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DULY ENTERED FOR TAXATION

DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR FOXCHASE, SECTION THREE

AUG 22 11 40 20845

COUNTY AUDITOR

CROSS REFERENCE

THIS DECLARATION, MADE ON THE DATE HEREINAFTER SET FORTH BY RICHARD ALLEN CORPORATION, AN INDIANA CORPORATION HEREINAFTER REFERRED TO AS "DECLARANT".

*Henry S. ...*

WITNESSETH:

WHEREAS, DECLARANT IS THE OWNER OF CERTAIN PROPERTY IN INDIANAPOLIS, MARION COUNTY, INDIANA, WHICH IS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

WHEREAS, DECLARANT IS THE OWNER OF A CERTAIN PROPERTY IN INDIANAPOLIS, MARION COUNTY, INDIANA, WHICH IS MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF. THE REAL ESTATE DESCRIBED IN EXHIBIT "A" IS INCLUDED WITHIN THE REAL ESTATE DESCRIBED IN EXHIBIT "B".

AND, THEREFORE, DECLARANT HEREBY DECLARES THAT ALL OF THE PROPERTIES DESCRIBED IN EXHIBIT "A" SHALL BE HELD, SOLD AND CONVEYED SUBJECT TO THE FOLLOWING EASEMENTS, RESTRICTIONS, COVENANTS AND CONDITIONS WHICH ARE FOR THE PURPOSE OF PROTECTING THE VALUE AND DESIRABILITY OF, AND WHICH SHALL RUN WITH THE REAL PROPERTY AND BE BINDING ON ALL PARTIES HAVING ANY RIGHT, TITLE OR INTEREST IN THE DESCRIBED PROPERTIES OR ANY PART THEREOF, THEIR HEIRS, SUCCESSORS AND ASSIGNS, AND SHALL INURE TO THE BENEFIT OF EACH OWNER THEREOF.

ARTICLE I

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NAME

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS FOXCHASE, A SUBDIVISION LOCATED IN LAWRENCE TOWNSHIP, MARION COUNTY, INDIANA.

ARTICLE II

DEFINITIONS

- "DECLARANT" SHALL MEAN RICHARD ALLEN CORPORATION, ITS SUCCESSORS AND ASSIGNS.
- "ASSOCIATION" SHALL MEAN AND REFER TO FOXCHASE HOMEOWNERS ASSOCIATION, INC., AN INDIANA NOT-FOR-PROFIT CORPORATION, ITS SUCCESSORS AND ASSIGNS.
- "OWNER" SHALL MEAN AND REFER TO THE RECORD OWNER, WHETHER ONE OR MORE PERSONS OR ENTITIES, OF A FEE SIMPLE TITLE TO ANY LOT WHICH IS A PART OF THE PROPERTIES, INCLUDING CONTRACT SELLERS, BUT EXCLUDING THOSE HAVING SUCH INTEREST MERELY AS SECURITY FOR THE PERFORMANCE OF AN OBLIGATION.
- "PROPERTIES" SHALL MEAN AND REFER TO THE CERTAIN REAL ESTATE DESCRIBED IN EXHIBIT "A" EXCEPT STREETS DEDICATED TO THE PUBLIC AND SUCH ADDITIONS THERETO AS MAY HEREAFTER BE BROUGHT WITHIN THE JURISDICTION OF THE ASSOCIATION.
- "PLAT" SHALL MEAN AND REFER TO THE CONDITIONAL FINAL PLAT OF FOXCHASE AS APPROVED BY THE METROPOLITAN PLAN COMMISSION OF INDIANAPOLIS AND RECORDED IN THE MARION COUNTY, INDIANA, RECORDER'S OFFICE.
- "FINAL PLAT" SHALL MEAN AND REFER TO THAT PORTION OF THE CONDITIONAL FINAL PLAT WHICH SHOWS THE FINAL LOCATION OF A LOT OR LOTS AND AS APPROVED BY THE PLAT COMMITTEE OF THE METROPOLITAN

RECEIVED FOR RECORD  
METROPOLITAN PLAN  
COMMISSION  
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CROSS REFERENCE

DEVELOPMENT COMMISSION AND RECORDED IN THE MARION COUNTY, INDIANA RECORDER'S OFFICE.

7. "LOT" SHALL MEAN AND REFER TO ANY PLATTED LOT AS SHOWN ON A RECORDED FINAL PLAT OF FOXCHASE SECTION ONE AND ON ANY OTHER SECTIONS ADDED THERETO AS MAY HEREAFTER BE BROUGHT WITHIN THE JURISDICTION OF THE ASSOCIATION.
8. "DWELLING" SHALL MEAN AND REFER TO A SINGLE FAMILY RESIDENCE ERECTED ON A LOT WITHIN THE PROPERTIES.
9. "DEVELOPMENT PLAN" SHALL MEAN AND REFER TO THE REAL ESTATE DESCRIBED IN EXHIBIT "B", AND SHOWS THE TOTAL GENERAL SCHEME OF INTENDED USES OF THE LAND AS SHOWN IN EXHIBIT "C", AS THE SAME MAY BE AMENDED FROM TIME TO TIME.
10. "SECTION" SHALL MEAN AND REFER TO THE SECTION OF CONDITIONAL FINAL PLAT APPROVAL A SECTION OF FOXCHASE SUBDIVISION AS APPROVED BY THE PLAT COMMITTEE OF THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA, AS MORE PARTICULARLY ILLUSTRATED AS THE CONDITIONAL FINAL PLAT APPROVED BY SAID PLAT COMMITTEE. A SECTION CONTAINS A GROUP OF LOTS CONTAINED WITHIN A SECTION.
11. "LIMITED COMMON AREA" SHALL MEAN AND REFER TO ALL THE REAL ESTATE (INCLUDING IMPROVEMENTS THERETO) OWNED BY THE ASSOCIATION BUT RESTRICTED IN USE TO THE LOT APPURTENANT THERETO SUCH AS PATIOS, DRIVEWAYS AND PARKING AREAS, AND MORE PARTICULARLY IDENTIFIED BY DESIGNATION ON THE FINAL PLAT.
12. "INITIAL COMMON AREA" SHALL MEAN AND REFER TO THE REAL ESTATE ADJACENT TO THE LOT AREA AS SHOWN ON THE AS FINAL PLAT.
13. "COMMON AREA" SHALL MEAN AND REFER TO ALL THE REAL ESTATE (INCLUDING IMPROVEMENTS THERETO) OWNED BY THE ASSOCIATION FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS. THE COMMON AREA SHALL INCLUDE THE COMMON AREA AS SHOWN ON THE CONDITIONAL FINAL PLAT, THE LIMITED COMMON AREA, AND THE INITIAL COMMON AREA.
15. "BOARD OF DIRECTORS" SHALL MEAN AND REFER TO THE BOARD OF DIRECTORS OF THE ASSOCIATION.
16. "BY-LAWS" SHALL MEAN AND REFER TO THE BY-LAWS PROMULGATED AND ADOPTED AS THE GOVERNING RULES AND REGULATIONS OF THE ASSOCIATION.

ARTICLE III

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PROPERTY RIGHTS

1. OWNERS EASEMENTS OF ENJOYMENT: EVERY OWNER SHALL HAVE A RIGHT AND EASEMENT OF ENJOYMENT IN AND TO THE COMMON AREAS WHICH SHALL BE APPURTENANT TO AND SHALL PASS WITH THE TITLE OF EVERY LOT, SUBJECT TO THE FOLLOWING PROVISIONS:
  - A. THE RIGHT OF THE ASSOCIATION TO SUSPEND THE VOTING RIGHTS AND RIGHT TO USE OF THE COMMON AREAS BY ANY MEMBER FOR ANY PERIOD DURING WHICH ANY ASSESSMENT AGAINST THAT OWNER'S LOT REMAINS UNPAID; AND FOR A PERIOD NOT TO EXCEED SIXTY (60) DAYS FOR ANY INFRACTION OF THE ASSOCIATION'S PUBLISHED RULES AND REGULATIONS.
  - B. THE RIGHT OF THE ASSOCIATION TO PROMULGATE REASONABLE RULES AND REGULATIONS GOVERNING THE USE OF THE COMMON AREAS.
2. DELEGATION OF USE: ANY OWNER MAY DELEGATE, IN ACCORDANCE WITH THE BY-LAWS, HIS RIGHT OF ENJOYMENT TO THE COMMON AREAS TO THE MEMBERS OF HIS FAMILY, HIS TENANTS, GUESTS, OR CONTRACT PURCHASERS WHO RESIDE ON A LOT, SUBJECT TO REASONABLE REGULATIONS ADOPTED BY THE ASSOCIATION.

3. PROPERTY SUBJECT TO DECLARATION: THE PROPERTIES WHICH ARE, AND SHALL BE, HELD, CON "D, HYPOTHECATED OR ENCUMBERED, SOLD, LEASED, RENTED, USED, OCCUPIED, AND IMPROVED SUBJECT TO THIS DECLARATION ARE LOCATED IN MARION COUNTY, STATE OF INDIANA, AND ARE MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART THEREOF.

#### ARTICLE IV

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#### DECLARANT RIGHTS

1. ADDITIONS: DECLARANT ANTICIPATES THAT IT WILL SELL ADDITIONAL LOTS OR CONSTRUCT ADDITIONAL DWELLING UNITS ON ADDITIONAL SECTIONS BY EXPANSION WITHIN THE PROPERTIES ALL OR PART OF WHICH MAY BE ADDED IN THE MANNER SET FORTH HEREINAFTER. ADDED REAL ESTATE MAY BECOME SUBJECT TO THIS DECLARATION IN THE FOLLOWING MANNER:

A. ADDITIONS BY THE DECLARANT: DECLARANT SHALL HAVE THE RIGHT TO SUBJECT TO THE DECLARATION BY EXPANSION ANY ADDITIONAL REAL ESTATE WHICH LIES WITHIN THE AREA DESCRIBED IN EXHIBIT "B" AS IT MAY BE AMENDED FROM TIME TO TIME.

B. OTHER ADDITIONS: ADDITIONAL REAL ESTATE, OTHER THAN THAT DESCRIBED ABOVE, MAY BE ANNEXED TO THE PROPERTIES UPON APPROVAL OF TWO-THIRDS (2/3) OF THE VOTES OF A QUORUM OF OWNERS. A QUORUM OF OWNERS SHALL CONSTITUTE MORE THAN ONE-HALF (1/2) OF THE OWNERS.

THE ADDITIONS AUTHORIZED UNDER SUBSECTION A. AND B. SHALL BE MADE BY FILING OF RECORD ONE OR MORE SUPPLEMENTARY DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS WITH RESPECT TO THE ADDITIONAL PROPERTY.

2. MERGER: IN ACCORDANCE WITH ITS ARTICLES OF INCORPORATION, THE PROPERTY, RIGHTS, AND OBLIGATIONS OF THE ASSOCIATION MAY, BY OPERATION OF LAW, BE TRANSFERRED TO ANOTHER SURVIVING OR CONSOLIDATED ASSOCIATION SIMILAR IN CORPORATE NATURE AND PURPOSES OR, ALTERNATIVELY, THE PROPERTIES, RIGHTS AND OBLIGATIONS OF AN ASSOCIATION SIMILAR IN CORPORATE NATURE AND PURPOSES MAY, BY OPERATION OF LAW, BE ADDED TO THE PROPERTY, RIGHTS AND OBLIGATIONS OF THE ASSOCIATION AS A SURVIVING CORPORATION PURSUANT TO A MERGER. THE SURVIVING OR CONSOLIDATED ASSOCIATION MAY ADMINISTER THE COVENANTS AND RESTRICTIONS ESTABLISHED UPON ANY OTHER PROPERTIES AS ONE SCHEME. NO SUCH MERGER OR CONSOLIDATION, HOWEVER, SHALL EFFECT ANY REVOCATION, CHANGE OR ADDITION TO THE COVENANTS ESTABLISHED BY THIS DECLARATION EXCEPT AS HEREINAFTER PROVIDED. EXCEPT AS PROVIDED BY LAW, SUCH MERGER OR CONSOLIDATION SHALL HAVE THE ASCENT OF SEVENTY-FIVE PERCENT (75%) OF THE VOTES OF A QUORUM OF OWNERS.

3. USE OF PROPERTY: DECLARANT RESERVES THE RIGHT TO USE ANY OF THE LOTS AS MODELS AND TO SELL, ASSIGN OR CONDUCT OTHER BUSINESSES IN CONNECTION WITH THE CONSTRUCTION AND DEVELOPMENT OF THE PROJECT FROM ANY OF SUCH LOTS PRIOR TO THEIR BEING SOLD. THIS RESERVATION OF RIGHT OR PRIVILEGE IN DECLARANT INCLUDES, BUT IS NOT LIMITED TO, THE RIGHT TO MAINTAIN MODELS, ERECT SIGNS, MAINTAIN AN OFFICE, STAFF THE OFFICE WITH EMPLOYEES, AND TO SHOW LOTS THEN UNSOLD. DECLARANT RETAINS THE RIGHT TO BE CONSIDERED AN OWNER OF ANY LOT THAT REMAINS UNSOLD. DECLARANT ALSO RESERVES THE RIGHT TO MAKE CHANGES IN THE LOCATION OR MANNER OF CONSTRUCTION OF BUILDINGS AND OTHER IMPROVEMENTS.

#### ARTICLE V

#### DEVELOPMENT AND CONVEYANCE

1. DEVELOPMENT PLAN: THE DEVELOPMENT PLAN, ILLUSTRATED IN EXHIBIT "C", IS THE GENERAL DESIGN FOR THE DEVELOPMENT OF THE PROPERTIES WHICH MAY BE MODIFIED AND AMENDED, AS PROVIDED HEREIN,

DURING THE SEVERAL YEARS REQUIRED TO BUILD THE COMMUNITY. THE DECLARANT IS NOT BOUND TO DEVELOP ANY ADDITIONAL SECTIONS. THE DECLARANT HEREBY RESERVES THE RIGHT TO AMEND THE DEVELOPMENT PLAN IN RESPONSE TO CHANGES IN TECHNOLOGICAL, ECONOMIC, ENVIRONMENTAL OR SOCIAL CONDITIONS RELATED TO THE DEVELOPMENT OR MARKETING OF THE PROPERTIES OR TO CHANGES IN REQUIREMENTS OF FINANCIAL INSTITUTIONS.

2. CONVEYANCE: THE LOTS SHALL BE CONVEYED BY MEANS OF A FEE SIMPLE TITLE.

3. TITLE TO INITIAL COMMON AREA: THE DECLARANT SHALL CONVEY THE INITIAL COMMON AREA AS SHOWN ON A FINAL PLAT TO THE ASSOCIATION BY MEANS OF A FEE SIMPLE TITLE PRIOR TO THE CONVEYANCE OF THE LOT ADJACENT TO THE INITIAL COMMON AREA.

#### ARTICLE VI

#### MEMBERSHIP

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THE ASSOCIATION SHALL HAVE TWO CLASSES OR MEMBERSHIP:

1. CLASS "A": CLASS "A" MEMBERS SHALL BE ALL OWNERS OF LOTS WITHIN THE PROPERTIES WITH THE EXCEPTION OF THE DECLARANT AND SHALL BE ENTITLED TO ONE VOTE FOR EACH LOT OWNED. WHEN MORE THAN ONE PERSON OR ENTITY HOLDS AN INTEREST IN ANY LOT DURING ANY PERIOD OR MEMBERSHIP, ALL SUCH PERSONS SHALL BE MEMBERS. THE VOTE FOR SUCH LOT SHALL BE EXERCISED AS THEY AMONG THEMSELVES DETERMINE, BUT IN NO EVENT SHALL MORE THAN ONE VOTE BE CAST WITH RESPECT TO ANY LOT.

2. CLASS "B": CLASS "B" MEMBERS SHALL BE THE DECLARANT WHO SHALL BE ENTITLED TO THREE (3) VOTES FOR EACH PLATTED AND UNPLATTED LOT OWNED AS SHOWN ON THE DEVELOPMENT PLAN AND THE MEMBERS OF THE FIRST BOARD OF DIRECTORS DURING THEIR RESPECTIVE TERMS, WHO SHALL HAVE NO VOTING RIGHTS. CLASS "B" MEMBERSHIP OF DECLARANT SHALL EXPIRE AT SUCH TIME AS THE NUMBER OF CLASS "A" VOTES EQUALS THE NUMBER OF CLASS "B" VOTES OR JANUARY 1, 1991, WHICHEVER FIRST OCCURS. ALL PLATTED OR UNPLATTED LOTS OWNED BY THE DECLARANT UPON THE TERMINATION OF CLASS "B" MEMBERSHIP SHALL BE AUTOMATICALLY CONVERTED TO CLASS "A" MEMBERSHIP.

#### ARTICLE VII

#### COVENANT FOR MAINTENANCE ASSESSMENTS

1. CREATION OF THE LIENS AND OBLIGATIONS FOR ASSESSMENTS: EACH LOT OWNER WITHIN THE PROPERTIES, AND EACH OWNER OF ANY LOT BY ACCEPTANCE OF A DEED THEREOF, WHETHER OR NOT IT SHALL BE SO EXPRESSED IN SUCH DEED, IS DEEMED TO COVENANT AND AGREE, TO PAY TO THE ASSOCIATION SUCH ANNUAL AND SPECIAL ASSESSMENTS AS ARE ESTABLISHED HEREIN AND WHICH ARE TO BE PAID IN THE MANNER HEREINAFTER PROVIDED.

THE ANNUAL AND SPECIAL ASSESSMENTS (AS HEREINAFTER DEFINED), TOGETHER WITH SUCH REASONABLE LATE FEES AS MAY BE LEVIED, INTEREST, COSTS OF COLLECTION (INCLUDING COURT COSTS AND ATTORNEY FEES) AS HEREINAFTER PROVIDED, SHALL BE A CHARGE ON THE LAND AND SHALL BE A CONTINUING LIEN UPON THE PROPERTY AGAINST WHICH EACH SUCH ASSESSMENT IS MADE. EACH SUCH ASSESSMENT, TOGETHER WITH LATE FEES, INTEREST AND COSTS OF COLLECTION, SHALL ALSO BE THE PERSONAL OBLIGATION OF THE OWNER OF SUCH PROPERTY. IN THE CASE OF A VOLUNTARY CONVEYANCE, THE GRANTEE SHALL BE JOINTLY AND SEVERALLY LIABLE WITH THE GRANTOR FOR ANY UNPAID ASSESSMENTS AND/OR CHARGES. NO OWNER MAY WAIVE OR OTHERWISE ESCAPE LIABILITY FOR THE ASSESSMENTS PROVIDED FOR HEREIN BY NON-USE OF THE COMMON AREA OR ABANDONMENT OF HIS LOT.

2. ANNUAL ASSESSMENTS:

(A) PURPOSE: THE ANNUAL ASSESSMENT SHALL BE USED EXCLUSIVELY TO PROVIDE SERVICES TO MEMBERS WHICH PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE MEMBERS; AND TO IMPROVE, MAINTAIN, AND OPERATE THE COMMON AREAS AND IMPROVEMENTS, INCLUDING FUNDING OF APPROPRIATE RESERVES FOR FUTURE REPAIR AND REPLACEMENT.

(B) MAXIMUM ANNUAL ASSESSMENT: UNTIL JANUARY 1 OF THE YEAR IMMEDIATELY FOLLOWING THE CONVEYANCE OF THE FIRST LOT TO AN OWNER, THE MAXIMUM ANNUAL ASSESSMENT SHALL BE FORTY-NINE DOLLARS (\$49.00) PER LOT.

FROM AND AFTER JANUARY 1 OF THE YEAR IMMEDIATELY FOLLOWING THE CONVEYANCE OF THE FIRST LOT TO AN OWNER, THE MAXIMUM ANNUAL ASSESSMENT MAY BE INCREASED EACH YEAR NOT MORE THAN 10% ABOVE THE MAXIMUM ASSESSMENT FOR THE PREVIOUS YEAR WITHOUT A VOTE OF THE MEMBERSHIP.

FROM AND AFTER JANUARY 1 OF THE YEAR IMMEDIATELY FOLLOWING THE CONVEYANCE OF THE FIRST LOT TO AN OWNER, THE MAXIMUM ANNUAL ASSESSMENT MAY BE INCREASED ABOVE 10% BY A VOTE OF TWO-THIRDS (2/3) OF EACH CLASS OF MEMBERS WHO ARE VOTING IN PERSON OR BY PROXY, AT A MEETING DULY CALLED FOR THIS PURPOSE.

THE BOARD OF DIRECTORS MAY FIX THE ANNUAL ASSESSMENT AT AN AMOUNT NOT IN EXCESS OF THE MAXIMUM.

THE FIRST ANNUAL ASSESSMENTS PROVIDED FOR HEREIN SHALL COMMENCE ON THE FIRST DAY OF THE MONTH FOLLOWING THE CONVEYANCE OF A LOT IN A FINAL PLAT TO AN OWNER OTHER THAN DECLARANT.

3. SPECIAL ASSESSMENTS:

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(A) CAPITAL IMPROVEMENT ASSESSMENT: THE ASSOCIATION MAY LEVY IN ANY ASSESSMENT YEAR A SPECIAL ASSESSMENT AGAINST LOTS, APPLICABLE TO THAT YEAR AND PAYABLE OVER NOT MORE THAN THE NEXT THREE (3) SUCCEEDING YEARS, FOR THE PURPOSE OF DEFRAYING, IN WHOLE OR IN PART, THE COST OF ANY CONSTRUCTION, RECONSTRUCTION, REPAIR OR REPLACEMENT OF A CAPITAL IMPROVEMENT OR MAJOR LANDSCAPING EFFORT UPON THE COMMON AREAS PROVIDED THAT ANY SUCH ASSESSMENT SHALL HAVE THE ASSENT OF THE CLASS "B" MEMBERS, IF ANY, AND OF TWO-THIRDS (2/3) OF THE VOTES OF A QUORUM OF OWNERS.

(B) RESTORATION ASSESSMENT: THE ASSOCIATION MAY LEVY A RESTORATION ASSESSMENT UPON ANY LOT WHEN THE OWNER FAILS TO MAINTAIN SUCH LOT, AS PROVIDED IN ARTICLE 8. RESTORATION ASSESSMENTS SHALL BE LIMITED TO THE AMOUNT NECESSARY TO MEET THE COST OF RESTORATION AND THE COST OF COLLECTION THEREOF.

4. EXEMPT PROPERTY: THE FOLLOWING PROPERTY SUBJECT TO THIS DECLARATION SHALL BE EXEMPTED FROM THE ASSESSMENTS, CHARGES AND LIENS CREATED HEREIN:

(A) ALL PROPERTIES TO THE EXTENT OF ANY EASEMENT OR OTHER INTEREST THEREIN DEDICATED AND ACCEPTED BY A PUBLIC AUTHORITY AND DEVOTED TO PUBLIC USE.

(B) ALL COMMON AREAS.

(C) ALL PROPERTIES EXEMPTED FROM TAXATION BY THE STATE OR CITY GOVERNMENT UPON THE TERMS AND TO THE EXTENT OF SUCH LEGAL EXEMPTION.

NOTWITHSTANDING ANY PROVISIONS HEREIN, NO OCCUPIED LOTS SHALL BE EXEMPT FROM SAID ASSESSMENTS, CHARGES OR LIENS.

5. NOTICE AND QUORUM FOR ANY ACTION AUTHORIZED UNDER SECTIONS 2 AND 3: WRITTEN NOTICE OF ANY MEETING CALLED FOR THE PURPOSE

OF TAKING ANY ACTION AUTHORIZED UNDER SECTION 2 OR 3 SHALL BE SENT TO ALL MEMBERS NOT LESS THAN THIRTY (30) DAYS NOR MORE THAN SIXTY (60) DAYS IN ADVANCE OF THE MEETING. AT THE FIRST SUCH MEETING CALLED, THE PRESENCE OF MEMBERS OR OF PROXIES ENTITLED TO CAST SIXTY PERCENT (60%) OF ALL THE VOTES OF EACH CLASS OF MEMBERSHIP SHALL CONSTITUTE A QUORUM. IF THE REQUIRED QUORUM IS NOT PRESENT, ANOTHER MEETING MAY BE CALLED SUBJECT TO THE SAME NOTICE REQUIREMENT, AND THE REQUIRED QUORUM AT THE SUBSEQUENT MEETING SHALL BE ONE-HALF (1/2) OF THE REQUIRED QUORUM AT THE PRECEDING MEETING. NO SUCH SUBSEQUENT MEETING SHALL BE HELD MORE THAN SIXTY (60) DAYS FOLLOWING THE PRECEDING MEETING.

6. UNIFORM RATE OF ASSESSMENT: BOTH THE ANNUAL AND SPECIAL ASSESSMENTS MUST BE FIXED AT A UNIFORM RATE FOR ALL LOTS AND MAY BE COLLECTED ON A MONTHLY BASIS.

7. EFFECT OF NONPAYMENT OF ASSESSMENTS AND REMEDIES OF THE ASSOCIATION: ANY ASSESSMENT NOT PAID WITHIN THIRTY (30) DAYS AFTER THE DUE DATE SHALL BEAR INTEREST FROM THE DUE DATE AT THE RATE OF 15 PERCENT PER ANNUM. THE ASSOCIATION MAY BRING AN ACTION AT LAW AGAINST THE OWNER PERSONALLY OBLIGATED TO PAY THE SAME, OR FORECLOSE THE LIEN AGAINST THE PROPERTY. NO OWNER MAY WAIVE OR OTHERWISE ESCAPE LIABILITY FOR THE ASSESSMENTS PROVIDED FOR HEREIN BY NON-USE OF THE COMMON AREA OR ABANDONMENT OF HIS LOT.

8. SUBORDINATION OF THE LIEN TO MORTGAGES: THE LIEN OF THE ASSESSMENTS PROVIDED FOR HEREIN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE. SALE OR TRANSFER OF ANY LOT SHALL NOT AFFECT THE ASSESSMENT LIEN. HOWEVER, THE SALE OR TRANSFER OF ANY LOT PURSUANT TO MORTGAGE FORECLOSURE OR ANY PROCEEDING IN LIEN THEREOF, SHALL EXTINGUISH THE LIEN OF SUCH ASSESSMENTS AS TO PAYMENTS WHICH BECAME DUE PRIOR TO SUCH SALE OR TRANSFER SHALL RELIEVE SUCH LOT FROM LIABILITY FOR AND ASSESSMENTS THEREAFTER BECOMING DUE OR FROM THE LIEN THEREOF.

