.
  - c. Unit C is located in Building 1 and is a three-bedroom, one story unit without basement.

9113057

d. Unit D is located in Building 1 and is a three-bedroom, one story unit without basement.

e. Unit E is located in Building 1 and is a three-bedroom, one story unit without basement.

The Unit locations and dimensions in Building 1 are more particularly described in documents filed in Plat Book 17, pages 97-98, records of Madison County, State of Indiana.

2. The Units shall be contained in a building designated as Building 2 without basement and as follows:

a. Unit A is located in Building 2 and is a two-bedroom, one-story Unit without basement.

b. Unit B is located in Building 2 and is a two-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 2 are more particularly described in documents filed in Plat Book 17, pages 86-87, 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-bedroom, one story Unit without basement.

- b. Unit B is located in Building 3 and is a two-bedroom, one story unit without basement.
- c. Unit C is located in Building 3 and is a three-bedroom, one-story Unit without basement.
- d. Unit D is located in Building 3 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 3 are more particularly described in documents filed in Plat Book 17, pages 68-69, records of Madison County, State of Indiana.

- 4. The Units shall be contained in a building designated as Building 4 without basement and as follows:
  - 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, one-story Unit without basement.
  - d. Unit D is located in Building 4 and is a two-



bedroom, one-story Unit without basement.  
Unit locations and dimensions in Building 4 are more particularly described in documents filed in Plat Book 17, pages 60-61, records of Madison County, State of Indiana.

5. The Units shall be contained in a building designated as Building 5 without basement and as follows:
  - a. Unit A is located in Building 5 and is a three-bedroom, one-story Unit without basement.
  - b. Unit B is located in Building 5 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 5 are more particularly described in documents filed in Plat Book 17, pages 72-73, records of Madison County, State of Indiana.

6. The Units shall be contained in a building designated as Building 6-A without basement and as follows:
  - a. Unit A is located in Building 6-A and is a three-bedroom, one-story Unit without basement.
  - b. Unit B is located in Building 6-A and is a

three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 6-A are more particularly described in documents filed in Plat Book 18, pages 66-67, records of Madison County, Indiana.

7. The Units shall be contained in a building designated as Building 6-A without basement and as follows:
  - a. Unit A is located in Building 6-B and is a three-bedroom, one-story Unit without basement.
  - b. Unit B is located in Building 6-B and is a two-bedroom, one-story Unit without basement.
  - c. Unit C is located in Building 6-B and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 6-B are more particularly described in documents filed in Plat Book 18, pages 76-77, records of Madison County, Indiana.

8. The Units shall be contained in a building designated as Building 7-A without basement and as follows:
  - a. Unit A is located in Building 7-A and is a two-bedroom, one-story Unit without basement.

b. Unit B is located in Building 7-A and is a two-bedroom, one-story Unit without basement. The Unit locations and dimensions in Building 7-A are more particularly described in documents filed in Plat Book 18, pages 70-71, records of Madison County, Indiana.

9. the Units shall be contained in a building designated as Building 7-C without basement and as follows:

a. Unit A is located in Building 7-C and is a two-bedroom, one-story Unit without basement.

b. Unit B is located in Building 7-C and is a two-bedroom, one-story Unit without basement.

The unit locations and dimensions in Building 7-C are more particularly described in documents filed in Plat Book 277, page 196-208, records of Madison County, Indiana.

10. 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, one-story Unit without basement.

b. Unit B is located in Building 8 and is a two-bedroom, one-story Unit without basement.

- c. Unit C is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- d. Unit D is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- e. Unit E is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- f. Unit F is located in Building 8 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 8 are more particularly described in documents filed in Plat Book 17, pages 42-43, records of Madison County, Indiana.

11. 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 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 Unit without basement.
- d. Unit D is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.

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

12. The Units shall be contained in a building designated as Building 10 without basement and as follows:

- a. Unit A is located in Building 10 and is a three-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 10 and is a two-bedroom, one-story Unit without basement.
- c. Unit C is located in Building 10 and is a two-bedroom, one and one-half story Unit without basement.
- d. Unit D is located in Building 10 and is a two-bedroom, one and one-half story Unit without basement.
- e. Unit E is located in Building 10 and is a two-bedroom, one-story Unit without basement.
- f. Unit F is located in Building 10 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 10

are more particularly described in documents filed in Plat Book 18, pages 32 and 33, records of Madison County, State of Indiana.

