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ENABLING DECLARATION
ESTABLISHING TO PLAN FOR
THE TANGET BRODEREY REGIN

RECUIVED FOR RECORD At. A. O.S. Proc.

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DEC 191987

ANDERSON, EVIDEANA

A CONTRACTOR OF STREET

This Seventh Amendment to Enabling Declaration made the Second day of December, 1987, by College Park Condominations, Ind., and Andreas Louised Partnership, hereination received to as "Declaration" Electrical contents of certain real property hereafter described, which property is to as the "Ambewed Property."

# RECITATE

WHEREAS; College Park Condominations, a horizontal property regime consult of twenty-rewsn (27) units, was created on the loth day of MCNo. 1985 and College Park Condominations, Ltd., the Declaration Filed in the Office of The Record for Madison County Indiana, in Deed Record 625 at pages 627 through 703 unclusive, with Exhibit thereto recorded in Plat Book 1" at pages 26 and 27, pages 1 amended in Plat Book 1" at pages 26 and 27, pages 1 amended in Deed Record Book 25. at page 658 on November 25, 1985; amended in Deed Record Book 264 at pages 124 152; amended in Deed Record Book 264 at pages 124 152; amended in Deed Record Book 264 at pages 124 152; amended in Deed Record Book 264 at pages 124 152; amended in Deed Record Book 264 at pages 124 152; amended in Deed Record Book 264 at pages 124 152; amended in Deed Record Book 264 at pages 124 152; amended in Deed Record Book 264 at pages 124 152; amended in Deed Record Book 265 at page 144 3 and 16 and 16

WHENEAS; in From IX of such inablying pectarations, the Declarant retaright to amend sold Enabling Declaranton to sincrease incommence units condomination by construction upon any past or all officertain real estate described in space like in and described in space like in and described

WHEREAS, the America Property above referred rough, and partico, and is within the finiture Peve correct, and the Declarate has constructed on San

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Property six (6) 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 twenty-seven (27) Units are hereby changed to thirty-three (33) 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. <u>Designation and Description of Units</u>. The thirty-three (33) individual Units hereby established are described as follows:
      - 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  $1\infty$  ated 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, onestory Unit without basement.
  - b. Unit B is located in Building 2 and is a two-bedroom, onestory 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.

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- c. Unit C is located in Building 3 and is a three-bedroom, onestory Unit without basement.
- d. Unit D is located in Building 3 and is a three-bedroom, onestory 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, onestory Unit without basement.
  - d. Unit D is located in Building 4 and is a two-bedroom, onestory 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, onestory Unit without basement.
  - b. Unit B is located in Building 5 and is a three-bedroom, onestory 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 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-badroom, 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.
  - E. 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.

- 7. 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-bedinoon; onestory Unit without basement.
  - b. Unit B is located in Building 9 and is a two-Bedicons one and one-half story Unit without basement.
  - c. Unit C is located in Beilding 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 ture bedroom, sign and one-half stony Unit without basement.

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

- 8. The Units shall be contained in a building designated as Building 10 millious becoment and as follows:
  - a. Unit W is located in Building IO and is a three-ledroom, one-story Writ without basement.
  - b. Unit D is located in Building 10 and is a two-bedroom, onestory Unit williout besement.
  - c. Unit C is located in Bod laring 10 and is a exorbedicion, one and one-half story Unit without basement.
  - d. Unit D'is located in Bollding 10 and is a two bedgeons one and one little stony Unit without besoment.
  - ie. That I is located in Building 10 and is a two bedicolly object.
  - f. Wast P is located in Building In and is a three helfoon, one-story That without hesomert.