#### ARTICLE VIII

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#### MAINTENANCE

1. EXTERIOR MAINTENANCE: IN ADDITION TO MAINTENANCE UPON THE COMMON AREA, THE ASSOCIATION SHALL PROVIDE EXTERIOR MAINTENANCE UPON EACH LOT WHICH IS SUBJECT TO ASSESSMENT HEREUNDER, AS FOLLOWS: PAINT, REPAIR, REPLACEMENT AND CARE FOR ROOFS, GUTTERS, DOWNSPOUTS, EXTERIOR BUILDING SURFACES, THE EXTERIOR OF APPROVED FENCING, TREES, SHRUBS, WALKS AND OTHER EXTERIOR IMPROVEMENTS. SUCH EXTERIOR MAINTENANCE SHALL NOT INCLUDE GLASS SURFACES. IN THE EVENT THE NEED FOR MAINTENANCE OR REPAIR OF A LOT OR THE IMPROVEMENT THEREON IS CAUSED THROUGH THE WILLFUL OR NEGLIGENT ACT OF ITS OWNER, OR THROUGH THE WILLFUL OR NEGLIGENT ACT OF THE FAMILY, GUESTS, OR INVITEES OF THE LOT NEEDING SUCH MAINTENANCE OR REPAIR, THE COST OF SUCH EXTERIOR MAINTENANCE SHALL BE ADDED TO AND BECOME A PART OF THE ASSESSMENT TO WHICH SUCH LOT IS SUBJECT.

2. MAINTENANCE BY OWNERS: THE OWNER OF EACH LOT SHALL FURNISH AND BE RESPONSIBLE FOR, AT HIS OWN EXPENSE, ALL THE MAINTENANCE, REPAIRS, DECORATING AND REPLACEMENTS WITH HIS RESIDENCE, INCLUDING THE HEATING AND AIR CONDITIONING SYSTEM AND ANY PARTITIONS AND INTERIOR WALLS. HE FURTHER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF ALL WINDOWS AND ALSO THE INTERIOR OF ANY FENCED LIMITED COMMON AREA, AND ANY AND ALL OTHER MAINTENANCE, REPAIR, AND REPLACEMENTS OF THE IMPROVEMENTS ON HIS LOT UNLESS OTHERWISE PROVIDED HEREIN.

ARTICLE IX

INSURANCE

1. MASTER CASUALTY INSURANCE: THE ASSOCIATION SHALL PURCHASE A MASTER CASUALTY INSURANCE POLICY ON ALL ATTACHED DWELLINGS AFFORDING FIRE AND EXTENDED COVERAGE IN AN AMOUNT CONSONANT WITH THE REASONABLE REPLACEMENT VALUE OF THE IMPROVEMENTS THAT IN WHOLE OR IN PART COMPRISE THE COMMON AREA FACILITIES AND ATTACHED DWELLINGS, PAID AS A PART OF THE COMMON EXPENSE.
2. MASTER LIABILITY POLICY: THE BOARD OF DIRECTORS, IN BEHALF OF THE OWNERS THROUGH THE ASSOCIATION OF OWNERS, SHALL ALSO PURCHASE A MASTER LIABILITY POLICY IN AN AMOUNT REQUIRED BY THE BY-LAWS OR REVISED FROM TIME TO TIME BY A DECISION OF THE BOARD OF DIRECTORS, WHICH POLICY SHALL COVER THE ASSOCIATION OF OWNERS, THE EXECUTIVE ORGAN, IF ANY, THE MANAGING AGENT, IF ANY ALL PERSONS ACTING OR WHO MAY COME TO ACT AS AGENTS OR EMPLOYEES OF ANY OF THE FOREGOING WITH RESPECT TO THE PROPERTIES, ALL OWNERS AND ALL OTHER PERSONS ENTITLED TO OCCUPY ANY ATTACHED OR DETACHED DWELLING OR OTHER PORTIONS OF THE PROPERTIES.
3. OTHER INSURANCE POLICIES: SUCH OTHER POLICIES AS MAY BE REQUIRED IN THE INTEREST OF THE OWNERS AND THE ASSOCIATION MAY BE OBTAINED BY THE BOARD OF DIRECTORS FOR THE ASSOCIATION, INCLUDING, WITHOUT LIMITATION, WORKMEN'S COMPENSATION INSURANCE, LIABILITY INSURANCE ON MOTOR VEHICLES OWNED BY THE ASSOCIATION, AND SPECIALIZED POLICIES COVERING LANDS OR IMPROVEMENTS ON WHICH THE ASSOCIATION HAS OR SHARED OWNERSHIP OR OTHER RIGHTS AND OFFICERS' AND DIRECTORS' LIABILITY POLICIES.
4. NOTIFICATION OF OWNERS: WHEN ANY POLICY OF INSURANCE HAS BEEN OBTAINED BY OR ON BEHALF OF THE ASSOCIATION, WRITTEN NOTICE OF THE OBTAINMENT THEREOF AND OF ANY SUBSEQUENT CHANGES THEREIN OR TERMINATION THEREOF SHALL BE PROMPTLY FURNISHED TO EACH OWNER WHOSE INTEREST MAY BE AFFECTED THEREBY BY THE OFFICER REQUIRED TO SEND NOTICES OF MEETINGS OF THE ASSOCIATION.
5. DAMAGE OR DESTRUCTION: IN THE CASE OF FIRE OR ANY OTHER CASUALTY OR DISASTER, OTHER THAN COMPLETE DESTRUCTION OF ALL BUILDINGS CONTAINING THE DWELLINGS, THE IMPROVEMENTS SHALL BE RECONSTRUCTED AND THE INSURANCE PROCEEDS APPLIED TO RECONSTRUCT THE IMPROVEMENTS.

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IN THE EVENT OF COMPLETE DESTRUCTION OF ALL OF THE BUILDINGS CONTAINING DWELLINGS, THE BUILDINGS SHALL NOT BE RECONSTRUCTED, EXCEPT AS OTHERWISE PROVIDED, AND THE INSURANCE PROCEEDS, IF ANY, SHALL BE DIVIDED AMONG THE OWNERS PROPORTIONATELY ACCORDING TO THE FAIR MARKET VALUE OF ALL THE DWELLINGS IMMEDIATELY BEFORE THE CASUALTY AS COMPARED WITH ALL OTHER DWELLINGS.

A DETERMINATION OF COMPLETE DESTRUCTION OF THE BUILDINGS CONTAINING DWELLINGS SHALL BE DETERMINED BY A VOTE OF TWO-THIRDS (2/3) OF ALL OWNERS AT A SPECIAL MEETING OF THE ASSOCIATION CALLED FOR THAT PURPOSE.

WHERE THE IMPROVEMENTS ARE NOT INSURED OR WHERE THE INSURANCE PROCEEDS ARE NOT SUFFICIENT TO COVER THE COST OF REPAIR OR RECONSTRUCTION AND THE PROPERTY IS NOT TO BE REMOVED FROM THIS DECLARATION, THE OWNERS SHALL CONTRIBUTE THE BALANCE OF ANY SUCH COSTS IN THE PERCENTAGE BY WHICH AN OWNER OWNS AN UNDIVIDED INTEREST IN THE COMMON AREAS AND FACILITIES AS EXPRESSED IN THE DECLARATION PLUS AN EQUITABLE ALLOCATION OF THE SALES PRICE OR EACH DWELLING DESTROYED AS COMPARED TO THE TOTAL COST OR REPLACEMENT OF ALL DESTROYED BUILDINGS. SUCH AMOUNT SHALL BE ASSESSED AS PART OF THE COMMON EXPENSES AND SHALL CONSTITUTE A LIEN FROM THE TIME OF ASSESSMENT.

ARTICLE X

TAXES

EACH OWNER SHALL PAY ALL INSTALLMENTS OF REAL ESTATE TAXES ON THE LOT, OR LOTS, OWNED BY HIM. IN THE EVENT THAT ANY INSTALLMENT OF SUCH TAXES BECOMES DELINQUENT, THEN THE ASSOCIATION SHALL HAVE THE RIGHT TO PAY SUCH INSTALLMENTS, AND ANY AMOUNT SO PAID BY THE ASSOCIATION SHALL BECOME A LIEN ON SUCH OWNER'S PROPERTY.

ARTICLE XI

PARTY WALLS

1. GENERAL RULES OF LAW AND DEFINITION: EACH WALL WHICH IS BUILT AS A PART OF THE ORIGINAL CONSTRUCTION OF THE DWELLING UPON THE PROPERTIES AND PLACED ON THE DIVIDING LINE BETWEEN THE LOTS SHALL CONSTITUTE A PARTY WALL, TO THE EXTENT NOT INCONSISTENT WITH THE PROVISIONS OF THIS ARTICLE, THE GENERAL RULES OF LAW OF THE STATE OF INDIANA REGARDING PARTY WALLS AND LIABILITY FOR PROPERTY DAMAGE DUE TO NEGLIGENCE OR WILLFUL ACTS OR OMISSIONS SHALL APPLY THERETO.
2. SHARING OF REPAIR AND MAINTENANCE: THE COST OF REASONABLE REPAIR AND MAINTENANCE OF A PARTY WALL SHALL BE SHARED BY THE OWNERS WHO MADE USE OF THE WALL IN PROPORTION OF SUCH USE.
3. DESTRUCTION BY FIRE OR OTHER CASUALTY: IF A PARTY WALL IS DESTROYED OR DAMAGED BY FIRE OR OTHER CASUALTY, ANY OWNER WHO HAS USED THE WALL MAY RESTORE IT, AND IF THE OTHER OWNERS THEREAFTER MAKE USE OF THE WALL, THEY SHALL CONTRIBUTE TO THE COST OF RESTORATION THEREOF IN PROPORTION TO SUCH USE WITHOUT PREJUDICE, HOWEVER, TO THE RIGHT OF ANY SUCH OWNERS TO CALL FOR A LARGER CONTRIBUTION FROM THE OTHERS UNDER ANY RULE OF LAW REGARDING LIABILITY FOR NEGLIGENT OR WILLFUL ACTS OR OMISSIONS.
4. WEATHERPROOFING: NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN OWNER WHO BY HIS NEGLIGENT OR WILLFUL ACT CAUSES THE PARTY WALL TO BE EXPOSED TO THE ELEMENTS SHALL BEAR THE WHOLE COST OF FURNISHING THE NECESSARY PROTECTION AGAINST SUCH ELEMENTS.
5. RIGHT TO CONTRIBUTION RUNS WITH THE LAND: THE RIGHT OF ANY OWNER TO CONTRIBUTION FROM ANY OTHER OWNER UNDER THIS ARTICLE SHALL BE APPURTENANT TO THE LAND AND SHALL PASS TO SUCH OWNER'S SUCCESSORS IN TITLE.
6. ARBITRATION: IN THE EVENT OF ANY DISPUTE ARISING CONCERNING A PARTY WALL, OR UNDER THE PROVISIONS OF THIS ARTICLE, THE BOARD OF DIRECTORS SHALL CHOOSE THREE (3) ARBITRATORS AND THE DECISION SHALL BE BY A MAJORITY OF ALL THE ARBITRATORS.

ARTICLE XII

EASEMENTS

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1. BY DECLARANT: DECLARANT HEREBY RESERVES AN EASEMENT UNTO ITSELF AND HEREBY RESERVES UNTO ITSELF THE RIGHT TO SELL, CONVEY, TRANSFER AND GRANT AN EASEMENT OR EASEMENTS AND RIGHTS-OF-WAY ACROSS AND THROUGH THE COMMON AREAS FOR THE PURPOSE OF INSTALLING DITCHES, TILES, PIPES AND OTHER TYPES OF DRAINS, SEWERS AND SEWER LINES, UTILITY LINES, DUCTS, WIRES, PIPES AND THE LIKE AND PROVIDING ACCESS RIGHTS FROM ONE SUBDIVISION TO ANOTHER OR BETWEEN SUBDIVISIONS OR FOR ANY SUBDIVISION. DECLARANT FURTHER



RESERVES UNTO ITSELF THE RIGHT TO DEDICATE ANY PORTION OF THE COMMON AREAS OR ANY UTILITY LINES SEWER, DRAIN, ROADWAY OR THE LIKE TO ANY GOVERNMENTAL BODY, MUNICIPALITY, UTILITY OR THE LIKE, INCLUDING THE RIGHT TO DEDICATE PUBLIC STREETS AND ROADS. THE INTEREST OF EACH MEMBER OF THE ASSOCIATION IN THE COMMON AREAS SHALL BE AND IS SUBJECT TO THE EASEMENTS AND RIGHTS HEREBY CREATED AND SHALL BE AND IS SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES WHO SERVICE THE UTILITIES AND EASEMENTS HEREBY CREATED OR HEREAFTER GRANTED. ANY SUCH GRANT BY DECLARANT SHALL BE BY RECORDED INSTRUMENT AND, ON AND AFTER THE RECORDATION THEREOF, NO PERMANENT STRUCTURE OF ANY KIND SHALL BE BUILT, ERECTED OR MAINTAINED ON ANY SUCH EASEMENT UNLESS OTHERWISE AGREED OR ALLOWED BY THE GRANTEE THEREOF. THIS RIGHT OF DECLARANT SHALL EXPIRE AT SUCH TIME AS DECLARANT NO LONGER RETAINS ANY OWNERSHIP INTEREST IN THE PROPERTIES OF FIVE YEARS AFTER THE FILING OF ANY SUPPLEMENTARY DECLARATION, WHICHEVER FIRST OCCURS.

2. BY THE ASSOCIATION: SUBJECT TO THE EASEMENTS AND RIGHTS SPECIFIED BY DECLARANT HEREIN, THE ASSOCIATION SHALL HAVE THE RIGHT TO SELL, CONVEY, TRANSFER AND GRANT EASEMENTS AND RIGHTS-OF-WAY ACROSS AND THROUGH THE COMMON AREAS TO ANY PUBLIC AGENCY, AUTHORITY OR UTILITY FOR SUCH PURPOSES AND SUBJECT TO SUCH CONDITIONS AS MAY BE AGREED TO BY THE MEMBERS. SUCH SALE, CONVEYANCE, TRANSFER, GRANT OR DEDICATION SHALL HAVE THE ASSENT OF A MAJORITY OF THE VOTES OF THE MEMBERS WHO ARE VOTING IN PERSON OR BY PROXY AT A MEETING DULY CALLED FOR SUCH PURPOSE: PROVIDED, HOWEVER, TERMS AND PROVISIONS HEREOF REGARDING SUCH MEMBER APPROVAL AND MAY RELY UPON THE REPRESENTATIONS OF THE BOARD OF DIRECTORS AND THE OFFICERS OF THE ASSOCIATION. ANY INSTRUMENT DULY EXECUTED BY THE OFFICERS OF THE ASSOCIATION GRANTING ANY EASEMENT OR DEDICATION AS HEREIN PROVIDED SHALL BE BINDING UPON THE ASSOCIATION AS TO ANY GRANTEE IN GOOD FAITH.

THE ASSOCIATION SHALL HAVE AND IS HEREBY GRANTED AN EASEMENT FOR ACCESS TO ALL LOTS FOR INGRESS AND EGRESS AS REASONABLY REQUIRED BY ITS OFFICERS, DIRECTORS, EMPLOYEES, AND THEIR AGENTS AND INDEPENDENT CONTRACTORS, IN ORDER TO PERFORM ITS OBLIGATIONS AND DUTIES AS SET FORTH IN THIS DECLARATION. THE EASEMENT SPECIFIED HEREIN IS ALSO RESERVED FOR THE BENEFIT OF DECLARANT SO LONG AS DECLARANT OWNS ANY LOT.

3. ENCROACHMENTS: IF ANY PORTION OF THE COMMON AREAS SHALL ENCROACH UPON ANY LOT OR IF ANY IMPROVEMENT, BUILDING, OVERHANG, FIXTURE OR OTHER STRUCTURE OR IMPROVEMENT OF WHATEVER TYPE SHALL FOR ANY REASON ENCROACH UPON ANY PORTION OF THE COMMON AREAS AS A RESULT OF THE CONSTRUCTION OF A BUILDING OR IMPROVEMENT, A PERPETUAL EASEMENT FOR THE ENCROACHMENT AND FOR MAINTENANCE IS RETAINED BY THE DECLARANT FOR ITS BENEFIT AND FOR THE BENEFIT OF THE ASSOCIATION AND ANY OWNER WHOSE LOT IS AFFECTED THEREBY AND SHALL EXIST PERPETUALLY. IN THE EVENT SUCH BUILDING OR IMPROVEMENT SHALL BE PARTIALLY OR TOTALLY DESTROYED AS A RESULT OF FIRE OR OTHER CASUALTY OR AS A RESULT OF CONDEMNATION OR EMINENT DOMAIN PROCEEDINGS, AND THEIR REBUILT, ANY RESULTING ENCROACHMENT SHALL BE PERMITTED, AND A VALID EASEMENT FOR SUCH ENCROACHMENT IS HEREBY RESERVED BY THE DECLARANT FOR ITS BENEFIT AND FOR THE BENEFIT OF THE ASSOCIATION AND ANY OWNER OF A LOT WHO IS AFFECTED THEREBY.

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#### ARTICLE XIII

##### MORTGAGEE'S RIGHTS

1. NOTICE OF RIGHTS OF MORTGAGEE OF A LOT: UPON WRITTEN REQUEST BY A MORTGAGEE OF THE ASSOCIATION, MORTGAGE OF A LOT SHALL BE ENTITLED TO RECEIVE WRITTEN NOTIFICATION OF ANY DEFAULT, NOT CURED WITHIN SIXTY (60) DAYS AFTER ITS OCCURRENCE, BY THE OWNER OF THE LOT OF ANY OBLIGATION OF THE OWNER UNDER THE DECLARATION,

THE BY-LAWS OF THE ASSOCIATION OR THE ARTICLES OF INCORPORATION OF THE ASSOCIATION. THE REQUEST FOR NOTIFICATION CAN BE MADE BY ANY MORTGAGEE OF A LOT, ITS SUCCESSOR OR ASSIGN.

2. RIGHTS OF FIRST REFUSAL: NO FIRST MORTGAGEE, ITS SUCCESSOR OR ASSIGN, OF A LOT WHO COMES INTO POSSESSION OF THAT LOT PURSUANT TO THE REMEDIES PROVIDED IN THE MORTGAGE, FORECLOSURE OF THE MORTGAGE, A DEED OR ASSIGNMENT TAKEN IN LIEU OF FORECLOSURE SHALL BE SUBJECT TO ANY RIGHTS OF FIRST REFUSAL WHICH THE OWNER MAY HAVE GIVEN TO THE ASSOCIATION OR OTHER OWNERS OF THE LOTS.

3. RIGHT TO EXAMINE BOOKS AND RECORDS: MORTGAGEES, THEIR SUCCESSORS OR ASSIGNS, SHALL HAVE THE RIGHT TO EXAMINE THE BOOKS AND RECORDS OF THE ASSOCIATION.

#### ARTICLE XIV

##### HARMONY AND ENVIRONMENTAL CONTROLS

NO BUILDING, FENCE, WALL OR OTHER STRUCTURE, EXCEPT ORIGINAL CONSTRUCTION OF BUILDINGS BY OR ON BEHALF OF DECLARANT, SHALL BE COMMENCED, DIRECTED OR MAINTAINED UPON THE PROPERTIES, NOR SHALL ANY EXTERIOR ADDITION TO OR CHANGE OR ALTERATION THEREIN, OTHER THAN BY THE BOARD OF DIRECTORS, BE MADE UNTIL THE PLANS AND SPECIFICATIONS SHOWING THE NATURE, KIND, SHAPE, HEIGHT, MATERIALS, AND LOCATION OF THE SAME SHALL HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING AS TO HARMONY OF EXTERNAL DESIGN AND LOCATION IN RELATION TO SURROUNDING STRUCTURES AND TOPOGRAPHY BY THE BOARD OF DIRECTORS OF THE ASSOCIATION, OR BY AN ARCHITECTURAL COMMITTEE COMPOSED OF THREE (3) OR MORE REPRESENTATIVES APPOINTED BY THE BOARD. ANY CHANGE IN THE APPEARANCE OF THE COLOR OF ANY PART OF THE EXTERIOR OF A RESIDENCE SHALL BE DEEMED A CHANGE THERETO AND SHALL REQUIRE THE APPROVAL THEREFOR AS ABOVE PROVIDED.

#### ARTICLE XV

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##### USE RESTRICTIONS

1. DWELLING SIZE: THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY PORCHES AND GARAGES, SHALL NOT BE LESS THAN 925 SQUARE FEET IN THE CASE OF A ONE STORY STRUCTURE, NOR SHALL THE GROUND FLOOR AREA BE LESS THAN 600 SQUARE FEET IN THE CASE OF A MULTIPLE STORY STRUCTURE WITH LESS THAN 1200 SQUARE FEET OF FINISHED FLOOR AREA IN SUCH MULTIPLE STORY STRUCTURE.

2. ANIMALS: NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT EXCEPT THAT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES.

THE BOARD OF DIRECTORS OF THE HOWEOWNERS ASSOCIATION MAY FROM TIME TO TIME ISSUE RULES AND REGULATIONS PERTAINING TO MAINTAINING DOGS, CATS, OR OTHER HOUSEHOLD PETS WITHIN THE COMMUNITY.

3. WASTE DISPOSAL: NO LOT OR COMMON AREA SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. WASTE MATTER OR MATERIALS SHALL BE KEPT ONLY IN SANITARY CONTAINERS. TRASH OR GARBAGE CONTAINERS SHALL NOT BE PERMITTED TO REMAIN IN PUBLIC VIEW EXCEPT ON DAYS OF TRASH COLLECTION.

4. ANTENNA: NO OUTSIDE TELEVISION OR RADIO AERIAL OR ANTENNA, FOR RECEPTION OR TRANSMISSION SHALL BE MAINTAINED UPON ANY LOT UNLESS SUCH SUBSTRUCTURE IS A PART OF THE BASIC DESIGN OF A DWELLING OR GROUP OF DWELLINGS OR WITHOUT THE PRIOR WRITTEN CONSENT OF THE BOARD OF DIRECTORS.

5. NOXIOUS ACTIVITY: NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED UPON ANY LOT WITHIN ANY DWELLING SITUATED UPON A LOT NOR SHALL ANYTHING BE DONE THEREIN OR THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD OR THE OTHER OWNERS OF THE LOTS.

6. MAINTENANCE AND STORAGE OF VEHICLES: NO JUNK VEHICLES, MOTORCYCLES, COMMERCIAL VEHICLE, TRAILER TRUCK, CAMPER, CAMP TRUCK, HOUSE TRAILER, BOAT, OR THE LIKE SHALL BE KEPT UPON THE PROPERTIES (EXCEPT IN ENCLOSED GARAGES) NOR SHALL THE REPAIR OR EXTRAORDINARY MAINTENANCE OF AUTOMOBILES OR OTHER VEHICLES BE CARRIED OUT THEREON EXCEPT FOR BONAFIDE EMERGENCIES.

7. ASSOCIATION RULES: THERE SHALL BE NO VIOLATION OF ANY RULES FOR THE COMMON AREA WHICH MAY FROM TIME TO TIME BE ADOPTED BY THE BOARD OF DIRECTORS OR PROMULGATED AMONG THE MEMBERSHIP BY THEM IN WRITING, AND THE BOARD OF DIRECTORS IS HEREBY AND ELSEWHERE IN THE BY-LAWS, AUTHORIZED TO ADOPT SUCH RULES.

8. SIGNS: EXCEPT FOR ENTRANCE SIGNS, DIRECTIONAL SIGNS, COMMUNITY "THEME" AND THE LIKE, NO SIGNS OF ANY CHARACTER SHALL BE ERECTED, POSTED OR DISPLAYED UPON, IN OR ABOUT ANY LOT SITUATED UPON THE PROPERTIES, PROVIDED, HOWEVER, IF SPECIFICALLY PERMITTED BY A WRITTEN RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS.

9. BUSINESSES: ALL PREMISES SHALL BE USED FOR SINGLE-FAMILY RESIDENCE USES ONLY. NO HOME OCCUPATION SHALL BE CONDUCTED OR MAINTAINED ON ANY LOT OTHER THAN ONE WHICH IS INCIDENTAL TO A BUSINESS, PROFESSION OR OCCUPATION OF THE OWNER OR OCCUPANT OF ANY SUCH LOT AND WHICH IS GENERALLY OR REGULARLY CONDUCTED IN ANOTHER LOCATION AWAY FROM SUCH LOT.

10. INTERSECTIONS: NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 and 6 FT. ABOVE THE STREET SHALL BE PLACED OR PERMITTED TO REMAIN ON A CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES IN A LINE CONNECTING POINTS 25 FT. FROM THE INTERSECTION OF SAID STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN 10 FT. FROM THE INTERSECTION OF THE STREET LINE WITH THE EDGE OF THE DRIVEWAY PAVEMENT OR ALLEY LINE. NO TREES SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOILAGE LINE IS MAINTAINED AT A SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

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#### ARTICLE XVI

##### USE OF GEIST RESERVOIR

RIGHTS OF THE OWNER TO USE GEIST RESERVOIR ARE GOVERNED BY A LICENSE AGREEMENT BETWEEN THE INDIANAPOLIS WATER COMPANY AND THE SHOREWOOD CORPORATION, DATED THE 19th DAY OF OCTOBER, 1970, AND RECORDED ON THE 22nd DAY OF OCTOBER, 1970, AS INSTRUMENT #70-46985, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA.

IN GENERAL, SINCE THESE PROPERTIES WERE PURCHASED OFF OF THE SHOREWOOD CORPORATION, THEN THE OWNERS OF THE LOTS HAVE THE SAME RIGHTS AS ALL OTHER SHOREWOOD PROPERTIES INCLUDING SWIMMING POOLS, TENNIS COURTS, CLUB HOUSE FACILITIES, BOAT DOCK PRIVILEGES, AND OTHER AMENITIES IF AND WHEN THESE FACILITIES ARE AVAILABLE.