13. The Units shall be contained in a building designated as Building 11 without basement as follows:

- a. Unit A is located in Building 11 and is a three-bedroom, one-story unit without basement.
- b. Unit B is located in Building 11 and is a two-bedroom, one-story unit without basement.
- c. Unit C is located in Building 11 and is a two-bedroom, one-story unit without basement.
- d. Unit D is located in Building 11 and is a two-bedroom, one and one-half story unit without basement.
- e. Unit E is located in Building 11 and is a three-bedroom, one-story unit without basement.
- f. Unit F is located in Building 11 and is a three-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 11 are more particularly described in documents filed under Instrument Number 65273, records of

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Madison County, State of Indiana.

14. The Units shall be contained in a building designated as Building 12 without basement and as follows:

- a. Unit A is located in Building 12 and is a two-bedroom, one-story unit without basement.
- b. Unit B is located in Building 12 and is a two-bedroom, one-story unit without basement.
- c. Unit C is located in Building 12 and is a two-bedroom, one and one-half story unit without basement.
- d. Unit D is located in Building 12 and is a three-bedroom, one-story unit without basement.

15. The Units shall be contained in a building designated as Building 14 without basement and as follows:

- a. Unit A is located in Building 14, and is a two-bedroom, one and one-half story Unit without basement.
- b. Unit B is located in Building 14, and is a two-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 14 are more particularly described in documents

filed under Instrument Number 906661, records of Madison County, State of Indiana.

16. The Units shall be contained in a building designated as Building 15 without basement and as follows:

- a. Unit A is located in Building 15 and is a three-bedroom, one-story unit without basement.
- b. Unit B is located in Building 15 and is a two-bedroom, one-and-one-half story unit without basement.
- c. Unit C is located in Building 15 and is a three-bedroom, one story unit without basement.
- d. Unit D is located in Building 15 and is a three-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 15 are more particularly described in documents filed under Instrument Number 911159, records of Madison County, State of Indiana.

17. The Units shall be contained in a building designated as Building 16 without basement and as follows:

- a. Unit A is located in Building 16 and is a three-bedroom, one story unit without base-



ment;

- b. Unit B is located in Building 16 and is a two-bedroom one-and-one half story unit without basement;
- c. Unit C is located in Building 16 and is a three bedroom one story unit without basement;
- d. Unit D is located in Building 16 and is a three bedroom one story unit without basement;
- e. Unit E is located in Building 16 and is a two bedroom one and one-half story unit without basement.

5. Item II D. of the Enabling Declaration shall hereafter read as follows:

D. Percentage Interest in Common Elements and Share of 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 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

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 percent (100%) for the entire Condominium. The individual Units have the following undivided interests:

TABLE OF UNIT SHARES

<u>Unit Identification</u>	<u>Share</u>
1-A	1.5873%
1-B	1.5873%
1-C	1.5873%
1-D	1.5873%
1-E	1.5873%
2-A	1.5873%
2-B	1.5873%
3-A	1.5873%
3-B	1.5873%
3-C	1.5873%
3-D	1.5873%
4-A	1.5873%
4-B	1.5873%
4-C	1.5873%
4-D	1.5873%
5-A	1.5873%
5-B	1.5873%
6-A-A	1.5873%
6-A-B	1.5873%
6-B-A	1.5873%
6-B-B	1.5873%
6-B-C	1.5873%
7-A-A	1.5873%
7-A-B	1.5873%
7-C-A	1.5873%
7-C-B	1.5873%
8-A	1.5873%
8-B	1.5873%
8-C	1.5873%
8-D	1.5873%
8-E	1.5873%
8-F	1.5873%
9-A	1.5873%
9-B	1.5873%

9-C	1.5873%
9-D	1.5873%
10-A	1.5873%
10-B	1.5873%
10-C	1.5873%
10-D	1.5873%
10-E	1.5873%
10-F	1.5873%
11-A	1.5873%
11-B	1.5873%
11-C	1.5873%
11-D	1.5873%
11-E	1.5873%
11-F	1.5873%
12-A	1.5873%
12-B	1.5873%
12-C	1.5873%
12-D	1.5873%
14-A	1.5873%
14-B	1.5873%
15-A	1.5873%
15-B	1.5873%
15-C	1.5873%
15-D	1.5873%
16-A	1.5873%
16-B	1.5873%
16-C	1.5873%
16-D	1.5873%
16-E	1.5873%