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

#### TABLE OF UNIT SHARES

| Unit Identification | Share                      |
|---------------------|----------------------------|
| 1 <b>-</b> A        | 3.05038<br>3.05038         |
| 1-B                 | 3.03033                    |
| 1-C                 | 3.03054                    |
| 1- <u>D</u>         | 3.03038                    |
| 1-E                 | 3.03034                    |
| 2-A                 | 3.03034                    |
| 2 - B               | 3,08034                    |
| 3-A                 | 3,03034                    |
| 3-B                 | 3.05038                    |
| 3-C                 | 3.05034                    |
| 3-D                 | 3 /03/03%                  |
| 4-A                 | 3,0303\$                   |
| 4-B                 | 3 <i>0</i> 5 0 5 2 · · ·   |
| 4-C                 | 3.0303%                    |
| 4-D                 | 3.03034                    |
| 5-A                 | 3.03034                    |
| 5-B                 | MM.the.tra                 |
| 8-A                 | 3.0300%<br>3.0303%         |
| 8-B                 | <b>3.0303%</b>             |
| 8-C<br>8-D          | 3.03058                    |
| 8-E                 | 3.·0303\$/                 |
| 8-B                 | 3.03053                    |
| 9-A                 | 3: 0505A                   |
| 9-B                 | Ŧ.030 <b>7</b> \$          |
| 9-C                 | 36:03:05%                  |
| 9-D                 | 5.70373                    |
| 10-A                | 3.07.033                   |
| 10-B                | 3 0303%                    |
| 10-C                | 3.0505                     |
| 10-D                | \$-0503                    |
| 10-Е                | 3,0503                     |
| 10-F                | 3:0303%                    |
| <del>*</del> =      | والواقع في المراوي المراوي |

The above respective undivided interests established and to be conveyed with the respective Units as indicated above cannot be changed, execut to implies ment of this Declaration as hereafter provided, and the Granton, its successors and assigns, and its grantees covenant and agree that the shadavided interests in the Common Elements and the fee tartles to the respective Units conveyed therewith, shall not be separated not separately conveyed, indeed each undivided interest shall be deemed to be conveyed on enclinbered by the

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:

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 Brabling Declaration recorded in said office on the 4th day of June, 1987, in Book 267 at pages 647-657; and further amended by a Seventh Amendment to Enabling Declaration recorded in said office on the <u>lst</u> day of December, 1987, in Book <u>271</u> at pages <u>601-611</u>

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 <a href="Lst">Lst</a> day of <a href="December">December</a> 1987. 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 Phabling Declaration; Exhibit "C" to the Third Amendment to Enabling Declaration; Exhibit "C" to the Fourth Amendment to Enabling Declaration; Exhibit "C" to the Sixth Amendment to Enabling Declaration; Exhibit "C" to the Sixth Amendment to Enabling Declaration; and Exhibit "C" to this Seventh Amendment to Enabling Declaration; and Exhibit "C" to this Seventh

- 8. All references to Exhibit "A" in the Emabling Declaration shall not include all documents comprising the Cordominium Survey as above defined.
- 9. Except as above amended, all provisions of said original Englished.

  Declaration shall remain in Eull force and effect.

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

> COLLEGE PARK CONDOMINIUMS, 1979. By Buserins Devisionment Company, Inc General Partilly

By H John M. Brewins President

ATTEST:

John VI. Blievens Secretary

STATE OF MATLSON ) SS

Defore me, a Notary Public in and for said County And State, personall appeared John M. Blevins, the Bresident and Secretary, who acknowledged the cution of the foregoing instrument for and on behalf of said scotporathon.

Wilhes my hand and notaring said this 18th day of Secomber, 1987.

My Commission Expuses 8-4-89

A Albar & Long Bradgewarer Novary Public Construction of Maddison County

PREPARED DOC

Join M. Blevii

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COMBINED DESCR

A TRACT OF LAN Township 19 No County, Indian

BEG QUARTER OF SEC 00 regrees 00 SAID EAST HALF seconos 265.00 THENCE SOUTH 8 DEGREES OO HIN SECONDS EAST 3 FEET; THENCE S THE CENTERLINE HINUTES OO SEC WEST 106.38 FE THENCE SOUTH O 35 HINUTES 33 -ccoнos 400.00 FEET! THENCE N DEGREES 35 MIN POINT OF RIGHT OF

DATED: MAY 28

# DESCRIPTION

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 HORION, REGION & CONSTITUTION IN THE CITY OF ANGERSON, ANDERSON TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