#### ARTICLE XVII

##### GENERAL PROVISIONS

1. ENFORCEMENT: THESE COVENANTS, CONDITIONS AND RESTRICTIONS MAY BE ENFORCED BY THE ASSOCIATION OR ANY OWNER. ENFORCEMENT

OF THESE COVENANTS, CONDITIONS AND RESTRICTIONS SHALL BE BY ANY PROCEEDING AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT, CONDITION OR RESTRICTION EITHER TO RESTRAIN OR ENJOIN VIOLATION OR TO RECOVER DAMAGES, AND AGAINST THE LAND TO ENFORCE ANY LIEN CREATED BY THESE COVENANTS, AND THE FAILURE OF FORBEARANCE BY THE ASSOCIATION OR ANY OWNER TO ENFORCE ANY COVENANT, CONDITION OR RESTRICTION HEREIN CONTAINED SHALL IN NO EVENT BE DEEMED A WAIVER OR THE RIGHT TO DO SO THEREAFTER. THERE SHALL BE AND THERE IS HEREBY CREATED AND DECLARED TO BE CONCLUSIVE PRESUMPTION THAT ANY VIOLATION OR BREACH OF ANY ATTEMPTED VIOLATION OR BREACH OF ANY OF THE WITHIN COVENANTS, CONDITIONS OR RESTRICTIONS CANNOT BE ADEQUATELY REMEDIED BY ACTION AT LAW OR BY RECOVERY OF DAMAGES.

2. SEVERABILITY: INVALIDATION OF ANY ONE OF THESE COVENANTS, CONDITIONS OR RESTRICTIONS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OTHER PROVISION WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

3. DURATION: EXCEPT WHERE PERMANENT EASEMENTS OR OTHER PERMANENT RIGHTS OR INTEREST ARE HEREIN CREATED, THE COVENANTS AND RESTRICTIONS OF THIS DECLARATION SHALL RUN WITH AND BIND THE LAND, AND SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE ASSOCIATION, OR THE OWNER OF ANY LOT SUBJECT TO THIS DECLARATION, THEIR RESPECTIVE LEGAL REPRESENTATIVES, HEIRS, SUCCESSORS, AND ASSIGNS FOR A TERM OF TWENTY-FIVE (25) YEARS FROM THE DATE OF RECORDATION OF THIS DECLARATION, AFTER WHICH THE SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS EACH UNLESS BY A TWO-THIRDS (2/3) VOTE OF ALL MEMBERS OF THE ASSOCIATION SUCH COVENANTS AND CONDITIONS ARE AMENDED, ALTERED OR REVOKED.

4. AMENDMENT: THIS DECLARATION MAY BE AMENDED DURING THE FIRST TWENTY-FIVE (25) YEAR PERIOD BY AN INSTRUMENT SIGNED BY NOT LESS THAN SEVENTY-FIVE PERCENT (75%) OF THE OWNERS, AND THEREAFTER BY AN INSTRUMENT SIGNED BY NOT LESS THAN TWO-THIRDS (2/3) OF SUCH LOT OWNERS. AN AMENDMENT MUST BE RECORDED IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA. NO SUCH AGREEMENT TO AMEND, IN WHOLE OR IN PART, SHALL BE EFFECTIVE UNLESS WRITTEN NOTICE OF THE PROPOSED AGREEMENT IS SENT TO EVERY OWNER AT LEAST THIRTY (30) DAYS IN ADVANCE OF ANY ACTION TAKEN AND NO SUCH AGREEMENT SHALL BE EFFECTIVE WITH RESPECT TO ANY PERMANENT EASEMENT OR OTHER PERMANENT RIGHTS OR INTEREST RELATING TO THE COMMON AREAS HEREIN CREATED.

5. LIMITATIONS: AS LONG AS DECLARANT HAS AN INTEREST IN DEVELOPING THE PROPERTIES, THE ASSOCIATION MAY NOT USE ITS FINANCIAL RESOURCES TO DEFRAY ANY COSTS OF OPPOSING THE DEVELOPMENT ACTIVITIES SO LONG AS THEY REMAIN CONSISTENT WITH THE GENERAL INTENTS OF THE DEVELOPMENT PLAN. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE RIGHTS OF THE MEMBERS TO ACT AS INDIVIDUALS OR IN AFFILIATION WITH OTHER MEMBERS OR GROUPS.

IN WITNESS WHEREOF, THE UNDERSIGNED, BEING THE DECLARANT HEREIN HAS HERETO SET ITS HAND AND SEAL THIS 20<sup>th</sup> DAY OF AUGUST, 1984.

84 65708

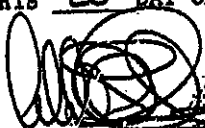
*Richard A. Lewis*  
RICHARD A. LEWIS, President  
RICHARD ALLEN CORPORATION

STATE OF INDIANA )  
                          ) SS:  
COUNTY OF MARION )

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE,  
PERSONALLY APPEARED RICHARD A. LEWIS, PRESIDENT OF RICHARD

ALLEN CORPORATION, WHO REPRESENTS THAT HE HAS AUTHORITY ON BEHALF OF SAID CORPORATION TO EXECUTE THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FOXCHASE AND WHO FURTHER ACKNOWLEDGES THE EXECUTION OF THE SAME.

WITNESS MY HAND AND SEAL THIS 20<sup>th</sup> DAY OF AUGUST 1988

  
\_\_\_\_\_  
NOTARY PUBLIC  
PRINTED: WILLIAM B. OLSEN  
\_\_\_\_\_  
COUNTY OF RESTON, VIRGINIA

My Commission Expires:

6/30/88

THIS INSTRUMENT PREPARED BY  
William B. Olsen

84 65708

EXHIBIT "A"

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 17 NORTH, RANGE 5 EAST IN MARION COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SQUARE CUT STONE FOUND MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE NORTH 89 DEGREES 35 MINUTES 46 SECONDS EAST ALONG THE NORTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 830.40 FEET TO A POINT IN THE APPROXIMATE CENTERLINE OF FALL CREEK ROAD (AS ESTABLISHED DECEMBER 1979) SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 12 DEGREES 58 MINUTES 59.9 SECONDS WEST ALONG THE APPROXIMATE CENTERLINE OF FALL CREEK ROAD A DISTANCE OF 503.91 FEET; THENCE SOUTH 77 DEGREES 46 MINUTES 29.6 SECONDS EAST 637.63 FEET; THENCE NORTH 00 DEGREES 18 MINUTES 47 SECONDS WEST 629.63 FEET TO THE NORTH-EAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 89 DEGREES 35 MINUTES 46 SECONDS WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 506.53 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION CONTAINING 7.35 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL HIGHWAYS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

84 65708

EXHIBIT "B"

Part of the West Half of the Southwest Quarter of Section 20, Township 17 North, Range 5 East in Marion County, Indiana, more particularly described as follows:

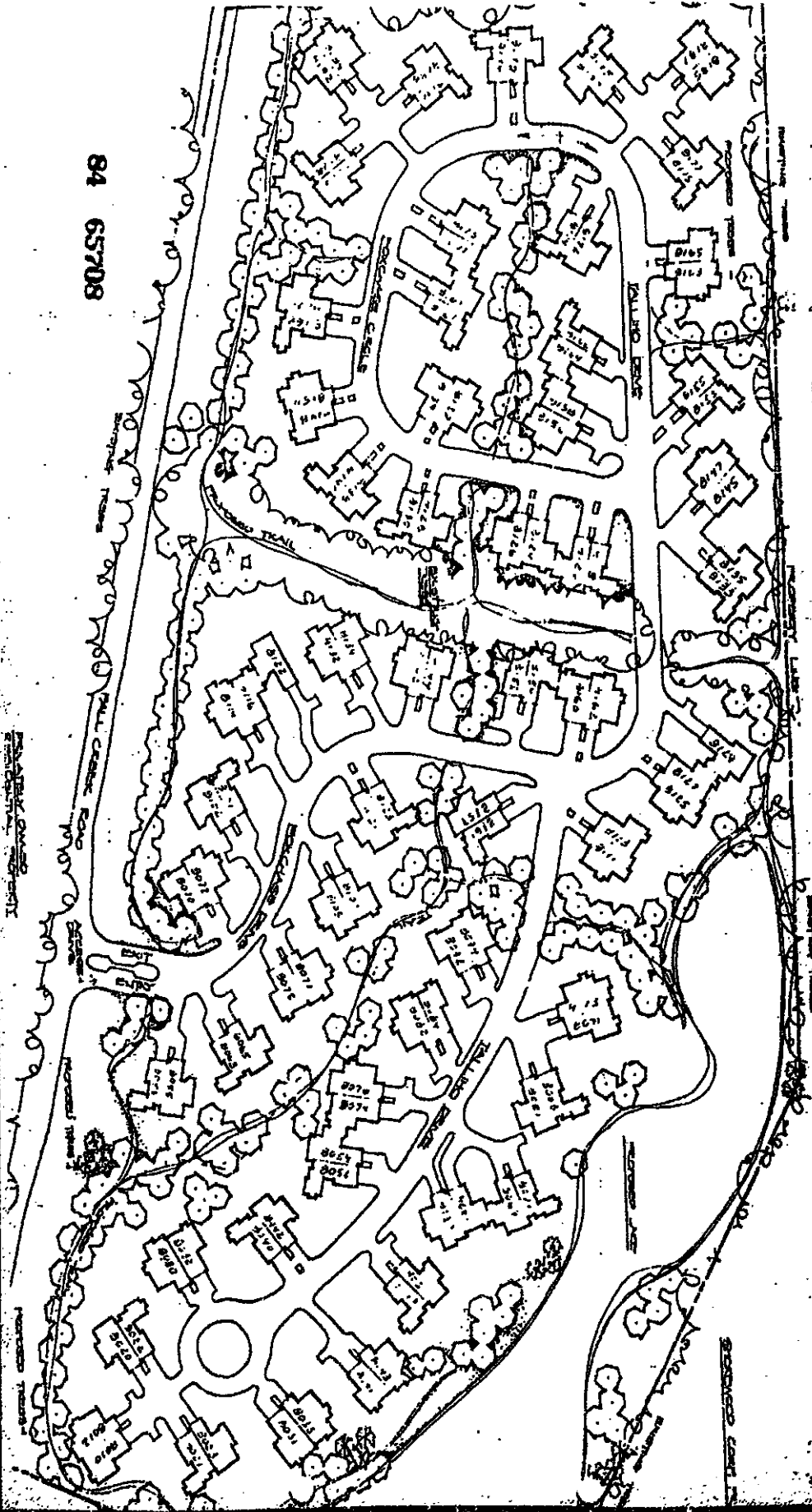
Beginning at a point in the center line of Fall Creek Road (as established December, 1979) said point lies North 89 degrees 35 minutes 46 seconds East 830.40 feet from a square cut stone found marking the Northwest corner of the Southwest Quarter of said Section 20; thence along the North line of the West Half of the Southwest Quarter of said Section 20 North 89 degrees 35 minutes 46 seconds East 506.53 feet to the Northeast corner thereof; thence along the East line of said West half South 00 degrees 18 minutes 47 seconds East 1000.00 feet; thence South 28 degrees 40 minutes 00 seconds West 600.65 feet; thence North 67 degrees 41 minutes 18 seconds West 565.27 feet to a point in the center line of Fall Creek Road (the next 2 courses are along the center line of said Fall Creek Road); (1) thence North 12 degrees 48 minutes 00 seconds East 810.00 feet to Station 0-200 begin "West Reservoir Road" (Fall Creek Road) per Indianapolis Water Company plans dated April 13, 1942; (2) thence North 12 degrees 59 minutes 00 seconds East 532.58 feet to the place of beginning, containing 20.81 acres, more or less.

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ADAMSON'S VINEYARD COMPANY TRACT

EXHIBIT C





Original Declaration recorded on August 22, 1984  
as Instrument #84-65708

840087403

CROSS REFERENCE

CROSS REFERENCE

AMENDED  
DECLARATION OF COVENANTS, CONDITIONS,  
AND RESTRICTIONS FOR FOXCHASE, SECTION THREE

THIS DECLARATION, MADE ON THE DATE HEREINAFTER SET FORTH BY  
RICHARD ALLEN CORP. AN INDIANA CORPORATION  
HEREINAFTER REFERRED TO AS "DECLARANT".

W I T N E S S E T H :

WHEREAS, DECLARANT IS THE OWNER OF CERTAIN PROPERTY IN INDIANAPOLIS,  
MARION COUNTY, INDIANA, WHICH IS MORE PARTICULARLY DESCRIBED  
IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A  
PART HEREOF.

WHEREAS, DECLARANT IS THE OWNER OF A CERTAIN PROPERTY IN  
INDIANAPOLIS, MARION COUNTY, INDIANA, WHICH IS MORE PARTICULARLY  
DESCRIBED IN EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE  
MADE A PART HEREOF. THE REAL ESTATE DESCRIBED IN EXHIBIT "A"  
IS INCLUDED WITHIN THE REAL ESTATE DESCRIBED IN EXHIBIT "B".

NOW, THEREFORE, DECLARANT HEREBY DECLARES THAT ALL OF THE PRO-  
PERTIES DESCRIBED IN EXHIBIT "A" SHALL BE HELD, SOLD AND CONVEYED  
SUBJECT TO THE FOLLOWING EASEMENTS, RESTRICTIONS, COVENANTS  
AND CONDITIONS WHICH ARE FOR THE PURPOSE OF PROTECTING THE VALUE  
AND DESIRABILITY OF, AND WHICH SHALL RUN WITH THE REAL PROPERTY  
AND BE BINDING UPON ALL PARTIES HAVING ANY RIGHT, TITLE OR  
INTEREST IN THE DESCRIBED PROPERTIES OR ANY PART THEREOF, THEIR  
HEIRS, SUCCESSORS AND ASSIGNS, AND SHALL INURE TO THE BENEFIT  
OF EACH OWNER THEREOF.

ARTICLE I

NAME

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS FOXCHASE,  
A SUBDIVISION LOCATED IN LAWRENCE TOWNSHIP, MARION COUNTY,  
INDIANA.

ARTICLE II

DEFINITIONS

1. "DECLARANT" SHALL MEAN RICHARD ALLEN  
CORP., ITS SUCCESSORS AND ASSIGNS.
2. "ASSOCIATION" SHALL MEAN AND REFER TO FOXCHASE HOMEOWNERS  
ASSOCIATION, INC., AN INDIANA NOT-FOR-PROFIT CORPORATION, ITS  
SUCCESSORS AND ASSIGNS.
3. "OWNER" SHALL MEAN AND REFER TO THE RECORD OWNER, WHETHER  
ONE OR MORE PERSONS OR ENTITIES, OF A FEE SIMPLE TITLE TO ANY  
LOT WHICH IS A PART OF THE PROPERTIES, INCLUDING CONTRACT  
SELLERS, BUT EXCLUDING THOSE HAVING SUCH INTEREST MERELY AS  
SECURITY FOR THE PERFORMANCE OF AN OBLIGATION.
4. "PROPERTIES" SHALL MEAN AND REFER TO THE CERTAIN REAL ESTATE  
DESCRIBED IN EXHIBIT "A" EXCEPT STREETS DEDICATED TO THE PUBLIC  
AND SUCH ADDITIONS THERETO AS MAY HEREAFTER BE BROUGHT WITHIN  
THE JURISDICTION OF THE ASSOCIATION.
5. "PLAT" SHALL MEAN AND REFER TO THE CONDITIONAL FINAL PLAT  
OF FOXCHASE AS APPROVED BY THE METROPOLITAN PLAN COMMISSION  
OF INDIANAPOLIS AND RECORDED IN THE MARION COUNTY, INDIANA,  
RECORDER'S OFFICE.
6. "FINAL PLAT" SHALL MEAN AND REFER TO THAT PORTION OF THE  
CONDITIONAL FINAL PLAT WHICH SHOWS THE FINAL LOCATION OF A LOT  
OR LOTS AND AS APPROVED BY THE PLAT COMMITTEE OF THE METROPOLITAN

RECEIVED FOR RECORD  
BY THE CLERK  
OF MARION CO.

Nov 7 3 15 PM '84

DULY ENTERED  
FOR REGISTRATION  
NOV 7 1984  
COUNTY CLERK

DEVELOPMENT COMMISSION AND RECORDED IN THE MARION COUNTY, INDIANA RECORDER'S OFFICE.

7. "LOT" SHALL MEAN AND REFER TO ANY PLATTED LOT AS SHOWN ON A RECORDED FINAL PLAT OF FOXCHASE SECTION ONE AND ON ANY OTHER SECTIONS ADDED THERETO AS MAY HEREAFTER BE BROUGHT WITHIN THE JURISDICTION OF THE ASSOCIATION.
8. "DWELLING" SHALL MEAN AND REFER TO A SINGLE FAMILY RESIDENCE ERECTED ON A LOT WITHIN THE PROPERTIES.
9. "DEVELOPMENT PLAN" SHALL MEAN AND REFER TO THE REAL ESTATE DESCRIBED IN EXHIBIT "B", AND SHOWS THE TOTAL GENERAL SCHEME OF INTENDED USES OF THE LAND AS SHOWN IN EXHIBIT "C", AS THE SAME MAY BE AMENDED FROM TIME TO TIME.
10. "SECTION" SHALL MEAN AND REFER TO THE SECTION OF CONDITIONAL FINAL PLAT APPROVAL A SECTION OF FOXCHASE SUBDIVISION AS APPROVED BY THE PLAT COMMITTEE OF THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA, AS MORE PARTICULARLY ILLUSTRATED AS THE CONDITIONAL FINAL PLAT APPROVED BY SAID PLAT COMMITTEE. A SECTION CONTAINS A GROUP OF LOTS CONTAINED WITHIN A SECTION.
11. "LIMITED COMMON AREA" SHALL MEAN AND REFER TO ALL THE REAL ESTATE (INCLUDING IMPROVEMENTS THERETO) OWNED BY THE ASSOCIATION BUT RESTRICTED IN USE TO THE LOT APPURTENANT THERETO SUCH AS PATIOS, DRIVEWAYS AND PARKING AREAS, AND MORE PARTICULARLY IDENTIFIED BY DESIGNATION ON THE FINAL PLAT.
12. "INITIAL COMMON AREA" SHALL MEAN AND REFER TO THE REAL ESTATE ADJACENT TO THE LOT AREA AS SHOWN ON THE FINAL PLAT.
13. "COMMON AREA" SHALL MEAN AND REFER TO ALL THE REAL ESTATE (INCLUDING IMPROVEMENTS THERETO) OWNED BY THE ASSOCIATION FOR THE COMMON USE AND ENJOYMENT OF THE OWNERS. THE COMMON AREA SHALL INCLUDE THE COMMON AREA AS SHOWN ON THE CONDITIONAL FINAL PLAT, THE LIMITED COMMON AREA, AND THE INITIAL COMMON AREA.
14. "BOARD OF DIRECTORS" SHALL MEAN AND REFER TO THE BOARD OF DIRECTORS OF THE ASSOCIATION.
15. "BY-LAWS" SHALL MEAN AND REFER TO THE BY-LAWS PROMULGATED AND ADOPTED AS THE GOVERNING RULES AND REGULATIONS OF THE ASSOCIATION.

### ARTICLE III

#### PROPERTY RIGHTS

1. OWNERS EASEMENTS OF ENJOYMENT: EVERY OWNER SHALL HAVE A RIGHT AND EASEMENT OF ENJOYMENT IN AND TO THE COMMON AREAS WHICH SHALL BE APPURTENANT TO AND SHALL PASS WITH THE TITLE OF EVERY LOT, SUBJECT TO THE FOLLOWING PROVISIONS:

A. THE RIGHT OF THE ASSOCIATION TO SUSPEND THE VOTING RIGHTS AND RIGHT TO USE OF THE COMMON AREAS BY ANY MEMBER FOR ANY PERIOD DURING WHICH ANY ASSESSMENT AGAINST THAT OWNER'S LOT REMAINS UNPAID; AND FOR A PERIOD NOT TO EXCEED SIXTY (60) DAYS FOR ANY INFRACTION OF THE ASSOCIATION'S PUBLISHED RULES AND REGULATIONS.

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B. THE RIGHT OF THE ASSOCIATION TO PROMULGATE REASONABLE RULES AND REGULATIONS GOVERNING THE USE OF THE COMMON AREAS.

2. DELEGATION OF USE: ANY OWNER MAY DELEGATE, IN ACCORDANCE WITH THE BY-LAWS, HIS RIGHT OF ENJOYMENT TO THE COMMON AREAS TO THE MEMBERS OF HIS FAMILY, HIS TENANTS, GUESTS, OR CONTRACT PURCHASERS WHO RESIDE ON A LOT, SUBJECT TO REASONABLE REGULATIONS ADOPTED BY THE ASSOCIATION.

3. PROPERTY SUBJECT TO DECLARATION: THE PROPERTIES WHICH ARE, AND SHALL BE HELD, CONVEYED, HYPOTHECATED OR ENCUMBERED, SOLD, LEASED, RENTED, USED, OCCUPIED, AND IMPROVED SUBJECT TO THIS DECLARATION ARE LOCATED IN MARION COUNTY, STATE OF INDIANA, AND ARE MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

#### ARTICLE IV

##### DECLARANT RIGHTS

1. ADDITIONS: DECLARANT ANTICIPATES THAT IT WILL SEE ADDITIONAL LOTS OR CONSTRUCT ADDITIONAL DWELLING UNITS ON ADDITIONAL SECTIONS BY EXPANSION WITHIN THE PROPERTIES ALL OR PART OF WHICH MAY BE ADDED IN THE MANNER SET FORTH HEREINAFTER. ADDED REAL ESTATE MAY BECOME SUBJECT TO THIS DECLARATION IN THE FOLLOWING MANNER:

A. ADDITIONS BY THE DECLARANT: DECLARANT SHALL HAVE THE RIGHT TO SUBJECT TO THE DECLARATION BY EXPANSION ANY ADDITIONAL REAL ESTATE WHICH LIES WITHIN THE AREA DESCRIBED IN EXHIBIT "B" AS IT MAY BE AMENDED FROM TIME TO TIME.

B. OTHER ADDITIONS: ADDITIONAL REAL ESTATE, OTHER THAN THAT DESCRIBED ABOVE, MAY BE ANNEXED TO THE PROPERTIES UPON APPROVAL OF TWO -THIRDS (2/3) OF THE VOTES OF ALL OF EACH CLASS.

THE ADDITIONS AUTHORIZED UNDER SUBSECTION A AND B SHALL BE MADE BY FILING OF RECORD ONE OR MORE SUPPLEMENTARY DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS WITH RESPECT TO THE ADDITIONAL PROPERTY.

2. MERGER: IN ACCORDANCE WITH ITS ARTICLES OF INCORPORATION, THE PROPERTY, RIGHTS AND OBLIGATIONS OF THE ASSOCIATION MAY, BY OPERATION OF LAW, BE TRANSFERRED TO ANOTHER SURVIVING OR CONSOLIDATED ASSOCIATION SIMILAR IN CORPORATE NATURE AND PURPOSES OR, ALTERNATIVELY, THE PROPERTIES, RIGHTS AND OBLIGATIONS OF AN ASSOCIATION SIMILAR IN CORPORATE NATURE AND PURPOSES MAY, BY OPERATION OF LAW, BE ADDED TO THE PROPERTY, RIGHTS AND OBLIGATIONS OF THE ASSOCIATION AS A SURVIVING CORPORATION PURSUANT TO A MERGER. THE SURVIVING OR CONSOLIDATED ASSOCIATION MAY ADMINISTER THE COVENANTS AND RESTRICTIONS ESTABLISHED UPON ANY OTHER PROPERTIES AS ONE SCHEME. NO SUCH MERGER OR CONSOLIDATION, HOWEVER, SHALL EFFECT ANY REVOCATION, CHANGE OR ADDITION TO THE COVENANTS ESTABLISHED BY THIS DECLARATION EXCEPT AS HEREINAFTER PROVIDED. EXCEPT AS PROVIDED BY LAW, SUCH MERGER OR CONSOLIDATION SHALL HAVE THE ASCENT OF TWO-THIRDS (2/3) OF THE VOTES OF ALL OF EACH CLASS.

3. USE OF PROPERTY: DECLARANT RESERVES THE RIGHT TO USE ANY OF THE LOTS AS MODELS AND TO SELL, ASSIGN OR CONDUCT OTHER BUSINESSES IN CONNECTION WITH THE CONSTRUCTION AND DEVELOPMENT OF THE PROJECT FROM ANY OF SUCH LOTS PRIOR TO THEIR BEING SOLD. THIS RESERVATION OF RIGHT OR PRIVILEGE IN DECLARANT INCLUDES, BUT IS NOT LIMITED TO THE RIGHT TO MAINTAIN MODELS, ERECT SIGNS, MAINTAIN AN OFFICE, STAFF THE OFFICE WITH EMPLOYEES, AND TO SHOW LOTS THEN UNSOLD. DECLARANT RETAINS THE RIGHT TO BE CONSIDERED AN OWNER OF ANY LOT THAT REMAINS UNSOLD. DECLARANT ALSO RESERVES THE RIGHT TO MAKE CHANGES IN THE LOCATION OR MANNER OF CONSTRUCTION OF BUILDINGS AND OTHER IMPROVEMENTS.

#### ARTICLE V

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##### DEVELOPMENT AND CONVEYANCE

1. DEVELOPMENT PLAN: THE DEVELOPMENT PLAN, ILLUSTRATED IN EXHIBIT "C", IS THE GENERAL DESIGN FOR THE DEVELOPMENT OF THE PROPERTIES WHICH MAY BE MODIFIED AND AMENDED, AS PROVIDED HEREIN.

DURING THE SEVERAL YEARS REQUIRED TO BUILD THE COMMUNITY. THE DECLARANT IS NOT BOUND TO DEVELOP ANY ADDITIONAL SECTIONS. THE DECLARANT HEREBY RESERVES THE RIGHT TO AMEND THE DEVELOPMENT PLAN IN RESPONSE TO CHANGES IN TECHNOLOGICAL, ECONOMIC, ENVIRONMENTAL OR SOCIAL CONDITIONS RELATED TO THE DEVELOPMENT OR MARKETING OF THE PROPERTIES OR TO CHANGES IN REQUIREMENTS OF FINANCIAL INSTITUTIONS.