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

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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. 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, pages 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 Enabling Declaration recorded in said office on the 29th day of July, 1986, in Book 261 at page 642; further amended by a Third Amendment to Enabling Declaration recorded in said office on the 14th day of October, 1986, in Book 263 at pages 144-152; further amended by a Fourth Amendment to Enabling Declaration recorded in said office on the 2nd day of December, 1986, in Book 264 at pages 124-132; further amended by a Fifth Amendment to Enabling Declaration recorded in said office on the 10th day of April, 1987, in Book 266 at pages 544-553; further amended by a Sixth Amendment to Enabling Declaration recorded in said office on the 4th day of June, 1987, in Book 267 at pages 647-657; further amended by a Seventh Amendment to Enabling Declaration recorded in said office on the 1st day of December, 1987, in Book 271 at pages 601-611; further amended by an Eighth Amendment to Enabling Declaration recorded in said office on the 10th day of October, 1988, in Book 277 at pages 196-208; further amended by a Ninth Amendment to Enabling Declaration recorded in said office on the 9th day of November, 1988, in Book 277, Page 630; further amended by a Tenth Amendment to Enabling Declaration record in said office on the 3rd day of January, 1989 in Book 278, Page 525; further Amended by an Eleventh Amendment to the Enabling Declaration recorded in said office on the 5th day of September, 1989 in Book 1989A at Page 415; and further Amended by a Twelfth Amendment to the Enabling Declaration

recorded in said office on the 12th day of September, 1989 in Book 1989A at Page 477; and further amended by a Thirteenth Amendment to the Enabling Declaration recorded in said office on the 7th day of December, 1989, as Instrument Number 65273; and further amended by a Fourteenth Amendment to the Enabling Declaration recorded in Instrument Number 906661 in the said office of the Recorder of Madison County, State of Indiana; and further amended by a Fifteenth Amendment to the Enabling Declaration recorded in Instrument Number 911159 in the said office of the Recorder of Madison County, State of Indiana; and further amended by a Sixteenth Amendment to the Enabling Declaration recorded as Instrument Number 914173 in the said office of the Recorder of Madison County, State of Indiana; and further amended by a Seventeenth Amendment to the Enabling Declaration recorded in the office of the Recorder of Madison County, State of Indiana.

7. Attached hereto as Exhibit "C" and made a part hereof is a survey consisting of two (2) sheets as prepared by Harold E. Smith & Associates, such sheets being dated the \_\_\_\_ day of April, 1991. 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; Exhibit "C" to the Third Amendment to Enabling Declaration; Exhibit "C" to the Fourth Amendment to Enabling Declaration; Exhibit "C" to the Fifth Amendment to Enabling Declaration; Exhibit "C" to the Sixth Amendment to Enabling Declaration; Exhibit "C" to the Seventh Amendment to Enabling Declaration; Exhibit "C" to the Eighth Amendment to Enabling Declaration; Exhibit "C" to the Ninth Amendment to Enabling Declaration; Exhibit "C" to the Tenth

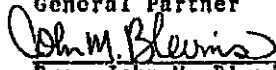
Amendment to Enabling Declaration; Exhibit "C" to this Eleventh Amendment to Enabling Declaration; and Exhibit "C" to this Twelfth Amendment to Enabling Declaration; and Exhibit "C" to the Thirteenth Amendment to the Enabling Declaration; and Exhibit "C" to this Fourteenth Amendment to the Enabling Declaration; and Exhibit "C" to this Fifteenth Amendment to the Enabling Declaration; Exhibit "C" to this Sixteenth Amendment to the Enabling Declaration; Exhibit "C" to this Seventeenth Amendment to the Enabling Declaration.

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. and on behalf of said corporation.

IN WITNESS WHEREOF, the said Declarant has executed this Seventeenth Amendment to Enabling Declaration this day and year first above written.

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

  
By: John M. Blevins  
President

STATE OF INDIANA )  
COUNTY OF MADISON ) SS:

Before me, a Notary Public in and for said County and State,

EXHIBIT C.