THENCE SOUTH 89 DEGREES 31 HINTES 19 SECONDS EAST 358.06 FRET; THENCE SOUTH 90 DEGREES 45 HINDES 43 SECONDS EAST 50.23 FREET TO ST. JAMES PLACE (A PRIVATE DRIVE); THENCE SOUTH 60 DEGREES 45 HINDES 43 SECONDS EAST 50.23 FREET TO ST. JAMES PLACE (A PRIVATE DRIVE); THENCE SOUTH 60 DEGREES 00 HUBBLES 00 SECONDS 40 THE POINT OF BEGINNING OF A CUBINE CONCOUNT TO THE EANGLE OF 25 DEGREES 28 MINUTES 41 SECONDS; THENCE SOUTH, SAND CHARLE MAKING WAS CENTERLINE OF COLLEGE PARKHAY AN ARC DISTANCE OF 13.31 FEET TO A HON-WANGENT POINT ON SAID PLACE AN ARC DISTANCE OF 39.34 FEET TO THE THENCE NORTH 89 DEGREES 31 MINUTES 19 SECONDS WEST 105,25 REST CURVE AND CENTERLINE OF ST. JAMES PLACE AN ARC PISTANCE OF 39.00 FART TO RADIUS OF 73.415 WEET AND A CENTRAL ANGLE OF 30 DEGREES 28 CENTERLINE OF ST. JAMES PLACE TO THE POINT OF BEGINNING OF A CURNE CONCAND 223.92 FEET AND A CENTRAL ANGLE OF 03 DEGREES 24 KINUTES 24 SECREBIAN COLLEGE PARKHAY TO THE POINT OF BEGINNING OF A CURVE CONCAVE TO THE MORTHERST. 00 SECONDS WEST 27.85 FEET TO THE POINT OF INTERSECTION OF THE CENTREM WEST OF FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH OD DEGREES (A PRIVATE ORIVE); THENCE HORTH 30 DEGREES 80 HUNUTES 00 SECONOS VEST 10 West line of said East half of the Northeast Quarter; thence south 89 decates 19 NORTH, RANGE & EAST; THENCE HORTH DO DEGREES DO HURBUTES OD SECONDS MINUTES 19 SECONDS WEST 50.69 FEET TO THE POINT OF BEGINNERWG. COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE RORTHERAST POINT OF TAKGENCY OF SAID CUBYE, T DESCRIPTION OF STREET

COMBINED DESCRIPTION : LAND INCOMED WHITH BUILDINGS 1, 2, 3, 4, 5,

A THAT OF LAND LOCATED IN THE EAST HALF OF THE MORNHEAST QUARTER OF SECREONS/2 Township 19 North, Range & Cast in the City of Anderson, Anderson, Tourships, Madiso COUNTY, INDIANA, DESCRIPTION AS FOLLOWS:

DECIMINED AT A FOIRT OR THE WEST LIKE OF THE FAST HAVE OF THE NORTHERS OF SECTION 71, TOWNSHIP 19 NORTH, MARKE CHEAST WHICH I SOUTH SECTION 71, TOWNSHIP 19 NORTH, MARKE CHEAST WHICH IS SOUTH TO THE MORSHEST QUARTER, MARKE MORSHEST WHICH THE SOUTH SOUTH CONTINUES OF SAID BAST MARK OF THE MORSHEST QUARTER, THENCE HOPE, AND TEST HOUSE SOUTH BY OCCUPEN THE MORSHEST I MINUTES 19 SECONDS CAST MOVED THE MORSHEST I MINUTES 19 SECONDS CAST MOVED THE MORSHEST AND MORSE WAS AND THE MORSHEST OF THE MOST SOUTH BY DECREES BY MINUTES 19 SECONDS CAST MOVED THE MORSE SOUTH BY DECREES BY MINUTES 19 SECONDS CAST MOVED THE MOST SOUTH SOUTH SECONDS CAST MOVED THE MORSE SOUTH OF THE MOST SOUTH SOUTH SECONDS CAST MOVED THE CHARTAMAN SOUTH SOUTH SOUTH SECONDS CAST MOVED THE CHARTAMAN SOUTH SOU Beginning at 4 Point on the West Line of the Case have of the Mondelast

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Duly Entered for Taxation
Subject to Find Association of 1955

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Auditor Madison Doubley
Incl. # 5749

EIGHTH AMENDMENT
TO

ENBALING DECLARATION ESTABLISHING A PLAN FOR HORIZONTAL PROPERTY REGIME

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COLLEGE PARK CONDOMINIUMS

ANDERSON, INDIANA

This Eighth Amendment to Enabling Declaration made this

1st day of October, 1988, 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 Condominiums, a horizontal property regime consisting of thirty-three (33) 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 264 at pages 124-132; amended in Deed Record Book 265 at pages 544-553; amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 267 at pages 244-257; and amended in Deed Record Book 271 at pages 661-611; 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 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 two (2) 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 things. three (33) Units are hereby changed to thirty five (35) in the
  - 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. <u>Designation and Description of Units</u>. The thirty-five (35) individual Units hereby established are described as follows:
    - 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 twobedroom, 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 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 twobedroom, one story unit without basement.