2. CONVEYANCE: THE LOTS SHALL BE CONVEYED BY MEANS OF A FEE SIMPLE TITLE.

3. TITLE TO INITIAL COMMON AREA: THE DECLARANT SHALL CONVEY THE INITIAL COMMON AREA AS SHOWN ON A FINAL PLAT TO THE ASSOCIATION BY MEANS OF A FEE SIMPLE TITLE PRIOR TO THE CONVEYANCE OF THE LOT ADJACENT TO THE INITIAL COMMON AREA. THE DECLARANT IS REQUIRED TO CONVEY THE INITIAL COMMON AREA FOR A PARTICULAR LOT TO THE ASSOCIATION PRIOR TO THE CONVEYANCE OF SAID LOT TO A CLASS A HOMEOWNER.

#### ARTICLE VI

##### MEMBERSHIP

THE ASSOCIATION SHALL HAVE TWO CLASSES OF MEMBERSHIP:

1. CLASS "A": CLASS "A" MEMBERS SHALL BE ALL OWNERS OF LOTS WITHIN THE PROPERTIES WITH THE EXCEPTION OF THE DECLARANT AND SHALL BE ENTITLED TO ONE VOTE FOR EACH LOT OWNED. WHEN MORE THAN ONE PERSON OR ENTITY HOLDS AN INTEREST IN ANY LOT DURING ANY PERIOD OR MEMBERSHIP, ALL SUCH PERSONS SHALL BE MEMBERS. THE VOTE FOR SUCH LOT SHALL BE EXERCISED AS THEY AMONG THEMSELVES DETERMINE, BUT IN NO EVENT SHALL MORE THAN ONE VOTE BE CAST WITH RESPECT TO ANY LOT.

2. CLASS "B": CLASS "B" MEMBERS SHALL BE THE DECLARANT WHO SHALL BE ENTITLED TO THREE (3) VOTES FOR EACH PLATTED AND UNPLATTED LOT OWNED AS SHOWN ON THE DEVELOPMENT PLAN THE MEMBERS OF THE FIRST BOARD OF DIRECTORS DURING THEIR RESPECTIVE TERMS, WHO SHALL HAVE NO VOTING RIGHTS. CLASS "B" MEMBERSHIP OF DECLARANT SHALL EXPIRE AT SUCH TIME AS THE NUMBER OF CLASS "A" VOTES EQUALS THE NUMBER OF CLASS "B" VOTES OR JANUARY 1, 1987, WHICHEVER OCCURS FIRST. ALL PLATTED OR UNPLATTED LOTS OWNED BY THE DECLARANT UPON THE TERMINATION OF CLASS "B" MEMBERSHIP SHALL BE AUTOMATICALLY CONVERTED TO CLASS "A" MEMBERSHIP.

#### ARTICLE VII

##### COVENANTS FOR MAINTENANCE ASSESSMENTS

1. CREATION OF THE LIENS AND OBLIGATIONS FOR ASSESSMENTS: EACH LOT OWNER WITHIN THE PROPERTIES, AND EACH OWNER OF ANY LOT BY ACCEPTANCE OF A DEED THEREOF, WHETHER OR NOT IT SHALL BE SO EXPRESSED IN SUCH DEED, IS DEEMED TO COVENANT AND AGREE, TO PAY TO THE ASSOCIATION SUCH ANNUAL AND SPECIAL ASSESSMENTS AS ARE ESTABLISHED HEREIN AND WHICH ARE TO BE PAID IN THE MANNER HEREINAFTER PROVIDED.

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THE ANNUAL AND SPECIAL ASSESSMENTS (AS HEREINAFTER DEFINED), TOGETHER WITH SUCH REASONABLE LATE FEES AS MAY BE LEVIED, INTEREST, COSTS OF COLLECTION (INCLUDING COURT COSTS AND ATTORNEY FEES) AS HEREINAFTER PROVIDED, SHALL BE A CHARGE ON THE LAND AND SHALL BE A CONTINUING LIEN UPON THE PROPERTY AGAINST WHICH EACH SUCH ASSESSMENT IS MADE. EACH SUCH ASSESSMENT, TOGETHER WITH LATE FEES, INTEREST AND COSTS OF COLLECTION, SHALL ALSO BE THE PERSONAL OBLIGATION OF THE OWNER OF SUCH PROPERTY. IN THE CASE OF A VOLUNTARY CONVEYANCE, THE GRANTEE SHALL BE JOINTLY AND SEVERALLY LIABLE WITH THE GRANTOR FOR ANY UNPAID ASSESSMENTS AND/OR CHARGES. NO OWNER MAY WAIVE OR OTHERWISE ESCAPE LIABILITY FOR THE ASSESSMENTS PROVIDED FOR HEREIN BY NON-USE OF THE COMMON AREA OR ABANDONMENT OF HIS LOT.

2. ANNUAL ASSESSMENTS:

A. PURPOSE: THE ANNUAL ASSESSMENT SHALL BE USED EXCLUSIVELY TO PROVIDE SERVICES TO MEMBERS WHICH PROMOTE THE HEALTH, SAFETY AND WELFARE OF THE MEMBERS; AND TO IMPROVE, MAINTAIN, AND OPERATE THE COMMON AREAS AND IMPROVEMENTS, INCLUDING FUNDING OF APPROPRIATE RESERVES FOR FUTURE REPAIR AND REPLACEMENT.

B. MAXIMUM ANNUAL ASSESSMENT: UNTIL JANUARY 1 OF THE YEAR IMMEDIATELY FOLLOWING THE CONVEYANCE OF THE FIRST LOT TO A CLASS "A" OWNER, THE MAXIMUM ANNUAL ASSESSMENT SHALL BE FORTY-NINE DOLLARS (\$49.00) PER LOT.

FROM AND AFTER JANUARY 1 OF THE YEAR IMMEDIATELY FOLLOWING THE CONVEYANCE OF THE FIRST LOT TO AN OWNER, THE MAXIMUM ANNUAL ASSESSMENT MAY BE INCREASED EACH YEAR NOT MORE THAN 10% ABOVE THE MAXIMUM ASSESSMENT FOR THE PREVIOUS YEAR WITHOUT A VOTE OF THE MEMBERSHIP.

FROM AND AFTER JANUARY 1 OF THE YEAR IMMEDIATELY FOLLOWING THE CONVEYANCE OF THE FIRST LOT TO AN OWNER, THE MAXIMUM ANNUAL ASSESSMENT MAY BE INCREASED ABOVE 10% BY A VOTE OF TWO-THIRDS (2/3) OF EACH CLASS OF MEMBERS WHO ARE VOTING IN PERSON OR BY PROXY, AT A MEETING DULY CALLED FOR THIS PURPOSE.

THE BOARD OF DIRECTORS MAY FIX THE ANNUAL ASSESSMENT AT AN AMOUNT NOT IN EXCESS OF THE MAXIMUM.

THE FIRST ANNUAL ASSESSMENTS PROVIDED FOR HEREIN SHALL COMMENCE ON THE FIRST DAY OF THE MONTH FOLLOWING THE CONVEYANCE OF A LOT IN A FINAL PLAT TO AN OWNER OTHER THAN DECLARANT.

3. SPECIAL ASSESSMENTS:

A. CAPITAL IMPROVEMENT ASSESSMENT: THE ASSOCIATION MAY LEVY IN ANY ASSESSMENT YEAR A SPECIAL ASSESSMENT AGAINST LOTS, APPLICABLE TO THAT YEAR AND PAYABLE OVER NOT MORE THAN THE NEXT THREE (3) SUCCEEDING YEARS, FOR THE PURPOSE OF DEFRAYING, IN WHOLE OR IN PART, THE COST OF ANY CONSTRUCTION, RECONSTRUCTION, REPAIR OR REPLACEMENT OF A CAPITAL IMPROVEMENT OR MAJOR LANDSCAPING EFFORT UPON THE COMMON AREAS PROVIDED THAT ANY SUCH ASSESSMENT SHALL HAVE THE ASSENT OF THE CLASS "B" MEMBERS, IF ANY, AND OF TWO-THIRDS (2/3) OF THE VOTES OF A QUORUM OF OWNERS. A SPECIAL ASSESSMENT MAY BE LEVIED ONLY AFTER THE CLASS "A" OWNERS HAVE BEEN GIVEN TWO (2) WEEKS PRIOR WRITTEN NOTIFICATION OF THE TIME, PLACE AND PURPOSE OF A MEETING TO BE HELD AND CALLED FOR THE PURPOSE OF VOTING ON THE ISSUE OF A SPECIAL ASSESSMENT AND APPROVED AS PROVIDED HEREIN.

B. RESTORATION ASSESSMENT: THE ASSOCIATION MAY LEVY A RESTORATION ASSESSMENT UPON ANY LOT WHEN THE OWNER FAILS TO MAINTAIN SUCH LOT, AS PROVIDED IN ARTICLE 8. RESTORATION ASSESSMENTS SHALL BE LIMITED TO THE AMOUNT NECESSARY TO MEET THE COST OF RESTORATION AND THE COST OF COLLECTION THEREOF.

4. EXEMPT PROPERTY: THE FOLLOWING PROPERTY SUBJECT TO THIS DECLARATION SHALL BE EXEMPTED FROM THE ASSESSMENTS, CHARGES AND LIENS CREATED HEREIN:

A. ALL PROPERTIES TO THE EXTENT OF ANY EASEMENT OR OTHER INTEREST THEREIN DEDICATED AND ACCEPTED BY A PUBLIC AUTHORITY AND DEVOTED TO PUBLIC USE.

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B. ALL COMMON AREAS.

C. ALL PROPERTIES EXEMPTED FROM TAXATION BY THE STATE OR CITY GOVERNMENT UPON THE TERMS AND TO THE EXTENT OF SUCH LEGAL EXEMPTION.

NOTWITHSTANDING ANY PROVISIONS HEREIN, NO OCCUPIED LOTS SHALL BE EXEMPT FROM SAID ASSESSMENTS, CHARGES OR LIENS.

5. NOTICE AND QUORUM FOR ANY ACTION AUTHORIZED UNDER SECTIONS 2 AND 3: WRITTEN NOTICE OF ANY MEETING CALLED FOR THE PURPOSE OF TAKING ANY ACTION AUTHORIZED UNDER SECTION 2 OR 3 SHALL BE SENT TO ALL MEMBERS NOT LESS THAN THIRTY (30) DAYS NOR MORE THAN SIXTY (60) DAYS IN ADVANCE OF THE MEETING. AT THE FIRST SUCH MEETING CALLED, THE PRESENCE OF MEMBERS OR OF PROXIES ENTITLED TO CAST SIXTY PERCENT (60%) OF ALL THE VOTES OF EACH CLASS OF MEMBERSHIP SHALL CONSTITUTE A QUORUM. IF THE REQUIRED QUORUM IS NOT PRESENT, ANOTHER MEETING MAY BE CALLED SUBJECT TO THE SAME NOTICE REQUIREMENT, AND THE REQUIRED QUORUM AT THE SUBSEQUENT MEETING SHALL BE ONE-HALF (1/2) OF THE REQUIRED QUORUM AT THE PRECEDING MEETING. NO SUCH SUBSEQUENT MEETING SHALL BE HELD MORE THAN SIXTY (60) DAYS FOLLOWING THE PRECEDING MEETING.

6. UNIFORM RATE OF ASSESSMENT: BOTH THE ANNUAL AND SPECIAL ASSESSMENTS MUST BE FIXED AT A UNIFORM RATE FOR ALL LOTS AND MAY BE COLLECTED ON A MONTHLY BASIS.

7. EFFECT OF NONPAYMENTS AND REMEDIES OF THE ASSOCIATION: ANY ASSESSMENT NOT PAID WITHIN THIRTY (30) DAYS AFTER THE DUE DATE SHALL BEAR INTEREST FROM THE DUE DATE AT THE RATE OF FIFTEEN PERCENT (15%) PER ANNUM. THE ASSOCIATION MAY BRING AN ACTION AT LAW AGAINST THE OWNER PERSONALLY OBLIGATED TO PAY THE SAME, OR FORECLOSE THE LIEN AGAINST THE PROPERTY. NO OWNER MAY WAIVE OR OTHERWISE ESCAPE LIABILITY FOR THE ASSESSMENTS PROVIDED FOR HEREIN BY NON-USE OF THE COMMON AREA OR ABANDONMENT OF HIS LOT.

8. SUBORDINATION OF THE LIEN TO MORTGAGES: THE LIEN OF THE ASSESSMENTS PROVIDED FOR HEREIN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE. SALE OR TRANSFER OF ANY LOT SHALL NOT AFFECT THE ASSESSMENT LIEN. HOWEVER, THE SALE OR TRANSFER OF ANY LOT PURSUANT TO MORTGAGE FORECLOSURE OR ANY PROCEEDING IN LIEN THEREOF, SHALL EXTINGUISH THE LIEN OF SUCH ASSESSMENTS AS TO PAYMENTS WHICH BECAME DUE PRIOR TO SUCH SALE OR TRANSFER SHALL RELIEVE SUCH LOT FROM LIABILITY FOR AND ASSESSMENTS THEREAFTER BECOME DUE OR FROM THE LIEN THEREOF.

#### ARTICLE VIII

##### MAINTENANCE

1. EXTERIOR MAINTENANCE: IN ADDITION TO MAINTENANCE UPON THE COMMON AREA, THE ASSOCIATION SHALL PROVIDE EXTERIOR MAINTENANCE UPON EACH LOT WHICH IS SUBJECT TO ASSESSMENT HEREUNDER, AS FOLLOWS: PAINT, REPAIR, REPLACEMENT AND CARE FOR ROOFS, GUTTERS, DOWNSPOUTS, EXTERIOR BUILDING SURFACES, THE EXTERIOR OF APPROVED FENCING, TREES, SHRUBS, WALKS AND OTHER EXTERIOR IMPROVEMENTS. SUCH EXTERIOR MAINTENANCE SHALL NOT INCLUDE GLASS SURFACES. IN THE EVENT THE NEED FOR MAINTENANCE OR REPAIR OF A LOT OR THE IMPROVEMENT THEREON IS CAUSED THROUGH THE WILLFUL OR NEGLIGENT ACT OF ITS OWNER, OR THROUGH THE WILLFUL OR NEGLIGENT ACT OF THE FAMILY, GUESTS, OR INVITERS OF THE LOT NEEDING SUCH MAINTENANCE OR REPAIR, THE COST OF SUCH EXTERIOR MAINTENANCE SHALL BE ADDED TO AND BECOME A PART OF THE ASSESSMENT TO WHICH SUCH LOT IS SUBJECT.

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2. MAINTENANCE BY OWNERS: THE OWNER OF EACH LOT SHALL FURNISH AND BE RESPONSIBLE FOR, AT HIS OWN EXPENSE, ALL THE MAINTENANCE, REPAIRS, DECORATING AND REPLACEMENTS WITH HIS RESIDENCE, INCLUDING THE HEATING AND AIR CONDITIONING SYSTEM AND ANY PARTITIONS AND INTERIOR WALLS. HE FURTHER SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF ALL WINDOWS AND ALSO THE INTERIOR OF ANY FENCED LIMITED COMMON AREA, AND ANY AND ALL OTHER MAINTENANCE, REPAIR, AND REPLACEMENTS OF THE IMPROVEMENTS ON HIS LOT UNLESS OTHERWISE PROVIDED HEREIN.

ARTICLE X

TAXES

EACH OWNER SHALL PAY ALL INSTALLMENTS OF REAL ESTATE TAXES ON THE LOT, OR LOTS, OWNED BY HIM. IN THE EVENT THAT ANY INSTALLMENT OF SUCH TAXES BECOMES DELINQUENT, THEN THE ASSOCIATION SHALL HAVE THE RIGHT TO PAY SUCH INSTALLMENTS, AND ANY AMOUNT SO PAID BY THE ASSOCIATION SHALL BECOME A LIEN ON SUCH OWNER'S PROPERTY.

ARTICLE XI

PARTY WALLS

1. GENERAL RULES OF LAW AND DEFINITION: EACH WALL WHICH IS BUILT AS A PART OF THE ORIGINAL CONSTRUCTION OF THE DWELLING UPON THE PROPERTIES AND PLACED ON THE DIVIDING LINE BETWEEN THE LOTS SHALL CONSTITUTE A PARTY WALL, TO THE EXTENT NOT INCONSISTENT WITH THE PROVISIONS OF THIS ARTICLE, THE GENERAL RULES OF LAW OF THE STATE OF INDIANA REGARDING PARTY WALLS AND LIABILITY FOR PROPERTY DAMAGE DUE TO NEGLIGENCE OR WILLFUL ACTS OR OMISSIONS SHALL APPLY THERETO.

2. SHARING OF REPAIR AND MAINTENANCE: THE COST OF REASONABLE REPAIR AND MAINTENANCE OF A PARTY SHALL BE SHARED BY THE OWNERS WHO MADE USE OF THE WALL IN PROPORTION OF SUCH USE.

3. DESTRUCTION BY FIRE OR OTHER CASUALTY: IF A PARTY WALL IS DESTROYED OR DAMAGED BY FIRE OR OTHER CASUALTY, ANY OWNER WHO HAS USED THE WALL MAY RESTORE IT, AND IF THE OTHER OWNERS THEREAFTER MAKE USE OF THE WALL, THEY SHALL CONTRIBUTE TO THE COST OF RESTORATION THEREOF IN PROPORTION TO SUCH USE WITHOUT PREJUDICE, HOWEVER, TO THE RIGHT OF ANY SUCH OWNERS TO CALL FOR A LARGER CONTRIBUTION FROM THE OTHERS UNDER ANY RULE OF LAW REGARDING LIABILITY FOR NEGLIGENT OR WILLFUL ACTS OR OMISSIONS.

4. WEATHERPROOFING: NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, AN OWNER WHO BY HIS NEGLIGENT OR WILLFUL ACT CAUSES THE PARTY WALL TO BE EXPOSED TO THE ELEMENTS SHALL BEAR THE WHOLE COST OF FURNISHING THE NECESSARY PROTECTION AGAINST SUCH ELEMENTS.

5. RIGHT TO CONTRIBUTION RUNS WITH THE LAND: THE RIGHT OF ANY OWNER TO CONTRIBUTION FROM ANY OTHER OWNER UNDER THIS ARTICLE SHALL BE APPURTENANT TO THE LAND AND SHALL PASS TO SUCH OWNER'S SUCCESSORS IN TITLE.

6. ARBITRATION: IN THE EVENT OF ANY DISPUTE ARISING CONCERNING A PARTY WALL, OR UNDER THE PROVISIONS OF THIS ARTICLE, THE BOARD OF DIRECTORS SHALL CHOOSE THREE (3) ARBITRATORS AND THE DECISION SHALL BE BY A MAJORITY OF ALL THE ARBITRATORS.

ARTICLE XII

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EASEMENTS

1. BY DECLARANT: DECLARANT HEREBY RESERVES AN EASEMENT UNTO ITSELF AND HEREBY RESERVES UNTO ITSELF THE RIGHT TO SELL, CONVEY, TRANSFER AND GRANT AN EASEMENT OR EASEMENTS AND RIGHTS-OF-WAY ACROSS AND THROUGH THE COMMON AREAS FOR THE PURPOSE OF INSTALLING DITCHES, TILES, PIPES AND OTHER TYPES OF DRAINS, SEWERS AND SEWER LINES, UTILITY LINES, DUCTS, WIRES, PIPES AND THE LIKE AND PROVIDING ACCESS RIGHTS FROM ONE SUBDIVISION TO ANOTHER

OR BETWEEN SUBDIVISIONS OR FOR ANY SUBDIVISION. DECLARANT FURTHER RESERVES UNTO ITSELF THE RIGHT TO DEDICATE ANY PORTION OF THE COMMON AREAS OR ANY UTILITY LINES SEWER, DRAIN, ROADWAY, OR THE LIKE TO ANY GOVERNMENTAL BODY, MUNICIPALITY, UTILITY OR THE LIKE, INCLUDING THE RIGHT TO DEDICATE PUBLIC STREETS AND ROADS. THE INTEREST OF EACH MEMBER OF THE ASSOCIATION IN THE COMMON AREAS SHALL BE AND IS SUBJECT TO THE EASEMENTS AND RIGHTS HEREBY CREATED AND SHALL BE AND IS SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES WHO SERVE THE UTILITIES AND EASEMENTS HEREBY CREATED OR HEREAFTER GRANTED. ANY SUCH GRANT BY DECLARANT SHALL BE BY RECORDED INSTRUMENT AND, ON AND AFTER THE RECORDATION THEREOF, NO PERMANENT STRUCTURE OF ANY KIND SHALL BE BUILT, ERECTED OR MAINTAINED ON ANY SUCH EASEMENT UNLESS OTHERWISE AGREED OR ALLOWED BY THE GRANTEE THEREOF. THIS RIGHT OF DECLARANT SHALL EXPIRE AT SUCH TIME AS DECLARANT NO LONGER RETAINS ANY OWNERSHIP INTEREST IN THE PROPERTIES OF FIVE YEARS AFTER THE FILING OF ANY SUPPLEMENTARY DECLARATION, WHICHEVER OCCURS FIRST.

2. BY THE ASSOCIATION: SUBJECT TO THE EASEMENTS AND RIGHTS SPECIFIED BY DECLARANT HEREIN, THE ASSOCIATION SHALL HAVE THE RIGHT TO SELL, CONVEY, TRANSFER AND GRANT EASEMENTS AND RIGHTS-OF-WAY ACROSS AND THROUGH THE COMMON AREAS TO ANY PUBLIC AGENCY, AUTHORITY OR UTILITY FOR SUCH PURPOSES AND SUBJECT TO SUCH CONDITIONS AS MAY BE AGREED TO BY THE MEMBERS. SUCH SALE, CONVEYANCE, TRANSFER, GRANT OR DEDICATION SHALL HAVE THE ASSENT OF A MAJORITY OF THE VOTES OF THE MEMBERS WHO ARE VOTING IN PERSON OR BY PROXY AT A MEETING DULY CALLED FOR SUCH PURPOSE; PROVIDED, HOWEVER, TERMS AND PROVISIONS HEREOF REGARDING SUCH MEMBER APPROVAL AND MAY RELY UPON THE REPRESENTATIONS OF THE BOARD OF DIRECTORS AND THE OFFICERS OF THE ASSOCIATION. ANY INSTRUMENT DULY EXECUTED BY THE OFFICERS OF THE ASSOCIATION GRANTING ANY EASEMENT OR DEDICATION AS HEREIN PROVIDED SHALL BE BINDING UPON THE ASSOCIATION AS TO ANY GRANTEE IN GOOD FAITH.

THE ASSOCIATION SHALL HAVE AND IS HEREBY GRANTED AN EASEMENT FOR ACCESS TO ALL LOTS FOR INGRESS AND EGRESS AS REASONABLY REQUIRED BY ITS OFFICERS, DIRECTORS, EMPLOYEES, AND THEIR AGENTS AND INDEPENDENT CONTRACTORS, IN ORDER TO PERFORM ITS OBLIGATIONS AND DUTIES AS SET FORTH IN THIS DECLARATION. THE EASEMENT SPECIFIED HEREIN IS ALSO RESERVED FOR THE BENEFIT OF DECLARANT SO LONG AS DECLARANT OWNS ANY LOT.

3. ENCROACHMENTS: IF ANY PORTION OF THE COMMON AREAS SHALL ENCROACH UPON ANY LOT OR IF ANY IMPROVEMENT, BUILDING, OVERHANG, FIXTURE OR OTHER STRUCTURE OR IMPROVEMENT OF WHATEVER TYPE SHALL FOR ANY REASON ENCROACH UPON ANY PORTION OF THE COMMON AREAS AS A RESULT OF THE CONSTRUCTION OF A BUILDING OR IMPROVEMENT, A PERPETUAL EASEMENT FOR THE ENCROACHMENT AND FOR MAINTENANCE IS RETAINED BY THE DECLARANT FOR ITS BENEFIT AND FOR THE BENEFIT OF THE ASSOCIATION AND ANY OWNER WHOSE LOT IS AFFECTED THEREBY AND SHALL EXIST PERPETUALLY. IN THE EVENT SUCH BUILDING OR IMPROVEMENT SHALL BE PARTIALLY OR TOTALLY DESTROYED AS A RESULT OF FIRE OR OTHER CASUALTY OR AS A RESULT OF CONDEMNATION OR EMINENT DOMAIN PROCEEDINGS, AND THEIR REBUILT, ANY RESULTING ENCROACHMENT SHALL BE PERMITTED, AND A VALID EASEMENT FOR SUCH ENCROACHMENT IS HEREBY RESERVED BY THE DECLARANT FOR ITS BENEFIT AND FOR THE BENEFIT OF THE ASSOCIATION AND ANY OWNER OF A LOT WHO IS AFFECTED THEREBY.

#### ARTICLE XIII

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#### MORTGAGEE'S RIGHTS

1. NOTICE OF RIGHTS OF MORTGAGEE OF A LOT: UPON WRITTEN REQUEST BY A MORTGAGEE OF THE ASSOCIATION, MORTGAGE OF A LOT SHALL BE ENTITLED TO RECEIVE WRITTEN NOTIFICATION OF ANY DEFAULT, NOT CURED WITHIN SIXTY (60) DAYS AFTER ITS OCCURRENCE, BY THE OWNER OF THE LOT OF ANY OBLIGATION OF THE OWNER UNDER



THE DECLARATION, THE BY-LAWS OF THE ASSOCIATION OR THE ARTICLES OF INCORPORATION OF THE ASSOCIATION. THE REQUEST FOR NOTIFICATION CAN BE MADE BY A MORTGAGEE OF A LOT, ITS SUCCESSOR OR ASSIGN.

2. RIGHTS OF FIRST REFUSAL: NO FIRST MORTGAGEE, ITS SUCCESSOR OR ASSIGN, OF A LOT WHO COMES INTO POSSESSION OF THAT LOT PURSUANT TO THE REMEDIES PROVIDED IN THE MORTGAGE, FORECLOSURE OF THE MORTGAGE, A DEED OR ASSIGNMENT TAKEN IN LIEU OF FORECLOSURE SHALL BE SUBJECT TO ANY RIGHTS OF FIRST REFUSAL WHICH THE OWNER MAY HAVE GIVEN TO THE ASSOCIATION OR OTHER OWNERS OF THE LOTS.