COLLEGE PARK CONDOMINIUMS  
COMBINED DESCRIPTION OF LAND INCLUDED WITH BUILDINGS 1, 2, 3, 4, 5, 6A, 6B, 7A, 7C, 8, 9,  
10, 11, 12, 14, 15 AND 16

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 579.12 FEET NORTH  
00 DEGREES 00 MINUTES 00 SECONDS (ASSUMED BEARING) FROM THE SOUTHWEST CORNER OF  
SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 00  
SECONDS 544.22 FEET ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER;  
THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 180.00 FEET; THENCE NORTH 00  
DEGREES 00 MINUTES 00 SECONDS 776.09 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES  
47 SECONDS EAST 360.68 FEET; THENCE SOUTH 00 DEGREES 11 MINUTES 01 SECOND WEST  
136.67 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 47 SECONDS WEST 360.24 FEET; THENCE  
SOUTH 00 DEGREES 00 MINUTES 00 SECONDS 140.00 FEET; THENCE SOUTH 89 DEGREES 48  
MINUTES 59 SECONDS EAST 209.79 FEET; THENCE SOUTH 04 DEGREES 34 MINUTES 03 SECONDS  
EAST 189.03 FEET; THENCE NORTH 85 DEGREES 30 MINUTES 00 SECONDS EAST 165.00 FEET;  
THENCE SOUTH 00 DEGREES 11 MINUTES 01 SECOND WEST 326.26 FEET; THENCE SOUTH 02  
DEGREES 45 MINUTES 43 SECONDS EAST 50.23 FEET TO A POINT ON THE CENTERLINE OF ST.  
JAMES PLACE (A PRIVATE DRIVE); THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS EAST  
73.41 FEET; THENCE SOUTH 00 DEGREES 28 MINUTES 41 SECONDS WEST 106.38 FEET; THENCE  
SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 26.21 FEET; THENCE SOUTH 00 DEGREES 00  
MINUTES 00 SECONDS 165.49 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 33 SECONDS  
WEST 110.81 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS 400.00 FEET;  
THENCE NORTH 89 DEGREES 35 MINUTES 33 SECONDS WEST 150.84 FEET; THENCE NORTH 00  
DEGREES 00 MINUTES 00 SECONDS 240.98 FEET; THENCE NORTH 89 DEGREES 27 MINUTES  
00 SECONDS WEST 341.00 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 12.359  
ACRES, MORE OR LESS, SUBJECT TO THE LEGAL RIGHT OF WAY OF 25 FEET OFF THE WESTERN-  
MOST SIDE THEREOF FOR NURSERY ROAD.

DATE: 1-15-91  
4-15-91 HES

*Harold E. Smith*  
REGISTERED LAND SURVEYOR No. 10311



RECEIVED FOR RECORD  
At 10:30 o'clock AM  
Recorded in Book..... Page.....  
April 18, 1991  
*Genevieve Hoover*  
MADISON COUNTY RECORDER

9113057

EXHIBIT A

DESCRIPTION OF BUILDING 16 TRACT  
COLLEGE PARK CONDOMINIUMS, LTD.

DESCRIPTION

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:

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) 1123.34 FEET ALONG THE WEST LINE OF SAID  
EAST HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS  
EAST 180.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 639.42 FEET TO  
THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 00 DEGREES  
00 MINUTES 00 SECONDS 136.67 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 47 SECONDS  
EAST 360.68 FEET; THENCE SOUTH 00 DEGREES 11 MINUTES 01 SECOND WEST 136.67 FEET;  
THENCE NORTH 89 DEGREES 50 MINUTES 47 SECONDS WEST 360.24 FEET, BACK TO THE  
PLACE OF BEGINNING. CONTAINING 1.131 ACRES, MORE OR LESS.

DATED: 1-15-91

4-15-91 HES



Harold E. Smith  
REGISTERED LAND SURVEYOR No. 10311

9113057



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 16th day of April,  
1991.

My Commission Expires:

Sept 10, 1991

Grace M. Suplee

Notary Public and Resident of  
Madison County

PREPARED BY:  
John M. Blevins  
Attorney at Law  
205 West 8th Street  
Anderson, Indiana 46016  
(317) 649-9201

-20-

9113057

June 3 1991  
*Stanley J. Huntzinger*

48.00

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RIGHTEENTH AMENDMENT  
TO  
ENABLING DECLARATION  
ESTABLISHING A PLAN FOR  
HORIZONTAL PROPERTY REGIME  
OF  
COLLEGE PARK CONDOMINIUMS  
ANDERSON, INDIANA

This eighteenth Amendment to Enabling Declaration made this 31<sup>st</sup> day of May, 1991, 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."