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- 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 twobedroom, one and one-half story unit without basement.
  - c. Unit C is located in Building 4 and is a twobedroom, one-story Unit without basement.
  - d. Unit D is located in Building 4 and is a twobedroom, one-story Unit without basement.
    Unit locations and dimensions in Building 4 are
    more particularly described in documents filled
    in Plat Book 17, pages 60-61, records of Madison
    Coppay, 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 base-ment.

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 or a and issa.

    three-bedroom, one-story Unit wishout base.

    ment.
    - b. Unit B is located in Building Garand is a three-bedroom, one-story three bidious base ment.

The inpit locations and dimensions insbuilding of are more particularly described in documents.

filed in Plat Book 18 - pages 16 67 2 reco

7. The Units shall be contained in a building

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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 twobedr ~m, one-story Unit without basement.
- c. Unit C is located in Building 8 and is a twobedroom, 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 twobedroom, 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.

- 8. 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 twobedroom, 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 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 and 27, records of Madison County, State of Indiana.

- 9. 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. Uni! 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

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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.

- 5. Item II D. of the Enabling Declaration shall hereafter read as follows:
  - D. <u>Percentage Interest in Common Elements and Share of</u>
    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 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 |                    |
|-------------------|----------|------|--------|--------------------|
| Unit Identificati | on       |      |        | Share              |
| 1-A               |          |      |        | 2.8571%            |
| 1 - B             |          |      |        | 2.85718            |
| 1-C               |          |      | -      | 2.85713            |
| 1 - D             |          |      |        | 2.85714            |
| 2 - A             |          |      |        | 2.85/14            |
| 2 - B             |          |      |        | 7 45761            |
| 3-A               |          |      |        | 2 85772            |
| 3 - B             |          |      |        | 2 85778            |
| 3 ÷ C             |          |      |        | 7.857/12           |
| 3 - D             |          |      |        | 2.857.13           |
| 4-A               |          |      |        | 2.85712            |
| 4 - B             |          |      |        | 2.85713<br>2.85713 |
| 4-C               |          |      |        | 2 85714            |

| 4-D<br>5-A | 2.  | 8571  |
|------------|-----|-------|
| 5-B        | 2.  | .8571 |
|            | 2.  | 8571  |
| 6-A.A      |     | 8571  |
| 6-A.B      |     | 8571  |
| 8 - A      |     | 8571  |
| 8 - B      |     | 8571  |
| 8-C        |     | 85719 |
| 8 - D      |     | 85718 |
| 8 - E      |     | 8571  |
| 8 - F      | 2.  | 8571  |
| 9-A        |     | 85718 |
| 9 - B      |     | 85714 |
| 9 - C      | 2 7 | 8571% |
| 9-D        |     | 8571% |
| 10-A       |     |       |
| 10-B       |     | 8571% |
| 10-C       |     | 85718 |
| 10-D       |     | 85718 |
| 10-E       |     | 8571% |
| 10-F       |     | 8571% |
| -          | 2.8 | 8571% |

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 Cescription of Unit. The following shall be an

### LIBER 277 PUR 2018

adequate legal description of each Unit:

contained in Building 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 Emabling 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; and 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; and further amended by an Eighth Amendment to Enabling Beclaration recorded in said office on the 10 day of )ct. , 1988.

7. Attached hereto as Exhibit "C" and made a part hereof is a survey consisting of two (2) sheets as prepared by Marold E. Smith & Associates, such sheets being dated the 10th day of Oct. . 1987. The Condominium Survey for College Park Condominiums Morizontal Property Regime shall hereafter consist of Exhibit "A" to the original Embling Declaration; Exhibit "C" to the First Amendment to Embling Declaration; Exhibit To the Chabling Declaration; Exhibit To the Chabling Declaration; Exhibit "C" to the First Amendment to Embling Declaration; Exhibit "C" to the Courth Amendment to Embling Declaration; Exhibit "C" to the Fourth Amendment to Embling Declaration; Exhibit "C" to the Fifth Amendment to Embling Declaration; Exhibit "C" to the Sixth



Amendment to Enabling Declaration; and Exhibit "C" to the Seventh Amendment to Enabling Declaration; and Exhibit "C" to this Eighth Amendment to 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 WHERECO, the said Declarant has executed this Eighth 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

ATTEST:

John M. Blevins

Secretary

STATE OF INDIANA )
COUNTY OF MADISON )

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

and on behalf of said corporation.