3. RIGHT TO EXAMINE BOOKS AND RECORDS: MORTGAGEES, THEIR SUCCESSORS OR ASSIGNS SHALL HAVE THE RIGHT TO EXAMINE THE BOOKS AND RECORDS OF THE ASSOCIATION.

#### ARTICLE XIV

##### HARMONY AND ENVIRONMENTAL CONTROLS

NO BUILDING, FENCE, WALL OR OTHER STRUCTURE, EXCEPT ORIGINAL CONSTRUCTION OF BUILDINGS BY OR ON BEHALF OF DECLARANT, SHALL BE COMMENCED, DIRECTED OR MAINTAINED UPON THE PROPERTIES, NOR SHALL ANY EXTERIOR ADDITION TO OR CHANGE OR ALTERATION THEREIN, OTHER THAN BY THE BOARD OF DIRECTORS, BE MADE UNTIL THE PLANS AND SPECIFICATIONS SHOWING THE NATURE, KIND, SHAPE, HEIGHT, MATERIALS, AND LOCATION OF THE SAME SHALL HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING AS TO HARMONY OF EXTERNAL DESIGN AND LOCATION IN RELATION TO SURROUNDING STRUCTURES AND TOPOGRAPHY BY THE BOARD OF DIRECTORS OF THE ASSOCIATION, OR BY AN ARCHITECTURAL COMMITTEE COMPOSED OF THREE (3) OR MORE REPRESENTATIVES APPOINTED BY THE BOARD. ANY CHANGE IN THE APPEARANCE OF THE COLOR OF ANY PART OF THE EXTERIOR OF A RESIDENCE SHALL BE DEEMED A CHANGE THERE TO AND SHALL REQUIRE THE APPROVAL THEREFOR AS ABOVE PROVIDED.

#### ARTICLE XV

##### USE RESTRICTIONS

1. DWELLING SIZE: THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY PORCHES AND GARAGES, SHALL NOT BE LESS THAN 925 SQUARE FEET IN THE CASE OF A ONE STORY STRUCTURE, NOR SHALL THE GROUND FLOOR AREA BE LESS THAN 600 SQUARE FEET IN THE CASE OF A MULTIPLE STORY STRUCTURE WITH LESS THAN 1200 SQUARE FEET OF FINISHED FLOOR AREA IN SUCH MULTIPLE STORY STRUCTURE.

2. ANIMALS: NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT EXCEPT THAT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES.

THE BOARD OF DIRECTORS OF THE HOMEOWNERS ASSOCIATION MAY FROM TIME TO TIME ISSUE RULES AND REGULATIONS PERTAINING TO MAINTAINING DOGS, CATS, OR OTHER HOUSEHOLD PETS WITHIN THE COMMUNITY.

3. WASTE DISPOSAL: NO LOT OR COMMON AREA SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. WASTE MATTER OR MATERIALS SHALL BE KEPT ONLY IN SANITARY CONTAINERS. TRASH OR GARBAGE CONTAINERS SHALL NOT BE PERMITTED TO REMAIN IN PUBLIC VIEW EXCEPT ON DAYS OF TRASH COLLECTION.

4. ANTENNA: NO OUTSIDE TELEVISION OR RADIO AERIAL OR ANTENNA, FOR RECEPTION OR TRANSMISSION SHALL BE MAINTAINED UPON ANY LOT UNLESS SUCH SUBSTRUCTURE IS A PART OF THE BASIC DESIGN OF A

DWELLING OR GROUP OF DWELLINGS OR WITHOUT THE PRIOR WRITTEN CONSENT OF THE BOARD OF DIRECTORS.

5. NOXIOUS ACTIVITY: NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED UPON ANY LOT WITHIN ANY DWELLING SITUATED UPON A LOT NOR SHALL ANYTHING BE DONE THEREIN OR THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD OR THE OTHER OWNERS OF THE LOTS.

6. MAINTENANCE AND STORAGE OF VEHICLES: NO JUNK VEHICLES, MOTORCYCLES, COMMERCIAL VEHICLE, TRAILER TRUCK, CAMPER, CAMP TRUCK, HOUSE TRAILER, BOAT, OR THE LIKE SHALL BE KEPT UPON THE PROPERTIES (EXCEPT IN ENCLOSED GARAGES) NOR SHALL THE REPAIR OR EXTRAORDINARY MAINTENANCE OR AUTOMOBILES OR OTHER VEHICLES BE CARRIED OUT THEREON EXCEPT FOR BONAFIDE EMERGENCIES.

7. ASSOCIATION RULES: THERE SHALL BE NO VIOLATION OF ANY RULES FOR THE COMMON AREA WHICH MAY FROM TIME TO TIME BE ADOPTED BY THE BOARD OF DIRECTORS OR PROMULGATED AMONG THE MEMBERSHIP BY THEM IN WRITING, AND THE BOARD OF DIRECTORS IS HEREBY AND ELSEWHERE IN THE BY-LAWS, AUTHORIZED TO ADOPT SUCH RULES.

8. SIGNS: EXCEPT FOR ENTRANCE SIGNS, DIRECTIONAL SIGNS, COMMUNITY "THEME" AND THE LIKE, NO SIGNS OF ANY CHARACTER SHALL BE ERRECTED, POSTED OR DISPLAYED UPON, IN OR ABOUT ANY LOT SITUATED UPON THE PROPERTIES; PROVIDED, HOWEVER, IF SPECIFICALLY PERMITTED BY A WRITTEN RESOLUTION ADOPTED BY THE BOARD OF DIRECTORS.

9. BUSINESSES: ALL PREMISES SHALL BE USED FOR SINGLE-FAMILY RESIDENCE USES ONLY. NO HOME OCCUPATION SHALL BE CONDUCTED OR MAINTAINED ON ANY LOT OTHER THAN ONE WHICH IS INCIDENTAL TO A BUSINESS, PROFESSION OR OCCUPATION OF THE OWNER OR OCCUPANT OF ANY SUCH LOT AND WHICH IS GENERALLY OR REGULARLY CONDUCTED IN ANOTHER LOCATION AWAY FROM THE LOT.

10. INTERSECTIONS: NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 6 FT. ABOVE THE STREET SHALL BE PLACED OR PERMITTED TO REMAIN ON A CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES IN A LINE CONNECTING POINTS 25 FT. FROM THE INTERSECTION OF SAID STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN 10 FT. FROM THE INTERSECTION OF THE STREET LINE WITH THE EDGE OF THE DRIVEWAY PAVEMENT OR ALLEY LINE. NO TREES SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOILAGE LINE IS MAINTAINED AT A SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

#### ARTICLE XVI

#### USE OF GEIST RESERVOIR

84 87403

RIGHTS OF THE OWNER TO USE GEIST RESERVOIR ARE GOVERNED BY A LICENSE AGREEMENT BETWEEN THE INDIANAPOLIS WATER COMPANY AND THE SHOREWOOD CORPORATION, DATED THE 19th DAY OF OCTOBER, 1970, AND RECORDED ON THE 22nd DAY OF OCTOBER, 1970, AS INSTRUMENT #70-46985, IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA.

IN GENERAL, SINCE THESE PROPERTIES WERE PURCHASED OFF OF THE SHOREWOOD CORPORATION, THEN THE OWNERS OF THE LOTS HAVE THE SAME RIGHTS AS ALL OTHER SHOREWOOD PROPERTIES, INCLUDING SWIMMING POOLS, TENNIS COURTS, CLUB HOUSE FACILITIES, BOAT DOCK PRIVILEGES, AND OTHER AMENITIES IF AND WHEN THESE FACILITIES ARE AVAILABLE.

## ARTICLE XVII

### GENERAL PROVISIONS

1. ENFORCEMENT: THESE COVENANTS, CONDITIONS AND RESTRICTIONS MAY BE ENFORCED BY THE ASSOCIATION OR ANY OWNER. ENFORCEMENT OF THESE COVENANTS, CONDITIONS AND RESTRICTIONS SHALL BE BY ANY PROCEEDING AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT, CONDITION OR RESTRICTION EITHER TO RESTRAIN OR ENJOIN VIOLATION OR TO RECOVER DAMAGES, AND AGAINST THE LAND TO ENFORCE ANY LIEN CREATED BY THESE COVENANTS, AND THE FAILURE OF FORBEARANCE BY THE ASSOCIATION OR ANY OWNER TO ENFORCE ANY COVENANT, CONDITION OR RESTRICTION HEREIN CONTAINED SHALL IN NO EVENT BE DEEMED A WAIVER OR THE RIGHT TO DO SO THEREAFTER. THERE SHALL BE AND THERE IS HEREBY CREATED AND DECLARED TO BE CONCLUSIVE PRESUMPTION THAT ANY VIOLATION OR BREACH OF ANY ATTEMPTED VIOLATION OR BREACH OF ANY OF THE WITHIN COVENANTS, CONDITIONS OR RESTRICTIONS CANNOT BE ADEQUATELY REMEDIED BY ACTION AT LAW OR BY RECOVERY OF DAMAGES.

2. SEVERABILITY: INVALIDATION OF ANY ONE OF THESE COVENANTS, CONDITIONS OR RESTRICTIONS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OTHER PROVISION WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

3. DURATION: EXCEPT WHERE PERMANENT EASEMENTS OR OTHER PERMANENT RIGHTS OR INTEREST ARE HEREIN CREATED, THE COVENANTS AND RESTRICTIONS OF THIS DECLARATION SHALL RUN WITH AND BIND THE LAND, AND SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE ASSOCIATION, OR THE OWNER OF ANY LOT SUBJECT TO THIS DECLARATION, THEIR RESPECTIVE LEGAL REPRESENTATIVES, HEIRS, SUCCESSORS AND ASSIGNS FOR A TERM OF TWENTY-FIVE (25) YEARS FROM THE DATE OF RECORDATION OF THIS DECLARATION, AFTER WHICH THE SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS EACH UNLESS BY A TWO-THIRDS (2/3) VOTE OF ALL MEMBERS OF THE ASSOCIATION SUCH COVENANTS AND CONDITIONS ARE AMENDED, ALTERED OR REVOKED.

4. AMENDMENT: THIS DECLARATION MAY BE AMENDED DURING THE FIRST TWENTY-FIVE (25) YEAR PERIOD BY AN INSTRUMENT SIGNED BY NOT LESS THAN SEVENTY-FIVE PERCENT (75%) OF THE OWNERS, AND THEREAFTER BY AN INSTRUMENT SIGNED BY NOT LESS THAN TWO-THIRDS (2/3) OF SUCH LOT OWNERS. AN AMENDMENT MUST BE RECORDED IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA. NO SUCH AGREEMENT TO AMEND, IN WHOLE OR IN PART, SHALL BE EFFECTIVE UNLESS WRITTEN NOTICE OF THE PROPOSED AGREEMENT IS SENT TO EVERY OWNER AT LEAST THIRTY (30) DAYS IN ADVANCE OF ANY ACTION TAKEN AND NO SUCH AGREEMENT SHALL BE EFFECTIVE WITH RESPECT TO ANY PERMANENT EASEMENT OR OTHER PERMANENT RIGHTS OR INTEREST RELATING TO THE COMMON AREAS HEREIN CREATED. AS LONG AS THERE IS A CLASS "B" MEMBERSHIP, THE FOLLOWING ACTIONS WILL REQUIRE THE PRIOR APPROVAL OF THE FEDERAL HOUSING ADMINISTRATION (SECRETARY OF HOUSING AND URBAN DEVELOPMENT) OR THE VETERANS ADMINISTRATION: ANNEXATION OF ADDITIONAL PROPERTIES, DEDICATION OF COMMON AREA, AND AMENDMENT OF THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

5. LIMITATIONS. AS LONG AS DECLARANT HAS AN INTEREST IN DEVELOPING THE PROPERTIES, THE ASSOCIATION MAY NOT USE ITS FINANCIAL RESOURCES TO DEPRAY ANY COSTS OF OPPOSING THE DEVELOPMENT ACTIVITIES SO LONG AS THEY REMAIN CONSISTENT WITH THE GENERAL INTENTS OF THE DEVELOPMENT PLAN. NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE RIGHTS OF THE MEMBERS TO ACT AS INDIVIDUALS OR IN AFFILIATION WITH OTHER MEMBERS OR GROUPS.



EXHIBIT "A"

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 17 NORTH, RANGE 5 EAST IN MARION COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A SQUARE CUT STONE FOUND MARKING THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 20; THENCE NORTH 89 DEGREES 35 MINUTES 46 SECONDS EAST ALONG THE NORTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 830.40 FEET TO A POINT IN THE APPROXIMATE CENTERLINE OF FALL CREEK ROAD (AS ESTABLISHED DECEMBER 1979) SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 12 DEGREES 58 MINUTES 59.9 SECONDS WEST ALONG THE APPROXIMATE CENTERLINE OF FALL CREEK ROAD A DISTANCE OF 503.91 FEET; THENCE SOUTH 77 DEGREES 46 MINUTES 29.6 SECONDS EAST 637.63 FEET; THENCE NORTH 00 DEGREES 18 MINUTES 47 SECONDS WEST 629.63 FEET TO THE NORTH-EAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 89 DEGREES 35 MINUTES 46 SECONDS WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 506.53 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION CONTAINING 7.35 ACRES MORE OR LESS AND SUBJECT TO ALL LEGAL HIGHWAYS, RIGHTS-OF-WAY AND EASEMENTS OF RECORD.

84 87403

EXHIBIT "B"

Part of the West Half of the Southwest Quarter of Section 20, Township 17 North, Range 5 East in Marion County, Indiana, more particularly described as follows:

Beginning at a point in the center line of Fall Creek Road (as established December, 1979) said point lies North 89 degrees 35 minutes 46 seconds East 830.40 feet from a square cut stone found marking the Northwest corner of the Southwest Quarter of said Section 20; thence along the North line of the West Half of the Southwest Quarter of said Section 20 North 89 degrees 35 minutes 46 seconds East 506.53 feet to the Northeast corner thereof; thence along the East line of said West half South 00 degrees 18 minutes 47 seconds East 1000.00 feet; thence South 28 degrees 40 minutes 00 seconds West 600.65 feet; thence North 67 degrees 41 minutes 18 seconds West 565.27 feet to a point in the center line of Fall Creek Road (the next 2 courses are along the center line of said Fall Creek Road); (1) thence North 12 degrees 48 minutes 00 seconds East 810.00 feet to Station 0-200 begin "West Reservoir Road" (Fall Creek Road) per Indianapolis Water Company plans dated April 13, 1942; (2) thence North 12 degrees 59 minutes 00 seconds East 532.58 feet to the place of beginning, containing 20.81 acres, more or less.

PROPOSED SITE DEVELOPMENT PLAN  
FOR THE  
FOXCHASE  
A COMMUNITY DEVELOPMENT PROJECT  
IN THE CITY OF  
FOXCROFT, NEW JERSEY  
PREPARED BY  
ARCHITECTURAL & ENGINEERING  
(S) INC.

←  
FOXCHASE

84 87403

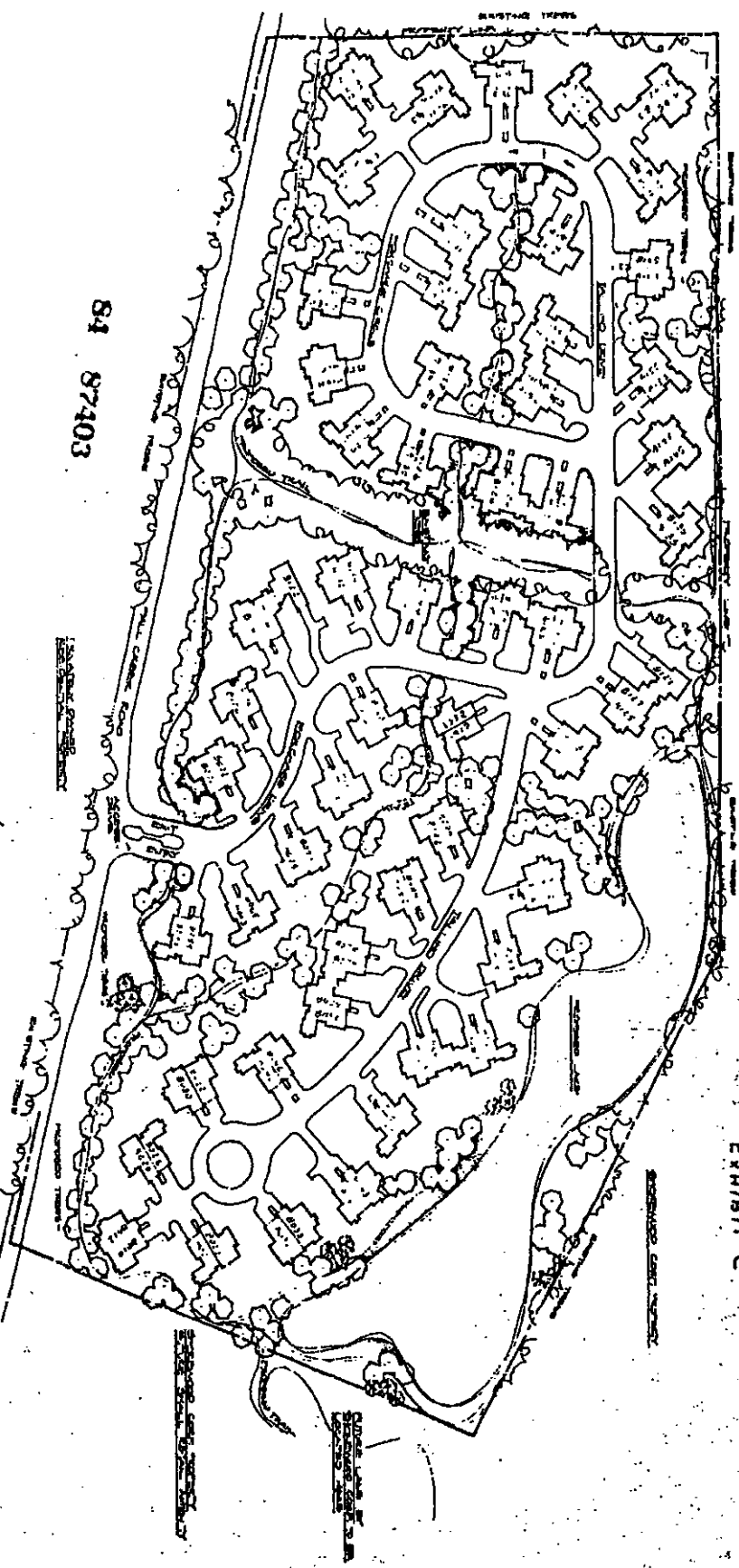


EXHIBIT C

JULY 8 MON ARX  
1998  
130717  
FOR TRANSFER

FILED  
JUL 08 1998  
LAWRENCE TOWNSHIP  
ASSESSOR

67

**AMENDMENT TO AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FOXCHASE, SECTIONS TWO & THREE**

This is an amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections Two and Three.

**WITNESSETH:**

WHEREAS, a residential community known as **Foxchase Section Two** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Two," filed with the Marion County Recorder's Office on August 22, 1984, as **Instrument No. 84-65706** ("Section Two Declaration"); and

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section Two consists of thirty-one (31) Lots numbered 33 through 43 and 45 through 64, inclusive, and Common Area; and

WHEREAS, the Section Two Declaration was amended by a certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Two" filed with the Marion County Recorder's Office on November 7, 1984, as **Instrument No. 84-87402** ("Section Two Amended Declaration"); and

WHEREAS, a residential community known as **Foxchase Section Three** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Three," filed with the Marion County Recorder's Office on August 22, 1984, as **Instrument No. 84-65708** ("Section Three Declaration"); and

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section Three consists of forty-six (46) Lots numbered 65 through 110, inclusive, and Common Area; and

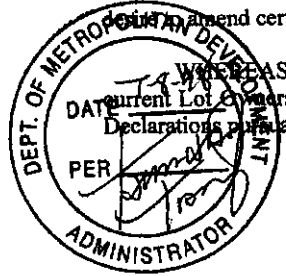
WHEREAS, the Section Three Declaration was amended by a certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Three" filed with the Marion County Recorder's Office on November 7, 1984, as **Instrument No. 84-87403** ("Section Three Amended Declaration"); and

WHEREAS, the Section Two Amended Declaration and the Section Three Amended Declaration shall be referred to hereafter as the "Amended Declarations"; and

WHEREAS, Article XVII, Section Four of each of the Amended Declarations states that they may be amended during the first 25 year period by an instrument signed by not less than seventy-five percent (75%) of the owners, which Amendment must be recorded in the Office of the Recorder of Marion County, Indiana; and

WHEREAS, the requisite number of Owners within Section Two and Section Three of Foxchase amend certain provisions of the Amended Declarations; and

WHEREAS, the undersigned Owners, constituting more than seventy-five percent (75%) of the current Lot Owners within Section Two and Section Three of Foxchase, desire to amend the Amended Declarations pursuant to the terms and conditions set forth below.



07/10/98 11:14AM JOAN N. ROMERIL MARION CTY RECORDER LKS 142.00 PAGES: 67  
Inst # 1998-0117189



NOW, THEREFORE, the undersigned Owners hereby amend the Amended Declarations such that all of the Lots, Common Areas, and Lands located within the Properties of Foxchase Sections Two and Three are held and shall be held, conveyed, hypothecated, or encumbered, leased, rented, used, occupied and improved, subject to the following restrictions, all of which were and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the Foxchase Sections Two and Three development as a whole and of each of said Lots situated therein. All of the restrictions contained herein shall run with the land and shall be binding upon the present and future Owners and upon the parties having or acquiring any right, title or interest, legal or equitable, in and to the Foxchase Sections Two and Three Properties or any part or parts thereof subject to such restrictions.

1. Article XV, Section 9 of the Amended Declarations for Foxchase Sections Two and Three is hereby deleted in its entirety and replaced with the following:

**9. Residential Use and Home Occupations:** All Lots and Dwellings shall be used for single-family residential use only; provided, however, that an Owner may maintain an office or home business in the Dwelling if: (1) such office or business generates no significant number of visits or unreasonable parking usage (both as determined by the Board of Directors) by clients, customers or other persons related to the business; (2) no equipment or other items related to the business are stored, parked or otherwise kept outside such Owner's Dwelling; (3) there are no employees or independent contractors within the Dwelling other than the Owner or other resident; (4) such Owner has obtained approvals or licenses for such use as may be required by the appropriate local and state governmental agencies; and (5) the Owner in all other respects complies with any federal, state, or local laws, regulations and ordinances, including but not limited to the Marion County Home Occupations Ordinance. The Board may require the Owner to pay any increase in the rate of insurance or any other costs or expenses to the Association which may result from such use. No Dwelling shall be used or rented for transient, motel or hotel purposes.

2. **Definitions.** The definition of terms defined in the Amended Declarations as used herein shall be applicable to this Amendment.

3. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of any Dwelling in Foxchase Sections Two or Three shall constitute a ratification of this Amendment, together with the Amended Declarations (including all amendments and supplements thereto), the By-Laws and all amendments thereto, the Articles of Incorporation and all amendments thereto, and any Rules or Regulations adopted pursuant to said documents, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Dwelling or a Lot within the Foxchase Sections Two and Three Properties as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease.

IN WITNESS WHEREOF, the undersigned Owners of Lots within Foxchase Sections Two and Three execute this Amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Foxchase Sections Two and Three as of the date of the last signature below.

This instrument prepared by, and should be returned to, P. Thomas Murray, JAMES EADS & MURRAY, P.C., Attorneys at Law, 7351 Shadeland Station, Suite 185, Indianapolis, IN 46256. (317) 842-8550.

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Phyllis K. Bartlett  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Phyllis K. Bartlett  
(printed)

\_\_\_\_\_  
(printed)

8094 Tallado Drive  
(street address)

33  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Phyllis K. Bartlett and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 7<sup>th</sup> day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public--Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Ronald L. Moe  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Ronald L. Moe  
(printed)

\_\_\_\_\_  
(printed)

8092 Tallibo Dr  
(street address)

34  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Ronald L. Moe and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 18<sup>th</sup> day of March, 1998.

BARRY N. WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Linda L. Henry (owner's signature) \_\_\_\_\_ (owner's signature)  
LINDA L. HENRY (printed) \_\_\_\_\_ (printed)  
8084 N. Tallahassee Dr. (street address) 35 (Lot No.) 2 (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Linda L. Henry and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2<sup>nd</sup> day of MARCH, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998  
Residence County: MARION

Barry N. Womack  
Notary Public-Signature  
Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

*D.M. Duffy* (owner's signature) \_\_\_\_\_ (owner's signature)  
Dana M. Duffy (printed) \_\_\_\_\_ (printed)  
8026 Tallichet Dr. (street address) 46254 37 (Lot No.) 2 (Section No.)  
Up

STATE OF INDIANA )  
COUNTY OF Monroe )

Before me, a Notary Public, in and for said County and State, personally appeared DANA M. DUFFY and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 19th day of March, 1998.

*Patricia A. Birden*  
Notary Public--Signature

Residence County: \_\_\_\_\_ PATRICIA A. BIRDEN  
Printed

My Commission Expires \_\_\_\_\_  
PATRICIA A. BIRDEN, Notary Public  
My Commission Expires: March 13, 1999  
Resident of: Hamilton County

SIGNATURE PAGE

Amendment to Article XV, Section 9  
(Relating to Home Occupations)

*Rob D. Neal*

(owner's signature)

(owner's signature)

*Rob D. Neal*

(printed)

*8174 Talliho*

*8074 Talliho*

(street address)

*8075 Foxchase*

*8144 Foxchase*

(printed)

*3, 22,  
38, 109*

(Lot No.)

(Section No.)

STATE OF INDIANA )  
COUNTY OF \_\_\_\_\_ )

Before me, a Notary Public, in and for said County and State, personally appeared *Rob D. Neal* and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this *9<sup>th</sup>* day of *February*, 199*8*.