R E C I T A L S:

WHEREAS, College Park Condominiums, a horizontal property regime consisting of sixty-three (63) units, was created on the 16th day of July, 1985, with College Park Condominiums, Ltd., the Declarant herein, as Grantor, by an Enabling Declaration filed 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; first amended in Deed Record Book 255 at page 65b on November 25, 1985; amended in Deed Record Book 261 at page 642; amended in Deed Record Book 263 at page 114; amended in Deed Record Book 264 at pages 124-132; amended in Deed Record Book 266 at pages 544-553; and amended in Deed Record 267 at pages 247-257; and amended in Deed Record Book 271 at pages 601-611; and amended in Deed Record Book 277 at pages 196-208; and amended in Deed Record Book 277 at

page 630; and amended in Deed Record Book 278 at pages 521-538; and amended Deed Record Book 1989A at page 477; and amended as Instrument Number 65273; and as amended by Instrument Number 906661; and as amended by Instrument Number 911159; and amended by Instrument Number 914173;

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 construction 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 Declarant has constructed on said Annexed Property four (4) additional units in one (1) building which harmonize with the development of the original Condominium; and

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 Enabling 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 suc-

cessors 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 Enabling Declaration to sixty-three (63) Units are hereby changed to sixty-seven (67) Units.

3. Exhibit "B" attached hereto is a perimeter description of the total area of the land now included in this Condominium, both the original real property and the Annexed Property. The legal description of real property as contained on page one and page two of said Enabling Declaration is hereby amended to that as described in Exhibit "B" attached hereto.

4. Item II C. of the Enabling Declaration shall hereafter read as follows:

C. Designation and Description of Units. The sixty-seven (67) individual Units hereby established are described as follows:

1. The Units shall be contained in a building designated as Building 1 without basement and as follows:
  - a. Unit A is located in Building 1 and is a three-bedroom, one story unit without basement.
  - b. Unit B is located in Building 1 and is a

three-bedroom, one story unit without basement.

- c. Unit C is located in Building 1 and is a three-bedroom, one story unit without basement.
- d. Unit D is located in Building 1 and is a three-bedroom, one story unit without basement.
- e. Unit E is located in Building 1 and is a three-bedroom, one story unit without basement.

The Unit locations and dimensions in Building 1 are more particularly described in documents filed in Plat Book 17, pages 97-98, records of Madison County, State of Indiana.

- 2. The Units shall be contained in a building designated as Building 2 without basement and as follows:

- a. Unit A is located in Building 2 and is a two-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 2 and is a two-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 2 are more particularly described in documents

filed in Plat Book 17, pages 86-87, 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-bedroom, one story Unit without basement.
- b. Unit B is located in Building 3 and is a two-bedroom, one story unit without basement.
- c. Unit C is located in Building 3 and is a three-bedroom, one-story Unit without basement.
- d. Unit D is located in Building 3 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 3 are more particularly described in documents filed in Plat Book 17, pages 68-69, records of Madison County, State of Indiana.

4. The Units shall be contained in a building designated as Building 4 without basement and as follows:

- 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, one-story Unit without basement.

d. Unit D is located in Building 4 and is a two-bedroom, one-story Unit without basement.

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

5. The Units shall be contained in a building designated as Building 5 without basement and as follows:

a. Unit A is located in Building 5 and is a three-bedroom, one-story Unit without basement.

b. Unit B is located in Building 5 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 5 are more particularly described in documents filed in Plat Book 17, pages 72-73, records of Madison County, State of Indiana.

6. The Units shall be contained in a building

designated as Building 6-A without basement and as follows:

- a. Unit A is located in Building 6-A and is a three-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 6-A and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 6-A are more particularly described in documents filed in Plat Book 18, pages 66-67, records of Madison County, Indiana.

7. The Units shall be contained in a building designated as Building 6-A without basement and as follows:

- a. Unit A is located in Building 6-B and is a three-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 6-B and is a two-bedroom, one-story Unit without basement.
- c. Unit C is located in Building 6-B and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 6-B are more particularly described in documents



filed in Plat Book 18, pages 76-77, records of Madison County, Indiana.

8. The Units shall be contained in a building designated as Building 7-A without basement and as follows:
  - a. Unit A is located in Building 7-A and is a two-bedroom, one-story Unit without basement.
  - b. Unit B is located in Building 7-A and is a two-bedroom, one-story Unit without basement.The Unit locations and dimensions in Building 7-A are more particularly described in documents filed in Plat Book 18, pages 70-71, records of Madison County, Indiana.
9. the Units shall be contained in a building designated as Building 7-C without basement and as follows:
  - a. Unit A is located in Building 7-C and is a two-bedroom, one-story Unit without basement.
  - b. Unit B is located in Building 7-C and is a two-bedroom, one-story Unit without basement.The unit locations and dimensions in Building 7-C are more particularly described in documents filed in Plat Book 277, page 196-208, records of Madison County, Indiana.