1800 277 res 208

WITNESS my hand and notarial seal this 6th day of October, 1988.

My Commission Expires: 9-35-90

Manux Suns

Notary Public Resident of Madison County

043856

RECEIVED FOR REGIONS

At 112 of the American Received in Brown Law 1965-208

OUT 10 1989

PREPARED BY:

John M. Blevins, 2778-48 Attorney at Law 205 West Sth Street Anderson, Indiana 46016 Duty Entered for Taxation Subject to Fine Acceptance for Transfer

NINTH AMENDMENT TO ENABLING DECLARATION ESTABLISHING A PLAN FOR HORIZONTAL PROPERTY REGIME

OF GOLLEGE PARK CONDOMINIUMS LISER 277 rang 620

ANDERSON, INDIANA

This Ninth Amendment to Enabling Declaration made this day of property. 1988, 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 imposed Property."

#### RECITALS:

WHEREAS, College Park Condominiums, a horizontal property regime consisting of thirty-five (35) units, was created on the Abih day of July, 1985, with College Park Condominiums, 2500: 1828 BECKERER RESSIR AS CERTEE 255 25 Extlice

B-12: 1837 Filed in the office of the hecorder of madican
County, Andiana, in Deer Record 625 at pages 627 through 703
100 lusable, with Exhibit 'A' thereto recorded in Plat Book 17 at pages 70 and 27; first amended in Deed Record Book 255 at page
658: 10 November 25; 1985; amended in Deed Record Book 261 at page
942 amended in Deed Record Book 263 at page 144; amended in Deed Record Book 264 at pages
942 amended in Deed Record Book 264 at pages 124-132; amended in Deed Record Book 266
at pages 544 555; amended in Deed Record Book 266
at pages 544 555; amended in Deed Record Book 267 at pages 247-257;
Imended in Deed Record Book 274 at pages 601-611; and amended in

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 two (2) 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 thirtyfive (35) Units are hereby changed to thirty-seven (37) Units.
    - 3. Exhibit "B" attached hereto is a perimeter description of

100A 277 moi 634

#### UM 277 res 632

the total area of the land new included in this Condoninium, both the original real property and the Amnexed 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 bereafter read as Follows:
  - C. <u>Designation and Description of Units</u>. The thirtyseven (37) individual Units hereby established are described as Eclipses:
- 1. The Units shall be contained in a building designated as Boldburg 1 without basement and as Collows:
  - 5. Vill A is located in Bullding 1 and is a three-bedroom; one story unit without base-
    - 1, Unit B is located in Audicing 1 and is a incre-bedroom, one story unit without besement.
  - d, Unit C is located in Dualthing 1 and is e these Dedroin, dife Story unit without base. ments
    - d bost of is located in bounding a and is a highest bedroom, one stony what without base -

e. Whit is is incored to building I and to a
chare hedroup, one sewer with Without buts / 3.0

The Joir Locathons and American in Tuilding I The more protestionary described in Ageometrs Fried in Fine Pask II. Lagos II-M. Tellorus of Manuson County, State of Anti-ords

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  Colleges"
  - p. Proje A ps Bocaren in Muridon 1 and 1668 1680 Prespons Christory Thos without dustinent: Project Duis Pocared respectating 1 and is estima

The Grace Tree Cross and diagnostic are problement. The Grace Tree Cross and diagnostic are problements. It common to perthecularly described and documents. Eited in Crat Book 17: pages 86-87, for order order and states on Capacia, Search of Thirlens.

- The Units Shall be contained in a burdling designated houselding 3 without basement and as Follows
  - aw Unit Arismocared in Dunkding Stand is a
  - theree bedroom, some story white without base ment
  - b Unit Blis Pocared in Burlding Swand is a tw Bedroom, come scory white without basement.

277 to 633

## 634 (c. + 277 m)

- unit C is Lucated In Building 3 and is a three-bedrooms one story Unit switchout bases were
- d. Unit D is ideated on Devident I and is a three-bedroom, one story quit without bush must.

the Unit licarious and discussions in Bailding 3 aremote forthermin(1) Accerticed in documents tiled instruct Beak 19, pages of go, records of and son Squaty, discount indicator

- The units should be contained in accombined.

  descripted on Austiday A without basement dollar.

  dollars.
  - Unit A is egg set in Aprilding agrandals are secretarily pathonic bass
  - Union Birs Docated in Aprildings A and Estative
    bedrooms one and one Laws Scory units waterout
    busements.