*Martha A. Allen*  
Notary Public-Signature

Residence County: *Marian*

*MARTHA A. ALLEN*  
Printed

My Commission Expires *2-10-2000*

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Gaye Wetzelberger \_\_\_\_\_  
(owner's signature) (owner's signature)  
Gaye Wetzelberger \_\_\_\_\_  
(printed) (printed)  
8054 Talliba Dr. \_\_\_\_\_  
(street address) 39 \_\_\_\_\_  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared GAYE WETZELBERGER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 29th day of DEC, 1997.

Betty L. Beets  
Notary Public-Signature  
**BETTY L. BEETS, Notary Public**  
Printed My Commission Expires 8-30-08  
County of Resident: Marion

Residence County: MARION

My Commission Expires 8/30/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Robert J. W. Kinzel  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

ROBERT J. W. KINZEL  
(printed)

\_\_\_\_\_  
(printed)

8052 TALLHULLO DR.  
(street address)

40  
(Lot No.)

\_\_\_\_\_  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Robert J. W. Kinzel and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2<sup>nd</sup> day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public-Signature

Residence County: Marion

BARRY N. WOMACK  
Printed

My Commission Expires 7/24/98



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

*Joann Fleser*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

JOANN FLESER  
(printed)

\_\_\_\_\_  
(printed)

8042 TALLHO DR.  
(street address)

41  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
  )  
COUNTY OF \_\_\_\_\_ )

Before me, a Notary Public, in and for said County and State, personally appeared JOANN FLESER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2<sup>nd</sup> day of MARCH, 1998.

*Kathryn A. Casceller*  
Notary Public—Signature

Residence County: Marion

KATHY A. CASCELLER  
Printed

My Commission Expires 1-11-99

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Charles D. Praed  
(owner's signature)

Martha L. Praed  
(owner's signature)

Charles D. Praed  
(printed)

MARTHA L. PRAED  
(printed)

8040 Talliko Dr.  
(street address)

42  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Charles Praed and Martha Praed, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 21 day of January, 1998.

Heather M. Sipek  
Notary Public--Signature

Residence County: \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Printed HEATHER M. SIPEK  
NOTARY PUBLIC FOR STATE OF INDIANA  
LEGAL RESIDENT OF MARION COUNTY  
COMMISSION EXPIRES AUGUST 13, 2001

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Diana Bedwell  
(owner's signature)

Diana Bedwell  
(owner's signature)

Diana Bedwell  
(printed)

Diana Bedwell  
(printed)

8022 Tallino Dr.  
(street address)

45  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion }

Before me, a Notary Public, in and for said County and State, personally appeared DIANA Bedwell and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31<sup>st</sup> day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County: Marion

Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

C. Sue Dumm  
(owner's signature)

[Signature]  
(owner's signature)

C. SUE Dumm  
(printed)

Fredric K. Zuck  
(printed)

8020 TALLHO DR.  
(street address)

46  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
                                  )  
COUNTY OF Madison )

Before me, a Notary Public, in and for said County and State, personally appeared C. Sue Dumm and Fredric K. Zuck, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28 day of February, 1998.

Anna M. Smith  
Notary Public—Signature

Residence County: Madison

Anna M. Smith  
Printed

My Commission Expires 7/13/99

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

[Signature]  
(owner's signature)

[Signature]  
(owner's signature)

BARBARA LARSON  
(printed)

L. GARNETT LARSON  
(printed)

6012 TORCH DR  
(street address)

47  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion }

Before me, a Notary Public, in and for said County and State, personally appeared BARBARA LARSON and L. GARNETT LARSON, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of January, 1998.

**BARRY N WOMACK**  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

[Signature]  
Notary Public Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires July 24, 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

John R. Behm  
(owner's signature)

Muriel K. Behm  
(owner's signature)

John R. Behm  
(printed)

Muriel K. Behm  
(printed)

8010 Tallho Dr.  
(street address)

48      \_\_\_\_\_  
(Lot No.)      (Section No.)

STATE OF INDIANA    )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared John R. Behm and Muriel K. Behm, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of MARCH, 1998.

**BARRY N WOMACK**  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County: MARION

BARRY N. WOMACK  
Printed

My Commission Expires 7/24/98



FEB 04 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Mary Canatsey  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

MARY CANATSEY  
(printed)

\_\_\_\_\_  
(printed)

8023 Taliko Dr Indianapolis IN 46256  
(street address)

50      2  
(Lot No.)      (Section No.)

STATE OF INDIANA    )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared MARY CANATSEY and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 1<sup>st</sup> day of Feb, 1998.

**BARRY N WOMACK**  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires July 24, 1998



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

[Signature] \_\_\_\_\_  
(owner's signature) (owner's signature)

GARRETT L. HARBROW \_\_\_\_\_  
(printed) (printed)

8031 TALLHUR DR. \_\_\_\_\_ 51 \_\_\_\_\_  
(street address) (Lot No.) (Section No.)

STATE OF INDIANA }  
COUNTY OF MARION }

Before me, a Notary Public, in and for said County and State, personally appeared GARRETT L. HARBROW and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2<sup>nd</sup> day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998  
Residence County: Marion

[Signature]  
Notary Public Signature  
BARRY N WOMACK  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Lynne Kimball  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

LYNNE KIMBALL  
(printed)

\_\_\_\_\_  
(printed)

8033 TALLHO DRIVE  
(street address)

52 \_\_\_\_\_  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Lynne Kimball and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 3<sup>rd</sup> day of MARIL, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public - Signature

Residence County: MARION

BARRY N. WOMACK  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Philip Lo \_\_\_\_\_ (owner's signature)  
 \_\_\_\_\_ (owner's signature)  
PHILIP LO \_\_\_\_\_ (printed)  
 \_\_\_\_\_ (printed)  
8041 TALLHO DR. \_\_\_\_\_ (street address)  
53 \_\_\_\_\_ (Lot No.)  
2 \_\_\_\_\_ (Section No.)

STATE OF INDIANA }  
COUNTY OF Marion }

Before me, a Notary Public, in and for said County and State, personally appeared Philip Lo and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 6<sup>th</sup> day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County: Marion

Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

B L Glancy  
(owner's signature)

Shirley Glancy  
(owner's signature)

BEN L. GLANCY  
(printed)

SHIRLEY GLANCY  
(printed)

8043 TALLHO  
(street address)

54 (Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared BEN L. and SHIRLEY GLANCY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 13<sup>th</sup> day of February, 1998.



Nancy E. Berry  
Notary Public-Signature

Residence County: MARION

NANCY E. BERRY  
Printed

My Commission Expires 10/17/00

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Mary Jane Spencer  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

MARY JANE SPENCER  
(printed)

\_\_\_\_\_  
(printed)

8049 TALLIHO DRIVE  
(street address)

55 \_\_\_\_\_  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Mary Jane Spencer and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 23<sup>rd</sup> day of February, 1998.

**BARRY N WOMACK**  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public - Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires July 24, 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Betty Barber  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

BETTY BARBER  
(printed)

\_\_\_\_\_  
(printed)

8051 TALLIHO DR  
(street address)

56  
(Lot No.)

\_\_\_\_\_  
(Section No.)

STATE OF INDIANA )  
                                  )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Betty Barber and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 29th day of DEC, 1997.

Betty L. Beets  
Notary Public—Signature  
**BETTY L. BEETS, Notary Public**  
My Commission Expires: 8-30-98  
County of Resident: Marion  
Printed

Residence County: MARION

My Commission Expires 8/30/98



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Wayne H. Thompson M.D.  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Wayne H. Thompson M.D.  
(printed)

\_\_\_\_\_  
(printed)

8069 Tallado Dr  
(street address)

59  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA, )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Wayne H. Thompson and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public - Signature

Residence County Marion

Barry N. Womack  
Printed

My Commission Expires 7/29/98



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

William M. Hon  
(owner's signature)

Carole V. Hon  
(owner's signature)

WILLIAM M. HON  
(printed)

CAROLE V. HON  
(printed)

8071 TALLHO DR.  
(street address)

60  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion

Before me, a Notary Public, in and for said County and State, personally appeared William M. Hon and Carole V. Hon, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 25th day of February, 1998.

Loretta G. Mickens  
Notary Public--Signature

Residence County: Marion

Loretta G. Mickens  
Printed

My Commission Expires July 29, 2001

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Mary A. Smiley  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

MARY A. Smiley  
(printed)

\_\_\_\_\_  
(printed)

8083 Talliko Drive  
(street address)

62 \_\_\_\_\_  
(Lot No.) (Section No.)

STATE OF INDIANA    )  
                                  )  
COUNTY OF \_\_\_\_\_)

Before me, a Notary Public, in and for said County and State, personally appeared Mary A. Smiley and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2 day of January, 1998.

Heather M. Sipek  
Notary Public--Signature

Residence County: \_\_\_\_\_

My Commission Expires \_\_\_\_\_

Printed HEATHER M. SIPEK  
NOTARY PUBLIC FOR STATE OF INDIANA  
LEGAL RESIDENT OF MARION COUNTY  
COMMISSION EXPIRES AUGUST 13, 2001

FEB 17 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Nanci Haber  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

NANCI HABER  
(printed)

\_\_\_\_\_  
(printed)

8091 Talliko Dr  
(street address) 46256

63  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Nanci Haber and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 4<sup>th</sup> day of February, 1998.

Martha A. Allen  
Notary Public-Signature

Residence County: Marion

MARTHA A. ALLEN  
Printed

My Commission Expires 2-10-2000

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Mary Beth Lippold

(owner's signature)

Mary Beth Lippold

(printed)

8135 Tallihu DR.

(street address)

\_\_\_\_\_  
(owner's signature)

\_\_\_\_\_  
(printed)

66

(Lot No.)

\_\_\_\_\_  
(Section No.)

STATE OF INDIANA )

COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared MARY Beth Lippold and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of January, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County: Marion

BARRY N. WOMACK  
Printed

My Commission Expires July 24, 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Mary Nichols Lawson  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Mary Nichols Lawson  
(printed)

\_\_\_\_\_  
(printed)

3145 Tallino Drive  
(street address)

67  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Mary Nichols Lawson and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 4<sup>th</sup> day of MARCH, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Donald J. Fressie  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

DONALD J. FRESSIE  
(printed)

\_\_\_\_\_  
(printed)

8163 TALLHO DR  
(street address)

71  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Donald J. Fressie and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2 day of March, 1998

**BARRY N WOMACK**  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public-Signature

Residence County Marion

Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

MaryAnn Hudson  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

MARYANN HUDSON  
(printed)

\_\_\_\_\_  
(printed)

8165 TALLIHO DR  
(street address)

72 3  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared MaryAnn Hudson and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 10th day of MARCH, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public - Signature

Residence County MARION

BARRY N. WOMACK  
Printed

My Commission Expires 7/24/98



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Rosemarie E. Rian

(owner's signature)

\_\_\_\_\_ (owner's signature)

ROSEMARIE E. RIAN

(printed)

\_\_\_\_\_ (printed)

8175 Tallisho Drive

(street address)

73  
(Lot No.)

\_\_\_\_\_ (Section No.)

STATE OF INDIANA )

COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Rosemarie E. Rian and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of JANUARY, 1998.

BARRY N WORMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N Wormack

Notary Public-Signature

Residence County: MARION

BARRY N WORMACK

Printed

My Commission Expires July 24, 1998

BARRY N WORMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

[Signature]  
(owner's signature)

[Signature]  
(owner's signature)

LEE R. DYKSTRA  
(printed)

Christine Dykstra  
(printed)

8177 TALLHO  
(street address)

74  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Lee Dykstra and Christine Dykstra who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2nd day of January, 1998.

[Signature]  
Notary Public-Signature

Residence County: Marion

SALLY A. WILSON  
Printed

My Commission Expires 1/2/99

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Herschell G. Robertson  
(owner's signature)

Doris Jean Robertson  
(owner's signature)

HERSCHELL G. ROBERTSON  
(printed)

DORIS JEAN ROBERTSON  
(printed)

5185 TALLHUR DR.  
(street address)

75  
(Lot No.)                
(Section No.)

STATE OF INDIANA    )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared HERSCHELL G. ROBERTSON and DORIS JEAN ROBERTSON, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 12th day of JAN, 1998.

Betty L. Beets  
Notary Public--Signature

Residence County: MARION

BETTY L. BEETS  
Printed

My Commission Expires BETTY L. BEETS, Notary Public  
My Commission Expires: 8-24-08  
County of Residence: Marion

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Barbara Toney  
(owner's signature)

Robert A Toney  
(owner's signature)

Barbara Toney  
(printed)

Robert D Toney  
(printed)

7187 Jallika Dr.  
(street address)

76 3  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Barbara Toney and Robert D Toney, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 11th day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public Signature

Residence County Marion

Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

[Signature]  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

RICHARD RUFF  
(printed)

\_\_\_\_\_  
(printed)

P195 Jalticho Dr.  
(street address)

77      3  
(Lot No.)      (Section No.)

STATE OF INDIANA    )  
COUNTY OF MARION )

Before me a Notary Public, in and for said County and State, personally appeared Richard Ruff and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of MARCH, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

[Signature]  
Notary Public - Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98



FEB 02 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Robert M. Ahearn  
(owner's signature)

Margaret R. Ahearn  
(owner's signature)

ROBERT M. AHEARN  
(printed)

Margaret R. AHEARN  
(printed)

8198 Foxchase Circle  
(street address)

79  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
                                  )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Robert M. Ahearn and Margaret R. Ahearn, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 30th day of JANUARY, 1998.

Linda Myers  
Notary Public—Signature

Residence County: Hancock

Linda Myers  
Printed

My Commission Expires 5-31-1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Phil A. Beetley  
(owner's signature)

Leslie N. Beetley  
(owner's signature)

Phil A. Beetley  
(printed)

LESLIE N. BEETLEY  
(printed)

8196 Foxchase Circle  
(street address)

80 (Lot No.)      \_\_\_\_\_ (Section No.)

STATE OF INDIANA      )  
  )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared Phil A. Beetley and Leslie N. Beetley, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 3<sup>rd</sup> day of MARCH, 1998.

**BARRY N WOMACK**  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public--Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Janet Anest  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

JANET ANEST  
(printed)

\_\_\_\_\_  
(printed)

8188 FOXCHASE CIRCLE  
(street address)

52  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
                          )  
COUNTY OF marion )

Before me, a Notary Public, in and for said County and State, personally appeared Janet Anest and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_.

Carol J. Alexander  
Notary Public--Signature

Residence County: Marion

CAROL J. ALEXANDER  
Printed

My Commission Expires JAN. 30 2000

Carol J. Alexander, Notary Public  
State of Indiana, County of Marion  
My Commission expires January 30, 2000

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Roger W. Pierce  
(owner's signature)  
Roger W. Pierce  
(printed)

Wanda S. Pierce  
(owner's signature)  
Wanda S. Pierce  
(printed)

8184 Foxchase Cir.  
(street address)

83      3  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
  )  
COUNTY OF Marion    )

Before me, a Notary Public, in and for said County and State, personally appeared Roger Pierce and Wanda Pierce, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of January, 1998.

Sally A. Wilson  
Notary Public—Signature

Residence County: Marion

SALLY A. WILSON  
Printed

My Commission Expires 1/2/99

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Karen Worl  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

KAREN WORL  
(printed)

\_\_\_\_\_  
(printed)