10. 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, one-story Unit without basement.
- b. Unit B is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- c. Unit C is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- d. Unit D is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- e. Unit E is located in Building 8 and is a two-bedroom, one-story Unit without basement.
- f. Unit F is located in Building 8 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 8 are more particularly described in documents filed in Plat Book 17, pages 42-43, records of Madison County, Indiana.

11. 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 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 Unit without basement.
- d. Unit D is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.

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

12. The Units shall be contained in a building designated as Building 10 without basement and as follows:

- a. Unit A is located in Building 10 and is a three-bedroom, one-story Unit without basement.
- b. Unit B is located in Building 10 and is a two-bedroom, one-story Unit without basement.
- c. Unit C is located in Building 10 and is a two-bedroom, one and one-half story Unit without basement.

- d. Unit D is located in Building 10 and is a two-bedroom, one and one-half story Unit without basement.
- e. Unit E is located in Building 10 and is a two-bedroom, one-story Unit without basement.
- f. Unit F is located in Building 10 and is a three-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 10 are more particularly described in documents filed in Plat Book 18, pages 32 and 33, records of Madison County, State of Indiana.

13. The Units shall be contained in a building designated as Building 11 without basement as follows:
- a. Unit A is located in Building 11 and is a three-bedroom, one-story unit without basement.
  - b. Unit B is located in Building 11 and is a two-bedroom, one-story unit without basement.
  - c. Unit C is located in Building 11 and is a two-bedroom, one-story unit without basement.
  - d. Unit D is located in Building 11 and is a

two-bedroom, one and one-half story unit without basement.

- e. Unit E is located in Building 11 and is a three-bedroom, one-story unit without basement.
- f. Unit F is located in Building 11 and is a three-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 11 are more particularly described in documents filed under Instrument Number 65273, records of Madison County, State of Indiana.

- 14. The Units shall be contained in a building designated as Building 12 without basement and as follows:
  - a. Unit A is located in Building 12 and is a two-bedroom, one-story unit without basement.
  - b. Unit B is located in Building 12 and is a two-bedroom, one-story unit without basement.
  - c. Unit C is located in Building 12 and is a two-bedroom, one and one-half story unit without basement.
  - d. Unit D is located in Building 12 and is a

three-bedroom, one-story unit without basement.

15. The Units shall be contained in a building designated as Building 14 without basement and as follows:

- a. Unit A is located in Building 14, and is a two-bedroom, one and one-half story Unit without basement.
- b. Unit B is located in Building 14, and is a two-bedroom, one-story Unit without basement.

The Unit locations and dimensions in Building 14 are more particularly described in documents filed under Instrument Number 906661, records of Madison County, State of Indiana.

16. The Units shall be contained in a building designated as Building 15 without basement and as follows:

- a. Unit A is located in Building 15 and is a three-bedroom, one-story unit without basement.
- b. Unit B is located in Building 15 and is a two-bedroom, one-and-one-half story unit without basement.
- c. Unit C is located in Building 15 and is a

three-bedroom, one story unit without basement.

- d. Unit D is located in Building 15 and is a three-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 15 are more particularly described in documents filed under Instrument Number 911159, records of Madison County, State of Indiana.

17. The Units shall be contained in a building designated as Building 16 without basement and as follows:

- a. Unit A is located in Building 16 and is a three-bedroom, one story unit without basement;
- b. Unit B is located in Building 16 and is a two-bedroom one-and-one half story unit without basement;
- c. Unit C is located in Building 16 and is a three bedroom one story unit without basement;
- d. Unit D is located in Building 16 and is a three bedroom one story unit without basement;
- e. Unit E is located in Building 16 and is a two

bedroom one and one-half story unit without basement.