    Union Birs Docated in April Ldings A Farcus is at the
  - Email C. E.

    Bedfroom, one stated in Bunfaling 4 and as a seven

beethooms one Story Angle Tithout basements.
Unit alocations and domensions in Bundleing 4 promone pareicularly described in documents forbed in Elas Book 17, pages 60 call records for Madison County States of Friday.

- 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 willion basement.

The Unit Locations and dimensions for Building 5 are more particularly described in documents filed in Plan Book 17, pages 72-75, records of Madison County, State of Ludians.

- 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 Julilling 6-A and is a chief bedroom, one-story Unit without basement.
  - b: Univi B is located in Building 6 A and is a Chicesbedgoom, one Story Unit Without base ment
  - The Unit Pocasions and dimensions in Building of A sire more partricularity described in documents.

    folled in Plat Book 18, pages 66 to records of Madasons County, Inc. ma
- 7. The United shall be contained in as building.

designated as Building 7-A without basement and as follows:

- a. Unit A is located in Building 7-A and is a twobedroom, 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, records of Madison County, Indiana.
- 8. 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 twobedroom, one-story Unit without basement.
  - c. Unit C is located in Building 8 and is a twobedroom, 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 twobedroom, 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.

- 9. 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 twobedroom, 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 three-bedroom, one and one-hall 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 and 27, records of Madison County, State of Indiana.

- 10. 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.

- 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.

- 5. Item II D. of the Enabling Declaration shall hereafter read as follows:
  - D. Rescentage 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 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   | 0)  |
| Unit Identification  | Share   |
| Unit Identification  1-A 1-B 1-C 1-D 1-E 2-A 2-B 3-A 3-B 3-C 3-D | Share  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 %  2.7027 % |
| 4-A<br>4-B<br>4-C<br>4-D<br>5-A<br>5-B<br>6-A.A<br>6-A.B         | 2.7027<br>2.7027<br>2.7027<br>2.7027<br>2.7027<br>2.7027<br>2.7027<br>2.7027<br>2.7027  |
| 7-A.B<br>8-A<br>8-B<br>8-C<br>8-D<br>8-E<br>8-F                  | 2.7027*<br>2.7027*<br>2.70027*<br>2.70027*<br>2.70027*<br>2.70027*<br>2.70027*  |
| 9-A<br>9-B<br>9-D<br>10-A<br>10-B<br>10-C<br>10-D<br>10-E        | 2.7027 %<br>2.7027 %<br>2.7027 %<br>2.7027 %<br>2.7027 %<br>2.7027 %<br>2.7027 %<br>2.7027 %<br>2.7027 %  |

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

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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:

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 Pirst 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 Bushing 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 200 at pages 544-553; further amended by a Sixth Amendment to Hubbling 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 Elghith Amendment to Enabling Declaration recorded in said office on the 196-208; and further amended by a Ninth Amendment to Enabling Declaration recorded in said office on the Sabling Declaration recorded in said office on the Sabling Declaration recorded in said office on the Amendment to Minbling Declaration recorded in said \_ gath day of newerless, 1988.

- a survey consisting of two (2) sheets as prepared by Harold E. Smith & Associates, such sheets being dated the 45 day of November, 1988. 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 Sixth Amendment to Enabling Declaration; and Exhibit "C" to the Seventh Amendment to Enabling Declaration; and Exhibit "C" to the the Eighth Amendment to Enabling Declaration, and Exhibit "C" to this Ninth Amendment to Enabling Declaration, and Exhibit "C" to this Ninth Amendment to Enabling Declaration, and Exhibit "C" to
- 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 Emabling Declaration shall remain in full force and effect.

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

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

Oft W. Blanco By John D. Dievens

President

ATTEST:

John W. Blevins

Secretary

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STATE OF INDIANA )
COUNTY OF MADISON )

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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 band and notarial seal this 9th day of November,

My Commission Expires:

Notary Public

Resident of Madison County

045450

RECORDED FOR RESORD

At Live Control of the Control

NOV (9 1988

MADISON COUNTY RECEROER

PREPARED BY:

John M. Blevins, 2778-48 Attorney at lisw 205 West 8th Street Andersch, Lielana 46016 (327) 649-9201