8182 FOXCHASE CIRCLE  
(street address)

84  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
                          )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Karen Worl and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 9 day of January, 1998.

~~~~~  
Ruth A. Ayers  
Notary Public, State of Indiana  
Marion County  
My Commission Expires 09/20/98  
Residence County: \_\_\_\_\_

Ruth Ayers  
Notary Public-Signature

Ruth A Ayers  
Printed

My Commission Expires \_\_\_\_\_

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Leonard G. Durham  
(owner's signature)

Meretha J. Durham  
(owner's signature)

LEONARD G. DURHAM  
(printed)

MERETHA J. DURHAM  
(printed)

8178 FOXCHASE CIR  
(street address)

85 (Lot No.)      3 (Section No.)

STATE OF INDIANA      )  
COUNTY OF Marion    )

Before me, a Notary Public, in and for said County and State, personally appeared Leonard Durham and Meretha Durham, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 21<sup>st</sup> day of February, 1998.

Sally A. Wilson  
Notary Public—Signature

Residence County: Marion

SALLY A. WILSON  
Printed

My Commission Expires 1/2/99

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

[Signature]  
(owner's signature)

Carroll A. Chambers  
(owner's signature)

RONALD E. CHAMBERS  
(printed)

CARROLL A CHAMBERS  
(printed)

8176 Fox Chase Ln.  
(street address)

86  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Ronald E. Chambers and Carroll A. Chambers, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 24 day of MARCH, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

[Signature]  
Notary Public - Signature

Residence County: Marion

BARRY N WOMACK  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Nancy S. Porter  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Nancy S. Porter  
(printed)

\_\_\_\_\_  
(printed)

8170 Foxchase Circle  
(street address)

87  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF HAMILTON )

Before me, a Notary Public, in and for said County and State, personally appeared NANCY S. PORTER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of JANUARY, 1998.

Jacqueline A. Mechling  
Notary Public - Signature

Residence County: MARION

JACQUELINE A. MECHLING  
Printed

My Commission Expires OCTOBER 1, 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Lisa A. Klaser  
(owner's signature)

\_\_\_\_\_

(owner's signature)

Lisa A. Klaser

(printed)

(printed)

8168 Foxchase Cir.

(street address)

BB

(Lot No.)

3

(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Lisa Klaser and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of January, 1998.

Sally D. Wilson

Notary Public--Signature

Residence County: Marion

SALLY A. WILSON

Printed

My Commission Expires 1/2/99

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Annex D. Breathouse  
(owner's signature)

Walter A. Kenyon  
(owner's signature)

ANNEX D. GREAT HOUSE  
(printed)

WALTER A. KENYON  
(printed)

8150 Foxchase Circle  
(street address)

89  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Annex D. Breathouse and Walter Kenyon, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of January, 1998.

Sally O. Wilson  
Notary Public--Signature

Residence County: Marion

SALLY A. WILSON  
Printed

My Commission Expires 1/2/99



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Robert L. Bogan  
(owner's signature)

Phyllis G. Bogan  
(owner's signature)

ROBERT L. BOGAN  
(printed)

PHYLLIS G. BOGAN  
(printed)

8148 FOXCHASE CIRCLE  
(street address)

90      3  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION      )

Before me, a Notary Public, in and for said County and State, personally appeared Robert L. Bogan and Phyllis G. Bogan who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of JANUARY, 1998.

**BARRY N WOMACK**  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature


Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires JULY 24, 1998

JAN 23 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

  
\_\_\_\_\_  
(owner's signature)  
Tim Ling  
\_\_\_\_\_  
(printed)


\_\_\_\_\_  
(owner's signature)  
\_\_\_\_\_  
(printed)

8140 Foxchase Circle  
\_\_\_\_\_  
(street address)

91  
\_\_\_\_\_  
(Lot No.)      \_\_\_\_\_  
(Section No.)

STATE OF INDIANA    )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Timothy Ling and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 15<sup>th</sup> day of January, 1998.

  
\_\_\_\_\_  
Notary Public--Signature

Residence County: Marion

Donna Hummel  
\_\_\_\_\_  
Printed

My Commission Expires October 13, 2000

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Dolores M. Gibbons  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

DOLORES M. GIBBONS  
(printed)

\_\_\_\_\_  
(printed)

8138 FOXCHASE CIRCLE  
(street address)

92      3  
(Lot No.)      (Section No.)

STATE OF INDIANA    )  
                                  )  
COUNTY OF Marion  )

Before me, a Notary Public, in and for said County and State, personally appeared Dolores M. Gibbons and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 22 day of March, 1998.

Mary K. Schatig  
Notary Public-Signature

Residence County: Marion

Mary K. Schatig  
Printed

My Commission Expires 8/29/00

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Mike Helsen \_\_\_\_\_  
(owner's signature) (owner's signature)

Mike Henderson \_\_\_\_\_  
(printed) (printed)

830 Foxchase Circle \_\_\_\_\_  
(street address) 93 3  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Mike Henderson and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 07 day of March, 1988.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature  
BARRY N. WOMACK  
Printed

Residence County: Marion

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Carol S. Miller

(owner's signature)

CAROL S. MILLER

(printed)

8126 Foxchase Circle

(street address)

Michael R. Miller

(owner's signature)

Michael R. Miller

(printed)

95

(Lot No.)

3

(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF Marion  )

Before me, a Notary Public, in and for said County and State, personally appeared Carol Miller and Michael Miller, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of January, 1998.

Sally A. Wilson

Notary Public-Signature

Residence County: Marion

SALLY A. WILSON

Printed

My Commission Expires 1/2/99

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Richard McDaniel  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

RICHARD McDANIEL  
(printed)

\_\_\_\_\_  
(printed)

8124 FOXCHASE CIRCLE  
(street address)

96  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Richard McDaniel and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of January, 1998.

Sally A. Wilson  
Notary Public-Signature

Residence County: Marion

SALLY A. WILSON  
Printed

My Commission Expires 1/2/99

FEB 17 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Raymond A. Cortez  
(owner's signature)

Sandra J. Cortez  
(owner's signature)

Raymond A Cortez  
(printed)

Sandra J Cortez  
(printed)

8120 Fox Chase C1P  
(street address)

97 (Lot No.)             (Section No.)

STATE OF INDIANA    )  
                                  )  
COUNTY OF \_\_\_\_\_)

Before me, a Notary Public, in and for said County and State, personally appeared Raymond A Cortez and Sandra J. Cortez, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 13 day of FEB, 1998.

Lucette Flonney  
Notary Public--Signature

Residence County: MARION

LUCETTE J. CONNOR  
Printed

My Commission Expires 9-5-2000

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Laura E. Hinton  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

LAURA E HINTON  
(printed)

\_\_\_\_\_  
(printed)

8118 Foxchase Circle  
(street address)

98  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared LAURA E. HINTON and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 3<sup>rd</sup> day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Raymond G. Gaughush  
(owner's signature)

E. Mae Gaughush  
(owner's signature)

RAYMOND G. GAUGHUSH  
(printed)

E. MAE GAUGHUSH  
(printed)

8156 TALLISHO DRIVE  
(street address)

99  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF \_\_\_\_\_)

Before me, a Notary Public, in and for said County and State, personally appeared Mae Gaughush and Ray Gaughush, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of January, 1992.

Sally A. Wilson  
Notary Public--Signature

Residence County: Marion

SALLY A. WILSON  
Printed

My Commission Expires 1/2/99

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Charles Fitzgerald  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Charles Fitzgerald  
(printed)

\_\_\_\_\_  
(printed)

8164 Tallie Dr.  
(street address)

101  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION }

Before me, a Notary Public, in and for said County and State, personally appeared Charles Fitzgerald and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 11th day of MARCH, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXPIRES JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Anne K. Wright  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Anne K. Wright  
(printed)

\_\_\_\_\_  
(printed)

8172 Tallinn Dr.  
(street address)

103  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION

Before me, a Notary Public, in and for said County and State, personally appeared ANNE K. WRIGHT and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 11th day of MARCH, 1998.

Martina Pickens  
Notary Public--Signature

Residence County: MARION

MARTINA PICKENS  
Printed

My Commission Expires Nov. 8, 2000

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Lowell R. Duza  
(owner's signature)  
LOWELL R. DUZAN  
(printed)

Fern M. Duza  
(owner's signature)  
FERN M. DUZAN  
(printed)

9173 Foxchase Cir  
(street address)

105      3  
(Lot No.)      (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Lowell R. Duza and FERN M. DUZAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 4<sup>th</sup> day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public Signature

Residence County: MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

James H. Ellerbrook  
(owner's signature)  
James H. Ellerbrook  
(printed)

Margaret C. Ellerbrook  
(owner's signature)  
Margaret C. Ellerbrook  
(printed)

8171 Foxchase Circle  
(street address)

106  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared James H. Ellerbrook and Margaret C. Ellerbrook who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2<sup>nd</sup> day of March, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public—Signature

Residence County MARION

Barry N. Womack  
Printed

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Kenneth L. Steinbuch      Maxine E. Steinbuch  
 (owner's signature)      (owner's signature)

KENNETH STEINBUCH      MAXINE E. STEINBUCH  
 (printed)      (printed)

8169 FOXCHASE CIRCLE      107      3  
 (street address)      (Lot No.)      (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Kenneth L. Steinbuch and Maxine E. Steinbuch who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 9<sup>th</sup> day of MARCH, 1998.

BARRY N WOMACK  
NOTARY PUBLIC STATE OF INDIANA  
MARION COUNTY  
MY COMMISSION EXP. JULY 24, 1998

Barry N. Womack  
Notary Public - Signature  
Barry N. Womack  
Printed

Residence County: MARION

My Commission Expires 7/24/98

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Carl Williams  
(owner's signature)

Shirley J. Williams  
(owner's signature)

CARL Williams  
(printed)

SHIRLEY J WILLIAMS  
(printed)

8167 Foxchase Circle  
(street address)

108  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared CARL WILLIAMS and SHIRLEY J. WILLIAMS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2 day of JANUARY, 1998

[Signature]  
Notary Public--Signature

Residence County: MADISON

MARK E. JONES  
Printed

My Commission Expires 4-19-01



SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

*A. J. Testeneck*  
(owner's signature)

*Constance M. Testeneck*  
(owner's signature)

Andrew J. Testeneck  
(printed)

Constance M. Testeneck  
(printed)

8139 FOXCHASE CIRCLE  
(street address)

109  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Hamilton

Before me, a Notary Public, in and for said County and State, personally appeared Andrew Testeneck and N/A, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 26 day of Jan, 1998.

*Billy Hill*  
Notary Public-Signature

Residence County: Hamilton

Billy Hill  
Printed

My Commission Expires 5-21-2001

JAN 30 1998

SIGNATURE PAGE  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Barry N. Womack  
(owner's signature)

Phyllis M. Womack  
(owner's signature)

BARRY N. WOMACK  
(printed)

PHYLLIS M. WOMACK  
(printed)

8137 Foxchase Cir 46256  
(street address)

110  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Barry N. Womack and Phyllis M. Womack, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections ~~One~~, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 29th day of Jan, 1998.

Cindy L. Ciccerho  
Notary Public--Signature

Residence County: Hendricks

Cindy L Ciccerho  
Printed

My Commission Expires 1-25-99

FILED 8-20-2007  
2007 AUG 20 10 56  
MARION COUNTY RECORDER  
FOR INSTRUMENT

**FILED**  
AUG 20 2007

94

**Cross-References:**  
Inst. No. 1984-46519 & <sup>1984 87404</sup> 1984-87404 **LAWRENCE TOWNSHIP ASSESSOR** **AMENDMENT #1**  
Inst. No. 1984-65706 & 1984-87402 **LEASING**  
Inst. No. 1984-65708, 1984-87403 & 1998-0117189

**AMENDMENT TO AMENDED DECLARATIONS OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FOXCHASE, SECTIONS ONE, TWO & THREE**

This is an amendment to the Amended Declarations of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three.

**WITNESSETH:**

WHEREAS, a residential community known as **Foxchase, Section One** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One," filed with the Marion County Recorder's Office on June 20, 1984 as **Instrument No. 84-46519** ("Section One Declaration"); and

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section One consists of thirty-one (31) Lots numbered 1 through 31, inclusive, and Common Area; and

WHEREAS, the Section One Declaration was amended by a certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One" filed with the Marion County Recorder's Office on November 7, 1984 as **Instrument No. 84-87404** ("Section One Amended Declaration"); and

WHEREAS, a residential community known as **Foxchase, Section Two** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Two," filed with the Marion County Recorder's Office on August 22, 1984, as **Instrument No. 84-65706** ("Section Two Declaration"); and

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section Two consists of thirty-one (31) Lots numbered 33 through 43 and 45 through 64, inclusive, and Common Area; and

WHEREAS, the Section Two Declaration was amended by a certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Two" filed with the Marion County Recorder's Office on November 7, 1984, as **Instrument No. 84-87402** ("Section Two Amended Declaration"); and

WHEREAS, a residential community known as **Foxchase, Section Three** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Three," filed with the Marion County Recorder's Office on August 22, 1984, as **Instrument No. 84-65708** ("Section Three Declaration"); and

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section Three consists of forty-six (46) Lots numbered 65 through 110, inclusive, and Common Area; and

WHEREAS, the Section Three Declaration was amended by a certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Three" filed with the Marion County Recorder's Office on November 7, 1984, as **Instrument No. 84-87403** ("Section Three Amended Declaration"); and

WHEREAS, the Section Two Amended Declaration and the Section Three Amended Declaration were further amended by an Amendment filed with the Marion County Recorder's Office on July 10, 1998, as **Instrument No. 1998-0117189**; and

WHEREAS, the Section One, Section Two and Section Three Amended Declarations shall be referred to hereafter collectively as the "Amended Declarations"; and

WHEREAS, although platted separately, Foxchase Sections One, Two and Three are part of an overall community commonly known as "Foxchase"; and

WHEREAS, all three Sections of Foxchase are governed and managed by the Foxchase Homeowners Association, Inc. ("Association"); and

WHEREAS, Article XVII, Section Four of each of the Amended Declarations states that they may be amended during the first 25 year period by an instrument signed by not less than seventy-five percent (75%) of the owners, which Amendment must be recorded in the Office of the Recorder of Marion County, Indiana; and

WHEREAS, the requisite number of Owners within Sections One, Two and Three of Foxchase desire to amend the Amended Declarations by adding leasing and other restrictions; and

WHEREAS, the undersigned Owners, constituting more than seventy-five percent (75%) of the current Lot Owners within Section One, Section Two and Section Three of Foxchase, desire to amend the Amended Declarations pursuant to the terms and conditions set forth below.

NOW, THEREFORE, the undersigned Owners hereby amend the Amended Declarations such that all of the Lots, Common Areas, and Lands located within the Properties of Foxchase Sections One, Two and Three are held and shall be held, conveyed, hypothecated, or encumbered, leased, rented, used, occupied and improved, subject to the following restrictions,

all of which were and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the Foxchase Sections One, Two and Three development as a whole and of each of said Lots situated therein. All of the restrictions contained herein shall run with the land and shall be binding upon the present and future Owners and upon the parties having or acquiring any right, title or interest, legal or equitable, in and to the Foxchase Sections One, Two and Three Properties or any part or parts thereof subject to such restrictions.

1. There shall be a new Article XVIII added to the Amended Declarations for Foxchase Sections One, Two and Three as follows:

**Article XVIII**

**Leasing of Dwellings and Maximum Number of Dwellings Owned**

**(a) Limits on the Number of Leased Dwellings ("Rental Cap").** In order to insure that the residents within Foxchase share the same proprietary interest in and respect of the Dwellings and the Common Areas, no more than ten percent (10%) of the Dwellings in this Section of Foxchase may be leased or rented to non-owner occupants at any given time, except as may be otherwise provided in this Article XVIII. If at any time such percentage of Dwellings are leased or rented, an Owner who wants to rent or lease his or her Dwelling which is not already rented shall be placed upon a waiting list by the Board of Directors. When an existing tenant moves out, the Owner of that Dwelling shall immediately notify the Board of Directors or Managing Agent of such fact and that Dwelling cannot be re-rented until all prior Owners on the waiting list, if any, have had a chance to rent their Dwellings. Prior to the execution of any lease, and in addition to the requirements set forth below, the Owner must notify the Board of Directors or the Managing Agent as to that Owner's intent to lease his or her Dwelling. After receiving such notice, the Board of Directors or the Managing Agent shall advise the Owner if Dwellings may be leased or whether the maximum number of Dwellings within Foxchase is currently being leased. If the maximum number of Dwellings is being leased, the Board of Directors or the Managing Agent shall also notify the Owner of that Owner's position on the waiting list.

Notwithstanding the foregoing, the "rental cap" described above shall not apply to any Dwelling of an Owner in Foxchase who, as of August 1, 2003, is renting or leasing said Dwelling and provides written proof thereof to the Association's Managing Agent by that date. Such proof shall include a copy of each executed lease by such Owner which identifies the tenant (but which may have the rental amount deleted). The Owners of record of such currently-rented Dwellings shall not be subject to the provisions of this sub-section (a), but shall be subject to the remaining provisions of this Article XVIII. However, when the legal owners of record of any of the above-described Dwellings sell, transfer or convey such Dwelling(s) to another Owner after August 1, 2003, such Dwelling(s) shall immediately become subject to this sub-section (a).

**(b) Hardship Exceptions and Waiver.** Notwithstanding sub-section (a) above, if an Owner wishes to rent or lease his or her Dwelling, but the maximum number of Dwellings

is currently being leased, the Owner may request the Board of Directors to waive the "rental cap" and approve a proposed lease if the Owner establishes to the Board's satisfaction that the "rental cap" will cause undue hardship. If a majority of the entire Board of Directors approves in writing of the Owner's request, the Board of Directors shall permit the Owner to rent or lease said Dwelling, but only if the Owner satisfies all other requirements of this Article XIII. Such decision shall be at the sole discretion of the Board. Examples of an undue hardship include:

- (1) death, dissolution or liquidation of an Owner;
- (2) divorce or marriage of an Owner;
- (3) necessary relocation of the residence of an Owner to a point outside of a fifty (50) mile radius of the perimeter of Foxchase due to a change of employment or retirement of at least one (1) of such Owners;
- (4) necessary relocation of the residence of an Owner due to mental or physical infirmity or disability of at least one (1) of such Owners;
- (5) other similar circumstances.

(c) **General Lease Conditions.** All leases, including renewals, shall be in writing, and no lease shall be entered into for a term of less than one (1) year without the prior written approval of the Board of Directors. No portion of any Dwelling other than the entire Dwelling shall be leased for any period. No subleasing shall be permitted. The tenant, and all other occupants or guests of the tenant and/or a Dwelling, shall comply with the "Crime Free Condition" as further set forth in sub-section (j) below. All leases shall be made expressly subject and subordinate in all respects to the terms of this Declaration, the By-Laws, Articles of Incorporation, and any rules and regulations promulgated by the Board of Directors, as amended, to the same extent as if the tenant were an Owner and a member of the Association; and shall provide for direct action by the Association and/or any Owner against the tenant with or without joinder of the Owner of such Dwelling. If such provision is not in the lease, it will be deemed to be in such lease. The Owner shall supply copies of such legal documents to the tenants prior to the effective date of the lease. In addition, the Board of Directors shall have the power to promulgate such additional rules and regulations as, in its discretion, may be necessary or appropriate concerning leasing. All Owners who do not reside in the home shall provide the Board of Directors with the name of the tenant(s) and any other residents living in the home.

(d) **One Year Waiting Period.** In addition to all other provisions of this Article XVIII, for a period of at least one (1) year after an Owner's acquisition of a Dwelling, said Owner cannot lease such Dwelling. After such time, said Dwelling will be eligible to be leased if all other conditions of this Article XVIII are satisfied and provided further that the Owner is not delinquent in the payment of any assessments or other charges to the

Association. Notwithstanding this sub-section (d), if an Owner wishes to lease a Dwelling prior to the end of the one year waiting period, the Owner may apply to the Board of Directors for a waiver. The Board may, in writing, approve an earlier lease if the Owner establishes to the Board's satisfaction that the waiting period will cause undue hardship in the manner as defined in sub-section (b) above.

(e) Owner is Still Liable. No lease shall provide, or be interpreted or construed to provide, for a release of the Owner from his or her responsibility to the Association and the other Owners for compliance with the provisions of this Declaration, the Articles of Incorporation, the By-Laws, and any rules and regulations promulgated by the Board of Directors, or from the Owner's liability to the Association for payments of assessments or any other charges.

(f) Association's Copy of Lease. A copy of each executed lease by an Owner which identifies the tenant (but which may have the rental amount deleted) shall be provided to the Managing Agent by the Owner within ten (10) days after execution.

(g) Violations. Any lease or attempted lease of a Dwelling in violation of the provisions of this Article XVIII shall be voidable at the election of the Association's Board of Directors or any other Foxchase Owner, except that neither party to such lease may assert this provision of this Article XVIII to avoid its obligations thereunder. In the event of a violation, the Board of Directors, on behalf of the Association, or any Foxchase Owner, shall have the right to exercise any and all available remedies at law or equity.

(h) Maximum Number of Dwellings Owned by a Single Owner. In order to encourage Foxchase being and remaining a community where the Owners reside on the property:

(1) No Owner may own more than two (2) Dwellings within Foxchase at any time. This restriction shall not apply to any Owner who owns more than two (2) Dwellings which were purchased or with respect to which there was a binding purchase agreement prior to the recording of this restriction.

(2) If any Owner is the Owner of more than one (1) Dwelling, such Owner or the majority of the principals of such Owner shall and must reside in Foxchase in at least one (1) of such Dwellings, unless otherwise approved in writing by the Board of Directors upon a showing by such Owner, satisfactory to the Board of Directors, of an undue hardship as defined in sub-section (b) above.

As defined in Article II.3 of this Declaration, "Owner" means the record owner, whether one or more persons or entities, of a fee simple title to any Lot which is a part of Foxchase. As used in this sub-section (h), "Owner" also means those persons or entities who comprise less than all persons or entities who own in any form or manner the fee simple title or any part thereof to any Dwelling and those persons or entities who have any interest in any form or manner in the fee simple title or any part thereof to any Dwelling.

As an example, if any person or entity owns or has any interest in the ownership of two (2) Dwellings, whether in his, her or its name only, as joint tenants, as life tenant or by or through any corporation, partnership, trust, limited liability company, or any other entity, that person cannot own a third Dwelling, whether in his, her or its name only, as joint tenants, as life tenant or by or through a corporation, partnership, trust, limited liability company, or any other entity.

Any purchase agreement, conveyance or lease or rental agreement executed subsequent to the recording of this restriction which violates any provision of this sub-section (h) shall be voidable at the election of the Association's Board of Directors or any Foxchase Owner, except that neither party to such agreement, conveyance or lease may assert this provision of this Article XVIII to avoid its obligations thereunder. In the event of a violation, the Board of Directors, on behalf of the Association, or any Foxchase Owner, shall have the right to exercise any and all available remedies at law or equity.

(i) Institutional Mortgagees. The provisions set forth in this Article XVIII shall not apply to any institutional mortgagee of any Dwelling which comes into possession of the Dwelling by reason of any remedies provided by law or in equity or in such mortgage or as a result of a foreclosure sale or other judicial sale or as a result of any proceeding, arrangement, or deed in lieu of foreclosure.

(j) Crime Free Condition. No Tenant (which term in this sub-section shall include any member of the Tenant's household or a guest or other person under the Tenant's control) shall engage in criminal activity, including drug-related criminal activity, within any portion of Foxchase, including any Dwelling. "Drug-related criminal activity" means the illegal manufacture, sale, distribution, use, or possession with the intent to manufacture, sell, distribute, or use of a controlled substance (as defined in Section 102 of the Controlled Substance Act, 21 U.S.C. 802). No Tenant shall engage in any act intended to facilitate criminal activity, including drug-related criminal activity, within any portion of Foxchase, including any Dwelling. No Tenant shall permit any Dwelling to be used for, or to facilitate, criminal activity, including drug-related criminal activity, regardless of whether the individual engaging in such activity is a member of the Tenant's household or a guest. No Tenant shall engage in the unlawful manufacturing, selling, using, storing, keeping, or giving of a controlled substance, as defined in Ind. Code 35-48, at any location, whether on or near the Dwelling, the Foxchase property or otherwise. No Tenant shall engage in any illegal activity, including prostitution as defined in Ind. Code 35-45-4-2, criminal street gang activity as defined in Ind. Code 35-45-9-1, threatening or intimidating as prohibited by Ind. Code 35-45-2-1, battery as prohibited by Ind. Code 35-42-2-1, including but not limited to the unlawful discharge of firearms, within any portion of Foxchase, or any other activity that otherwise jeopardizes the health, safety and welfare of any other Foxchase resident or involving imminent or actual serious property damage. Violation of any of the above shall constitute grounds for the Association to seek equitable relief against the applicable Owner and Tenant for the immediate termination of the lease and the vacation of the premises by the Tenant.



IN WITNESS WHEREOF, the undersigned Owners of Lots within Foxchase Sections One, Two and Three execute this Amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Foxchase Sections One, Two and Three as of the date of the last signature below.

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document unless required by law. *P. Thomas Murray*



This instrument prepared by, and should be returned to, P. Thomas Murray, Jr., EADS MURRAY & PUGH, P.C., Attorneys at Law, 7321 Shadeland Station, Suite 250, Indianapolis, IN 46256. (317) 842-8550.

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Russell Judd (owner's signature) \_\_\_\_\_ (owner's signature)  
Russell Judd (printed) \_\_\_\_\_ (printed)  
8053 Foxchase Dr (street address) \_\_\_\_\_ 1 (Lot No.) \_\_\_\_\_ (Section No.)

STATE OF INDIANA )  
                                  )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Russell Judd and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Jay Yvonne Price  
Notary Public--Signature

Residence County: MARION

Jay YVONNE PRICE  
Printed

My Commission Expires 3/9/08

APPROVED THIS 20th  
DAY OF August 2007  
LAWRENCE TOWNSHIP ASSESSOR  
B. Smith DRAFTSMAN

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

James E Knowles  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

JAMES E KNOWLES  
(printed)

\_\_\_\_\_  
(printed)

8055 Foxchase Dr  
(street address)

2  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared JAMES E KNOWLES and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 19 day of SEPTEMBER, 2007

Catherine Borkowski  
Notary Public—Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Kathryn S. Huenink  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Kathryn S Huenink  
(printed)

\_\_\_\_\_  
(printed)

8063 Foxchase Dr.  
(street address)

3  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Kathryn S. Huenink and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 13 day of Nov., 2003.

Holly Overby  
Notary Public--Signature

Residence County: Marion

Holly Overby  
Printed

My Commission Expires 12/8/2010

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

[Handwritten Signature]  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

KENNETH STONECIPHER  
(printed)

\_\_\_\_\_  
(printed)

8065 FOXCHASE DR  
(street address)

4      1  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared KEN STONECIPHER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 16 day of AUGUST, 2007

[Handwritten Signature]  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

|                                             |                       |                     |
|---------------------------------------------|-----------------------|---------------------|
| <u>Nancy Hubbard</u><br>(owner's signature) | _____                 | _____               |
| <u>Nancy Hubbard</u><br>(printed)           | _____                 | _____               |
| <u>8077 Foxchase Dr</u><br>(street address) | <u>6</u><br>(Lot No.) | _____ (Section No.) |

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared NANCY HUBBARD and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public - Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

|                                                        |                         |                            |
|--------------------------------------------------------|-------------------------|----------------------------|
| <u><i>Pamela Jo Beckman</i></u><br>(owner's signature) | _____                   | _____                      |
| <u>PAMELA JO BECKMAN</u><br>(printed)                  | _____                   | _____                      |
| <u>8107 FOXCHASE DR.</u><br>(street address)           | <u>008</u><br>(Lot No.) | <u>C1</u><br>(Section No.) |

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared *Pamela Jo Beckman* and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28th day of January, 2007.

*Jay Yvonne Price*  
Notary Public--Signature  
Jay Yvonne Price  
Printed

Residence County: Marion

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Virginia M. Mitchell  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

VIRGINIA M. MITCHELL  
(printed)

\_\_\_\_\_  
(printed)

8121 FOXCHASE DR.  
(street address)

9  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared VIRGINIA MITCHELL and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of JULY, 2007.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Janet L. Guthridge  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

JANET L. GUTHRIDGE  
(printed)

\_\_\_\_\_  
(printed)

8123 Fox Chase Dr  
(street address)

10  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JANET L. GUTHRIDGE and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public--Signature

Residence County: MARION

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Anthony Burns  
(owner's signature)

Loreen M. Burns  
(owner's signature)

Anthony A. Burns  
(printed)

LOREEN M. BURNS  
(printed)

8112 Tallho Pt.  
(street address)

11  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Anthony Burns and Loreen M Burns, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of September, 2003.

Kar R. Smith  
Notary Public--Signature

Residence County: Marion

Karonna Smith  
Printed

My Commission Expires 9-29-06



SIGNATURE PAGE  
Foxchase  
**Amendment Establishing a New Article XVIII**  
**(Relating to Leasing & Other Rental Restrictions)**

Carla Eley  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

CARLA ELEY  
(printed)

\_\_\_\_\_  
(printed)

8111 Talli Ho Drive  
(street address)

13  
(Lot No.)

4  
(Section No.)

STATE OF INDIANA    )  
                                  )  
COUNTY OF \_\_\_\_\_)

Before me, a Notary Public, in and for said County and State, personally appeared \_\_\_\_\_ and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 22 day of JULY, 2008

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

*Danna M. Korak*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

DANNA M. KORAK  
(printed)

\_\_\_\_\_  
(printed)

8113 TALLIHO DR.  
(street address)

14  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DANNA KORAK and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 16th day of AUGUST, 2007.

*Catherine Borkowski*  
Notary Public-Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08





SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

[Signature]  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

PATRICK R. SNYDER  
(printed)

\_\_\_\_\_  
(printed)

8162 FOXCHASE DR.  
(street address)

18  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared PATRICK SNYDER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of AUGUST, 2007.

Catherine Berkowski  
Notary Public--Signature  
CATHERINE BERKOWSKI  
Printed

Residence County: MARION

My Commission Expires 3-10-08





SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Derren Yerks

(owner's signature)

\_\_\_\_\_ (owner's signature)

Derren Yerks

(printed)

\_\_\_\_\_ (printed)

8152 Fox Chase Dr

(street address)

21  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )

COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DERREN YERKS and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2005~~ 2007

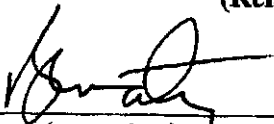
Catherine Borkowski  
Notary Public--Signature

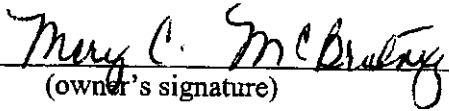
Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

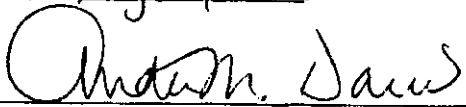
SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

  
(owner's signature)  
BRUCE McBRATNEY  
(printed)  
8144 FOXCHASE DRIVE  
(street address)

  
(owner's signature)  
MARY C. McBRATNEY  
(printed)  
22 1  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Bruce McBratney and Mary C. McBratney, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of August, 2003.

  
Notary Public--Signature

Residence County: Marion

Printed ANDREA M. DAVIS  
COMMISSION EXPIRES: 1-24-10  
COUNTY OF RESIDENCE: MARION

My Commission Expires 1/24/10



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Susanne M. Ness

(owner's signature)

(owner's signature)

Susanne M. Ness

(printed)

(printed)

8134 Foxchase Dr.

(street address)

24

(Lot No.)

1

(Section No.)

STATE OF INDIANA )

COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared SUSANNE M. NESS and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price

Notary Public--Signature

Residence County: MARION

Joy YVONNE PRICE

Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Howard Lowell Martin  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

HOWARD LOWELL MARTIN  
(printed)

\_\_\_\_\_  
(printed)

8132 FOXCHASE DRIVE  
(street address)

25  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared HOWARD L MARTIN and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of JULY, 2004

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Grace A. Falvey  