18. The Units shall be contained in a building designated as Building 17 without basement and as follows:

- a. Unit A is located in Building 17 and is a three-bedroom, one story unit without basement;
- b. Unit B is located in Building 17 and is a three-bedroom, one story unit without basement;
- c. Unit C is located in Building 17 and is a three-bedroom, one story unit without basement;
- d. Unit D is located in Building 17 and is a three bedroom one story unit without basement;

5. Item II D. of the Enabling Declaration shall hereafter read as follows:

D. Percentage Interest in Common Elements and Share of

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 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 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 percent (100%) for the entire Condominium. The individual Units have the following undivided interests:

TABLE OF UNIT SHARES

<u>Unit Identification</u>	<u>Share</u>
1-A	1.4925%
1-B	1.4925%
1-C	1.4925%
1-D	1.4925%
1-E	1.4925%
2-A	1.4925%
2-B	1.4925%
3-A	1.4925%
3-B	1.4925%
3-C	1.4925%
3-D	1.4925%
4-A	1.4925%
4-B	1.4925%
4-C	1.4925%
4-D	1.4925%
5-A	1.4925%
5-B	1.4925%
6-A-A	1.4925%
6-A-B	1.4925%
6-B-A	1.4925%
6-B-B	1.4925%
6-B-C	1.4925%
7-A-A	1.4925%
7-A-B	1.4925%
7-C-A	1.4925%
7-C-B	1.4925%
8-A	1.4925%
8-B	1.4925%
8-C	1.4925%
8-D	1.4925%
8-E	1.4925%
8-F	1.4925%
9-A	1.4925%
9-B	1.4925%
9-C	1.4925%
9-D	1.4925%
10-A	1.4925%
10-B	1.4925%
10-C	1.4925%
10-D	1.4925%

10-E	1.4925%
10-F	1.4925%
11-A	1.4925%
11-B	1.4925%
11-C	1.4925%
11-D	1.4925%
11-E	1.4925%
11-F	1.4925%
12-A	1.4925%
12-B	1.4925%
12-C	1.4925%
12-D	1.4925%
14-A	1.4925%
14-B	1.4925%
15-A	1.4925%
15-B	1.4925%
15-C	1.4925%
15-D	1.4925%
16-A	1.4925%
16-B	1.4925%
16-C	1.4925%
16-D	1.4925%
16-E	1.4925%
17-A	1.4925%
17-B	1.4925%
17-C	1.4925%
17-D	1.4925%

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. 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, pages 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 Enabling Declaration recorded in said office on the 29th day of July, 1986, in Book 261 at page 642; further amended by a Third Amendment to Enabling Declaration recorded in said office on the 14th day of October, 1986, in Book 263 at pages 144-152; further amended by a Fourth Amendment to Enabling Declaration recorded in said office on the 2nd day of December, 1986, in Book 264 at pages 124-132; further amended by a Fifth Amendment to Enabling Declaration recorded in said office on the 10th day of April, 1987, in Book 266 at pages 544-553; further amended by a Sixth Amendment to Enabling Declaration recorded in said office on the 4th day of June, 1987, in Book 267 at pages 647-657; further amended by a Seventh Amendment to Enabling Declaration recorded in said office on the 1st day of December, 1987, in Book 271 at pages 601-611; further amended by an Eighth Amendment to Enabling Declaration recorded in said office on the 10th day of October, 1988, in Book 277 at pages 196-208; further amended by a Ninth Amendment to Enabling Declaration recorded in said office on the 9th day of November, 1988, in Book 277, Page 630; further amended by a Tenth Amendment to Enabling Declaration recorded in said office on the 3rd day of January, 1989 in Book 278, Page 525; further Amended by an Eleventh Amendment to the Enabling Declaration recorded in said office on the 5th day of September, 1989 in Book 1989A at Page 415; and further Amended by a Twelfth Amendment to the Enabling Declaration

recorded in said office on the 12th day of September, 1989 in Book 1989A at Page 477; and further amended by a Thirteenth Amendment to the Enabling Declaration recorded in said office on the 7th day of December, 1989, as Instrument Number 65273; and further amended by a Fourteenth Amendment to the Enabling Declaration recorded in Instrument Number 906661 in the said office of the Recorder of Madison County, State of Indiana; and further amended by a Fifteenth Amendment to the Enabling Declaration recorded in Instrument Number 911159 in the said office of the Recorder of Madison County, State of Indiana; and further amended by a Sixteenth Amendment to the Enabling Declaration recorded as Instrument Number 914173 in the said office of the Recorder of Madison County, State of Indiana; and further amended by a Seventeenth Amendment to the Enabling Declaration recorded in the office of the Recorder of Madison County, State of Indiana under Instrument Number \_\_\_\_\_; and further amended by an Eighteenth Amendment to the Enabling Declaration recorded in the office of the Recorder of Madison County, State of Indiana.

7. Attached hereto as Exhibit "C" and made a part hereof is a survey consisting of two (2) sheets as prepared by Harold E. Smith & Associates, such sheets being dated the 28<sup>th</sup> day of May, 1991. 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; Exhibit "C" to the Third Amendment to Enabling Declaration; Exhibit "C" to the Fourth Amendment to Enabling Declaration; Exhibit "C" to the Fifth Amendment to Enabling Declaration; Exhibit "C" to the Sixth Amendment to Enabling Declaration; Exhibit "C" to the Seventh Amendment to Enabling Declaration; Exhibit "C" to the Eighth

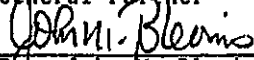
Amendment to Enabling Declaration; Exhibit "C" to the Ninth Amendment to Enabling Declaration; Exhibit "C" to the Tenth Amendment to Enabling Declaration; Exhibit "C" to this Eleventh Amendment to Enabling Declaration; and Exhibit "C" to this Twelfth Amendment to Enabling Declaration; and Exhibit "C" to the Thirteenth Amendment to the Enabling Declaration; and Exhibit "C" to this Fourteenth Amendment to the Enabling Declaration; and Exhibit "C" to this Fifteenth Amendment to the Enabling Declaration; Exhibit "C" to this Sixteenth Amendment to the Enabling Declaration; Exhibit "C" to this Seventeenth Amendment to the Enabling Declaration; and Exhibit "C" to the Eighteenth Amendment to the Enabling Declaration.

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. and on behalf of said corporation.

IN WITNESS WHEREOF, the said Declarant has executed this Eighteenth Amendment to Enabling Declaration this day and year first above written.

COLLEGE PARK CONDOMINIUMS, LTD.  
By Blovins Development Company, Inc.  
General Partner

  
By: John M. Blovins  
President

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF MADISON )

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 31<sup>st</sup> day of May,

1991.

My Commission Expires:

9-18-94

Kathryn K. Helton  
Notary Public and Resident of  
Madison County

PREPARED BY:  
John M. Blevins  
205 West 8th Street  
Anderson, Indiana 46016  
(317) 649-9201

COLLEGE PARK CONDOMINIUMS  
COMBINED DESCRIPTION OF LAND INCLUDED WITH BUILDINGS 1, 2, 3, 4, 5, 6A, 6B, 7A, 7C, 8, 9,  
10, 11, 12, 14, 15, 16 AND 17

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 579.12 FEET NORTH 00 DEGREES 00 MINUTES 00 SECONDS (ASSUMED BEARING) FROM THE SOUTHWEST CORNER OF SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 544.22 FEET ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 180.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 776.09 FEET; THENCE SOUTH 89 DEGREES 50 MINUTES 47 SECONDS EAST 360.68 FEET; THENCE SOUTH 00 DEGREES 11 MINUTES 01 SECOND WEST 276.86 FEET; THENCE NORTH 89 DEGREES 48 MINUTES 59 SECONDS WEST 150.00 FEET; THENCE SOUTH 04 DEGREES 34 MINUTES 03 SECONDS EAST 189.03 FEET; THENCE NORTH 85 DEGREES 30 MINUTES 00 SECONDS EAST 165.00 FEET; THENCE SOUTH 00 DEGREES 11 MINUTES 01 SECOND WEST 326.43 FEET; THENCE SOUTH 02 DEGREES 45 MINUTES 43 SECONDS EAST 50.23 FEET TO A POINT ON THE CENTERLINE OF ST. JAMES PLACE (A PRIVATE DRIVE); THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS EAST 73.41 FEET; THENCE SOUTH 00 DEGREES 28 MINUTES 41 SECONDS WEST 106.38 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 26.21 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS 165.49 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 33 SECONDS WEST 110.81 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS 400.00 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 33 SECONDS WEST 150.84 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 240.98 FEET; THENCE NORTH 89 DEGREES 27 MINUTES 00 SECONDS WEST 341.00 FEET BACK TO THE POINT OF BEGINNING. CONTAINING 13.517 ACRES, MORE OR LESS, SUBJECT TO THE LEGAL RIGHT OF WAY OF 25 FEET OFF THE WESTERNMOST SIDE THEREOF FOR NURSERY ROAD.

DATED: 5-29-'91

*Harold E. Smith*  
REGISTERED LAND SURVEYOR No. 10311



RECEIVED FOR RECORD

JUNE 3 8 28 AM '91

*Donna B. Starnes*  
MADISON COUNTY RECORDER

9115441