(owner's signature)

Robert H. Dill  
(owner's signature)

GRACE A. FALVEY  
(printed)

ROBERT H. DILL  
(printed)

8116 FOX CHASE DR.  
(street address)

26  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared GRACE FALVEY & ROBERT DILL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 20 day of JULY, 2007.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

James A. Wheelchel \_\_\_\_\_  
(owner's signature) (owner's signature)

JAMES A. WHELCHER \_\_\_\_\_  
(printed) (printed)

8114 FOXCHASE DR. 27 1  
(street address) (Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JAMES A WHELCHER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2006

Catherine Berkowski  
Notary Public--Signature

CATHERINE BERKOWSKI  
Printed

Residence County: MARION

My Commission Expires 3-10-08



SIGNATURE PAGE

Foxchase

**Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)**

[Signature]  
(owner's signature)

Beatrice L.D. Cork  
(owner's signature)

Cato K. Cork  
(printed)

Beatrice L.D. Cork  
(printed)

8102 Foxchase Drive  
(street address)

29      1  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared CATO K. CORK and BEATRICE L. D. CORK, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public--Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

|                                                             |                        |                           |
|-------------------------------------------------------------|------------------------|---------------------------|
| <u><i>Donna M Doty</i></u><br>(owner's signature)           | _____                  | _____                     |
| <u>Donna M Doty</u><br>(printed)                            | _____                  | _____                     |
| <u>8072 Foxchase Dr Indpls IN 46256</u><br>(street address) | <u>30</u><br>(Lot No.) | <u>1</u><br>(Section No.) |

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared DONNA M DOTY and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2007

*Catherine Borkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Janet L. Garrett  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Janet L. Garrett  
(printed)

\_\_\_\_\_  
(printed)

8092 Talliho Dr. Indianapolis  
(street address)

34  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JANET L. GARRETT and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2003~~ 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Richard A. Logan  
(owner's signature)

Kathy A. Logan  
(owner's signature)

Richard A. Logan  
(printed)

Kathy A. Logan  
(printed)

8084 Tallaho Dr, Indpls, IN 46256  
(street address)

35  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared RICHARD A LOGAN and KATHY A LOGAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 19 day of JULY, ~~2003~~ 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Richard K. Egan  
(owner's signature)

Evelyn J. Egan  
(owner's signature)

RICHARD K. EGAN  
(printed)

Evelyn T. Egan  
(printed)

3076 TALLHO DRIVE  
(street address)

37  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared RICHARD K EGAN and EVELYN T EGAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Gaye Wetzelberger  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Gaye Wetzelberger  
(printed)

\_\_\_\_\_  
(printed)

8054 Talliha Dr.  
(street address)

39  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared GAYE WETZELBERGER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Astrid L. Trasue

(owner's signature)

(owner's signature)

ASTRID L. TRASUE

(printed)

(printed)

8052 TALLHO DR

(street address)

40  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )

COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared ASTRID L. TRASUE and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2007.

Catherine Berkowski

Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI

Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Jo Ann Fleser  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

JO ANN FLESER  
(printed)

\_\_\_\_\_  
(printed)

8042 Tallies Dr.  
(street address)

4F  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JO ANN FLESER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of JULY, 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Charles D. Praed  
(owner's signature)

Martha L. Praed  
(owner's signature)

Charles D. Praed  
(printed)

MARTHA L. PRAED  
(printed)

8040 Talliko Dr.  
(street address)

42  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared CHARLES D. PRAED and MARTHA L. PRAED, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

Printed \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**P. THOMAS MURRAY, JR.**  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

[Handwritten Signature]      [Handwritten Signature]  
(owner's signature)      (owner's signature)

CALVIN W STEUSSY      GENE W STEUSSY  
(printed)      (printed)

8032 Talleis Dr      43      7  
(street address)      (Lot No.)      (Section No.)

STATE OF INDIANA      )  
COUNTY OF MARION      )

Before me, a Notary Public, in and for said County and State, personally appeared CALVIN STEUSSY and GENE STEUSSY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8th day of NOVEMBER, 2007

[Handwritten Signature: Catherine Borkowski]  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
**Amendment Establishing a New Article XVIII**  
**(Relating to Leasing & Other Rental Restrictions)**

*Barbara Larson*  
(owner's signature)

*Leanne Larson*  
(owner's signature)

BARBARA LARSON  
(printed)

Leanne Larson  
(printed)

8012 Inwood  
(street address)

47  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared BARBARA & LEANNE LARSON, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.


*Joy Yvonne Price*  
Notary Public--Signature

Residence County: MARION

Joy Yvonne Price  
Printed

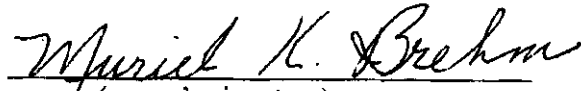
My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

  
(owner's signature)

John R. Brehm  
(printed)

8010 Talli ho Ds  
(street address)

  
(owner's signature)

MURIEL K. BREHM  
(printed)

48                      2  
(Lot No.)                      (Section No.)

STATE OF INDIANA        )  
                                          )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared JOHN R. BREHM and MURIEL K. BREHM, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

**P. THOMAS MURRAY, JR.**  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Franklin L. Speckman  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Franklin L. Speckman  
(printed)

\_\_\_\_\_  
(printed)

8021 Talliho Dr  
(street address)

49  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )

COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared FRANKLIN L. SPECKMAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

[Signature]  
(owner's signature)

[Signature]  
(owner's signature)

Sherman D Hamman  
(printed)

Barbara J Hamman  
(printed)

8023 Talliho Dr  
(street address)

50  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION     )

Before me, a Notary Public, in and for said County and State, personally appeared SHERMAN D. HAMMAN and BARBARA J. HAMMAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

[Signature]  
Notary Public--Signature

Residence County: MARION

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08





SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Michael Ward

(owner's signature)

(owner's signature)

MICHAEL WARD

(printed)

(printed)

8033 Talliko Drive

(street address)

52  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared MICHAEL WARD and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2007

Catherine Borkowski

Notary Public--Signature

Residence County: MARION

CATHERINE Borkowski  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Beverly S. Brown  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

BEVERLY S. BROWN  
(printed)

\_\_\_\_\_  
(printed)

8043 Taluka Ln  
(street address)

54  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared BEVERLY S. BROWN and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of AUGUST, 2004

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-07

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Mary Jane Spencer  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

MARY JANE SPENCER  
(printed)

\_\_\_\_\_  
(printed)

8049 TALLHO DRIVE  
(street address)

55  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared MARY JANE SPENCER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Betty Barber  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

BETTY BARBER  
(printed)

\_\_\_\_\_  
(printed)

8051 TALLHO DR.  
(street address)

56  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared BETTY BARBER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

B Glancy  
(owner's signature)

Shirley Glancy  
(owner's signature)

BEW GLANCY  
(printed)

SHIRLEY GLANCY  
(printed)

8043 TALLIHO  
(street address)

57 2  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF Marion

Before me, a Notary Public, in and for said County and State, personally appeared Bew Glancy and Shirley Glancy who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of August, 2003.

Karen L. Olomar  
Notary Public--Signature

Residence County: Marion

Karen L. Olomar  
Printed

My Commission Expires 9/10/06

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

John R Brehm

(owner's signature)

John R Brehm

(printed)

8061 Tallino Dr.

(street address)

Muriel K. Brehm

(owner's signature)

MURIEL K. BREHM

(printed)

58

(Lot No.)

2

(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JOHN R BREHM and MURIEL K BREHM, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2008.

Catherine Borkowski

Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI

Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Melissa Roache  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Melissa Roache  
(printed)

\_\_\_\_\_  
(printed)

806A Tallho Dr.  
(street address)

59  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared MELISSA ROACHE and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of AUGUST, 2009

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-09



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

*Renee Sandenburg*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Renee Sandenburg  
(printed)

\_\_\_\_\_  
(printed)

8081 Tallho Dr.  
(street address)

61 (Lot No.)      \_\_\_\_\_ (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared RENEE SANDENBURG, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2008.

*Catherine Borkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Kevin J. Christel  
(owner's signature)  
KEVIN J. CHRISTEL  
(printed)

\_\_\_\_\_  
(owner's signature)  
\_\_\_\_\_  
(printed)

8083 TALLINO DRIVE  
(street address)

62  
(Lot No.)

7  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared KEVIN J. CHRISTEL and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009



SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Shelly Watkins  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

8093 TALLHO DR  
(printed)

\_\_\_\_\_  
(printed)

SHIRLEY WATKINS  
(street address)

64  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared SHIRLEY WATKINS and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2007.

Catherine Borkowski  
Notary Public—Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

|                                               |                        |                           |
|-----------------------------------------------|------------------------|---------------------------|
| <u>Mary E. Lawson</u><br>(owner's signature)  | _____                  | _____                     |
| <u>Mary E. Lawson</u><br>(printed)            | _____                  | _____                     |
| <u>6145 Tallino Drive</u><br>(street address) | <u>67</u><br>(Lot No.) | <u>2</u><br>(Section No.) |

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared MARY E. LAWSON and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of AUGUST, 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-09

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Joyce E. Robb  
(owner's signature)

/  
(owner's signature)

Joyce E. ROBB  
(printed)

/  
(printed)

8147 TALKHO DR  
(street address)

68  
(Lot No.)                
(Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF Marion      )

Before me, a Notary Public, in and for said County and State, personally appeared Joyce E. ROBB and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public--Signature

Residence County: MARION

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Donna F. Faulkos  
(owner's signature)

/  
(owner's signature)

Donna F. Faulkos  
(printed)

/  
(printed)

3153 Tallita Drive  
(street address)

69  
215  
(Lot No.)

069  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Donna Faulkos and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of August, 2003.

Joy Yvonne Price  
Notary Public--Signature

Residence County: MARION

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08





SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

*Donald J. Fressie*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

DONALD J. FRESSIE  
(printed)

\_\_\_\_\_  
(printed)

8163 TALLIHO DR.  
(street address)

71  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION     )

Before me, a Notary Public, in and for said County and State, personally appeared DONALD J. FRESSIE and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

*Joy Yvonne Price*  
Notary Public - Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 9/9/08



SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

[Signature]  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

G. Edwin Gaston  
(printed)

\_\_\_\_\_  
(printed)

9777 Tallhollow Dr.  
(street address)

74  
(Lot No.)

5003  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION }

Before me, a Notary Public, in and for said County and State, personally appeared G EDWIN GASTON and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2005~~ 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Elizabeth W Adams  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

ELIZABETH W ADAMS  
(printed)

\_\_\_\_\_  
(printed)

8157 TALLHO DR  
(street address)

76  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION

Before me, a Notary Public, in and for said County and State, personally appeared ELIZABETH ADAMS and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 21<sup>st</sup> day of JULY, 2004

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

[Signature]  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

RICHARD RUFF  
(printed)

\_\_\_\_\_  
(printed)

8195 Talbot Dr  
(street address)

77  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared RICHARD RUFF and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of AUGUST, 2009.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Donna Godfrey  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Donna Godfrey  
(printed)

\_\_\_\_\_  
(printed)

8197 Tallihw Dr.  
(street address)

78  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION }

Before me, a Notary Public, in and for said County and State, personally appeared DONNA GODFREY and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 16 day of AUGUST, 2004

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Robert M. Ahearn  
(owner's signature)

Margaret R. Ahearn  
(owner's signature)

ROBERT M. AHEARN  
(printed)

MARGARET R. AHEARN  
(printed)

8198 FOXCHASE CIRCLE  
(street address)

19 (Lot No.)               (Section No.)

STATE OF INDIANA      )  
COUNTY OF Marion      )

Before me, a Notary Public, in and for said County and State, personally appeared MARGARET R. AHEARN and ROBERT M. AHEARN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public—Signature

Residence County: MARION

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

*Florence Garmon*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

FLORENCE GARMON  
(printed)

\_\_\_\_\_  
(printed)

896 FOXCHASE CIRCLE  
(street address)

80 (Lot No.)      \_\_\_\_\_ (Section No.)

STATE OF INDIANA      )

COUNTY OF Mon      )

Before me, a Notary Public, in and for said County and State, personally appeared *Florence Garmon* and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of January, 2003.

*Joy Yvonne Price*  
Notary Public--Signature

Residence County: Mon

JOY YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Charles M. Tinsley  
(owner's signature)

Margaret A. Tinsley  
(owner's signature)

CHARLES M. TINSLEY  
(printed)

MARGARET TINSLEY  
(printed)

8190 FOX CHASE CIR  
(street address)

81  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )

COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared CHARLES TINSLEY and MARGARET TINSLEY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8th day of JULY, 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

[Handwritten Signature]  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

BRANDON GENTRY  
(printed)

\_\_\_\_\_  
(printed)

8188 FOX CHASE Ct  
(street address)

82  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared BRANDON GENTRY and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of JULY, 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Karen Work  
(owner's signature)

Esther G Work  
(owner's signature)

KAREN WORK  
(printed)

ESTHER G WORK  
(printed)

7182 FOXCHASE CIRCLE  
(street address)

84      3  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared KAREN & ESTHER WORK, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of AUGUST, 2003


Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

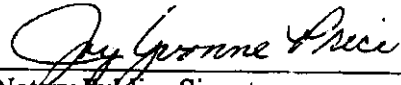
My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

|                                                                                                                 |       |                        |                           |
|-----------------------------------------------------------------------------------------------------------------|-------|------------------------|---------------------------|
| <u></u><br>(owner's signature) | _____ | _____                  | _____                     |
| <u>DOUGLAS M. SLOAN</u><br>(printed)                                                                            | _____ | _____                  | _____                     |
| <u>8178 FOXCHASE DRIVE</u><br>(street address)                                                                  | _____ | <u>85</u><br>(Lot No.) | <u>5</u><br>(Section No.) |

STATE OF INDIANA    )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared DOUGLAS M. SLOAN and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

  
Notary Public--Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Walter A Kenyon  
(owner's signature)

Annet D Greathouse  
(owner's signature)

WALTER A KENYON  
(printed)

ANNET D. GREATHOUSE  
(printed)

8150 Foxchase Circle  
(street address)

89  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared WALTER A KENYON and ANNET D GREATHOUSE who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 12<sup>th</sup> day of JULY, 2007.

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

[Handwritten Signature]  
(owner's signature)

JAMES R. CRAIG  
(printed)

8148 Foxchase Cir  
(street address)

[Handwritten Signature]  
(owner's signature)

ROSALYN CRAIG  
(printed)

90      3  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared JAMES CRAIG ~~& ROSA~~ and ROSALYN CRAIG, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 23 day of JULY, 2007.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

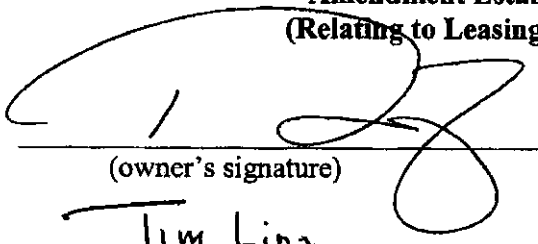
CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE

Foxchase

**Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)**



(owner's signature)

Tim Ling  
(printed)

8148 Foxchase Circle  
(street address)

\_\_\_\_\_  
(owner's signature)

\_\_\_\_\_  
(printed)

91  
(Lot No.)      \_\_\_\_\_  
(Section No.)

STATE OF INDIANA      )

COUNTY OF Marion      )

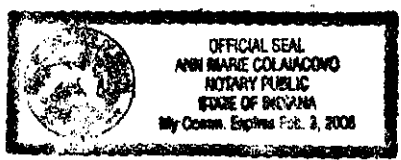
Before me, a Notary Public, in and for said County and State, personally appeared Tim Ling ~~and~~ \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 29<sup>th</sup> day of Aug., 2003.

  
Notary Public--Signature

Residence County: Marion

ANN MARIE COLAIACOVO  
Printed

My Commission Expires Feb. 3, 2008





SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Umi Chong (owner's signature) \_\_\_\_\_ (owner's signature)  
Umi Chong (printed) \_\_\_\_\_ (printed)  
8138 Foxchase Circle (street address) 92 (Lot No.) \_\_\_\_\_ (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared UMI CHONG and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of SEPTEMBER, 2009.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

J. David Paris  
(owner's signature)

Kathleen H. Paris  
(owner's signature)

J. David Paris  
(printed)

Kathleen H. Paris  
(printed)

8130 Foxchase Circle  
(street address)

93  
(Lot No.)                  
(Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF Marion    )

Before me, a Notary Public, in and for said County and State, personally appeared David Paris and Kathleen Paris, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28th day of January, 2005.

Joy Yvonne Price  
Notary Public--Signature

Residence County: Marion

Joy Yvonne Price  
Printed

My Commission Expires 3/4/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Foster C. Reed  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

FOSTER C. REED  
(printed)

\_\_\_\_\_  
(printed)

8128 FOX CHASE CIR  
(street address)

94  
(Lot No.)

\_\_\_\_\_  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared FOSTER C. REED and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

|                                                 |                        |                     |
|-------------------------------------------------|------------------------|---------------------|
| <u>Carol S Miller</u><br>(owner's signature)    | _____                  | (owner's signature) |
| <u>CAROL S. MILLER</u><br>(printed)             | _____                  | (printed)           |
| <u>8136 Foxchase Circle</u><br>(street address) | <u>95</u><br>(Lot No.) | _____ (Section No.) |

STATE OF INDIANA     )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared CAROL S- MILLER and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

Printed \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**P. THOMAS MURRAY, JR.**  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Richard I. McDaniel  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

RICHARD I. MCDANIEL  
(printed)

\_\_\_\_\_  
(printed)

8124 FOXCHASE CIRCLE  
(street address)

96  
(Lot No.)

\_\_\_\_\_  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION     )

Before me, a Notary Public, in and for said County and State, personally appeared RICHARD I. MCDANIEL and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public - Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Ray Cortez  
(owner's signature)

Ray Cortez  
(printed)

8120 Foxchase Cir  
(street address)

Sandra J Cortez  
(owner's signature)

SANDRA J CORTEZ  
(printed)

97  
(Lot No.)                  
(Section No.)

STATE OF INDIANA      )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared RAY CORTEZ and SANDRA J CORTEZ, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of SEPTEMBER 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

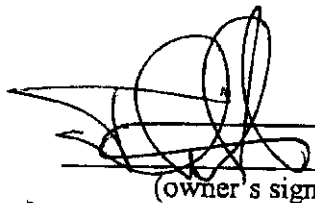
CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE

Foxchase

Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

  
\_\_\_\_\_  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Thomas Auman  
(printed)

\_\_\_\_\_  
(printed)

818 FOXCHASE CIRCLE  
(street address)

98  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared THOMAS AUMAN and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2005~~ 2007


Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed


My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

|                                                                                                                 |                                                    |
|-----------------------------------------------------------------------------------------------------------------|----------------------------------------------------|
| <u></u><br>(owner's signature) | _____                                              |
| <u>Cindy K. Reed</u><br>(printed)                                                                               | _____                                              |
| <u>8156 Tallino Dr.</u><br>(street address)                                                                     | <u>99</u> <u>3</u><br>(Lot No.)      (Section No.) |

STATE OF INDIANA      )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared CINDY K REED and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 30 day of JUNE, 2004

  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
**Amendment Establishing a New Article XVIII**  
**(Relating to Leasing & Other Rental Restrictions)**

June D. Feick  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

June D. Feick  
(printed)

\_\_\_\_\_  
(printed)

5158 Tallinok Dr.  
(street address)

100  
(Lot No.)

\_\_\_\_\_  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION     )

Before me, a Notary Public, in and for said County and State, personally appeared JUNE D. FEICK and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Jay Yvonne Price  
Notary Public Signature

Residence County: MARION

JAY YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Wanda J. Terry  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

WANDA J. TERRY  
(printed)

\_\_\_\_\_  
(printed)

816 1/2 Tallikan Dr.  
(street address)

101  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )

COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared WANDA J. TERRY and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 30 day of JUNE, 2009

Catherine Borkowski  
Notary Public--Signature

Residence County Marion

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Catherine Borkowski  
(owner's signature)

Cheryl Planck  
(owner's signature)

CATHERINE BORKOWSKI  
(printed)

CHERYL PLANCK  
(printed)

8173  
~~8169~~ FOXCHASE CIR  
(street address)

105      3  
(Lot No.)      (Section No.)

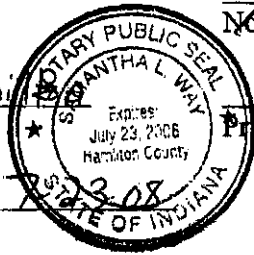
STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared CATHERINE BORKOWSKI and CHERYL PLANCK, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2008

Samantha L. Way  
Notary Public--Signature

Residence County: Hamilton      Samantha L. Way  
Printed

My Commission Expires 7-23-08



SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Catherine Borkowski  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

CATHERINE BORKOWSKI  
(printed)

\_\_\_\_\_  
(printed)

8169 FOXCHASE CIRCLE  
(street address)

107  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )

COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared CATHERINE BORKOWSKI and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of JANUARY, 2007

Joy Yvonne Price  
Notary Public--Signature

Residence County: Marion

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

*Alex F. Martell*  
(owner's signature)

*Kathryn E. Martell*  
(owner's signature)

ALEX F. MARTELL  
(printed)

KATHRYN E. MARTELL  
(printed)

8167 FOXCHASE CIRLE  
(street address)

108  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
                                  )  
COUNTY OF Marion)

Before me, a Notary Public, in and for said County and State, personally appeared Alex F Martell and Kathryn E Martell, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2 day of Sept., 2003.

*Teresa L. Cogrove*  
Notary Public--Signature

Residence County: Marion

Teresa L Cogrove  
Printed

My Commission Expires 7-6-07

SIGNATURE PAGE  
Foxchase  
**Amendment Establishing a New Article XVIII**  
**(Relating to Leasing & Other Rental Restrictions)**

Sherilyn L. Klein  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Sherilyn L. Klein  
(printed)

\_\_\_\_\_  
(printed)

8139 Foxchase Circle  
(street address)

109  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF \_\_\_\_\_)

Before me, a Notary Public, in and for said County and State, personally appeared Sherilyn L. Klein and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 25<sup>th</sup> day of August, 2003.

Betty J. Hertel  
Notary Public - Signature

Residence County: Marion

Betty J. Hertel  
Printed

My Commission Expires 9/4/2010

SIGNATURE PAGE  
Foxchase  
Amendment Establishing a New Article XVIII  
(Relating to Leasing & Other Rental Restrictions)

Donna M. Meadows  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Donna M. Meadows  
(printed)

\_\_\_\_\_  
(printed)

8137 Foxchase Circle  
(street address)

110 3  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DONNA MEADOWS and \_\_\_\_\_, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three, and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of JULY, 2004

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

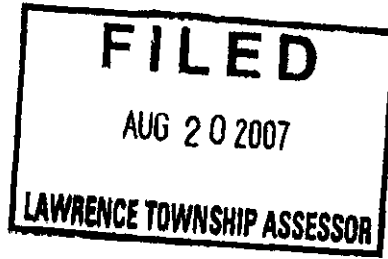
CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



**Cross-Reference:**

**Inst. No. 1984-46519**  
**Inst. No. 1984-87404**  
**Inst. No. 1998-0117189**



**AMENDMENT #3**  
**HOME OCCUPATIONS**

28

**AMENDMENT TO AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FOXCHASE, SECTION ONE**

This is an amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One.

**WITNESSETH:**

WHEREAS, a residential community known as **Foxchase Section One** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One," filed with the Marion County Recorder's Office on June 20, 1984, as **Instrument No. 1984-46519** ("Section One Declaration"); and

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section One consists of thirty-one (31) Lots numbered 1 through 31, inclusive, and Common Area; and

WHEREAS, the Section One Declaration was amended by a certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One" filed with the Marion County Recorder's Office on November 7, 1984 as **Instrument No. 1984-87404** ("Section One Amended Declaration"); and

WHEREAS, Foxchase Section One is part of a larger Foxchase community, including Foxchase Sections Two and Three; and

WHEREAS, all three Sections of Foxchase are governed and managed by the Foxchase Homeowners Association, Inc. ("Association"); and

WHEREAS, the owners within Foxchase Sections Two and Three previously approved an amendment to their Sections' Declarations of Covenants whereby they adopted an amendment identical to that set forth below, said amendment being filed with the Marion County Recorder's Office on July 10, 1998, as **Instrument No. 1998-0117189**; and

WHEREAS, Article XVII, Section Four of the Section One Amended Declaration states that it may be amended during the first 25 year period by an instrument signed by not less than seventy-five percent (75%) of the owners, which Amendment must be recorded in the Office of the Recorder of Marion County, Indiana; and

WHEREAS, the requisite number of Owners within Foxchase Section One desire to amend certain provisions of the Section One Amended Declaration; and

RECORDED  
INDEXED  
AUG 23 2007

WHEREAS, the undersigned Owners, constituting more than seventy-five percent (75%) of the current Lot Owners within Section One of Foxchase, desire to amend the Section One Amended Declaration pursuant to the terms and conditions set forth below.

NOW, THEREFORE, the undersigned Owners hereby amend the Section One Amended Declaration such that all of the Lots, Common Areas, and Lands located within the Properties of Foxchase Section One are held and shall be held, conveyed, hypothecated, or encumbered, leased, rented, used, occupied and improved, subject to the following restrictions, all of which were and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the Foxchase Section One development as a whole and of each of said Lots situated therein. All of the restrictions contained herein shall run with the land and shall be binding upon the present and future Owners and upon the parties having or acquiring any right, title or interest, legal or equitable, in and to the Foxchase Section One Properties or any part or parts thereof subject to such restrictions.

1. Article XV, Section 9 of the Amended Declaration for Foxchase Section One is hereby deleted in its entirety and replaced with the following:

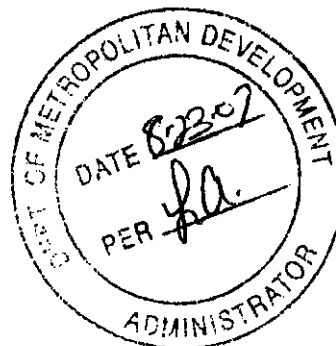
**9. Residential Use and Home Occupations: All Lots and Dwellings shall be used for single-family residential use only; provided, however, that an Owner may maintain an office or home business in the Dwelling if: (1) such office or business generates no significant number of visits or unreasonable parking usage (both as determined by the Board of Directors) by clients, customers or other persons related to the business; (2) no equipment or other items related to the business are stored, parked or otherwise kept outside such Owner's Dwelling; (3) there are no employees or independent contractors within the Dwelling other than the Owner or other resident; (4) such Owner has obtained approvals or licenses for such use as may be required by the appropriate local and state governmental agencies; and (5) the Owner in all other respects complies with any federal, state, or local laws, regulations and ordinances, including but not limited to the Marion County Home Occupations Ordinance. The Board may require the Owner to pay any increase in the rate of insurance or any other costs or expenses to the Association which may result from such use. No Dwelling shall be used or rented for transient, motel or hotel purposes.**

2. Definitions. The definition of terms defined in the Section One Amended Declaration as used herein shall be applicable to this Amendment.

3. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Dwelling in Foxchase Section One shall constitute a ratification of this Amendment, together with the Amended Declaration (including all amendments and supplements thereto), the Association's By-Laws and all amendments thereto, the Association's Articles of Incorporation and all amendments thereto, and any Rules or Regulations adopted pursuant to said documents, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Dwelling or a Lot within the Foxchase Section One Properties as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease.

IN WITNESS WHEREOF, the undersigned Owners of Lots within Foxchase execute this Amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Foxchase Sections One, Two and Three as of the date of the last signature below.

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document unless required by law. *P Thomas Murray*



This instrument prepared by, and should be returned to, P Thomas Murray, Jr, EADS MURRAY & PUGH, PC, Attorneys at Law, 7321 Shadeland Station, Suite 250, Indianapolis, IN 46256. (317) 842-8550.

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Russell Judd (owner's signature) \_\_\_\_\_ (owner's signature)  
Russell L Judd (printed) \_\_\_\_\_ (printed)  
8053 Foxchase Dr (street address) \_\_\_\_\_ (Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared RUSSELL JUDD, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public - Signature  
Joy YVONNE PRICE  
Printed

Residence County: MARION

My Commission Expires 3/9/08

APPROVED THIS 20<sup>th</sup>  
DAY OF August 2007  
LAWRENCE TOWNSHIP ASSESSOR  
[Signature] DRAFTSMAN

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Kathryn S. Huenink  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Kathryn S. Huenink  
(printed)

\_\_\_\_\_  
(printed)

8063 Foxchase Dr.  
(street address)

3  
(Lot No.)

STATE OF INDIANA )

COUNTY OF Marion)

Before me, a Notary Public, in and for said County and State, personally appeared Kathryn S. Huenink, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 13 day of Nov., 2003.

Holly Overby  
Notary Public--Signature

Residence County: Marion

Holly Overby  
Printed

My Commission Expires 12/8/2010



SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

R Rohana

(owner's signature)

(owner's signature)

RAYMOND ROHANA

(printed)

(printed)

8705 FOXCHASE DR.

(street address)

7  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared RAYMOND ROHANA, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17<sup>th</sup> day of JULY, 2004

Catherine Borkowski

Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI

Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Pamela Jo Beckman  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

PAMELA JO BECKMAN  
(printed)

\_\_\_\_\_  
(printed)

8107 FOXCHASE DR.  
(street address)

008  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF Merrion )

Before me, a Notary Public, in and for said County and State, personally appeared Pamela Jo Beckman, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28th day of January, 2008.

Joy Vonne Price  
Notary Public--Signature

Residence County: Merrion

Joy VONNE PRICE  
Printed

My Commission Expires 3/9/08



SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Virginia M. Mitchell  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

VIRGINIA M. MITCHELL  
(printed)

\_\_\_\_\_  
(printed)

8121 FOXCHASE DR.  
(street address)

9  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared VIRGINIA MITCHELL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of JULY, 2004

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Anthony Burns  
(owner's signature)

Koreen M. Burns  
(owner's signature)

Anthony A. Burns  
(printed)

KOREEN M. BURNS  
(printed)

8112 Tallho Dr.  
(street address)

11  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared Anthony A Burns + Loreen M Burns, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 21<sup>st</sup> day of September, 2003.

Karanna Smith  
Notary Public--Signature

Residence County: marion

Karanna Smith  
Printed

My Commission Expires 9-29-06

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

[Signature]  
(owner's signature)

[Signature]  
(owner's signature)

D. LESLIE NEEL  
(printed)

ELAINE M. NEEL  
(printed)

8110 TALLHO DC.  
(street address)

17  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared LESLIE & ELAINE NEEL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 16<sup>th</sup> day of AUGUST, 2007.

[Signature]  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Carla K. Eley  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

CARLA K. ELEY  
(printed)

\_\_\_\_\_  
(printed)

8111 Tallitto Dr.  
(street address)

13  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared CARLA ELEY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of SEPTEMBER, 2009.

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

*Danna M. Korak*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

DANNA M. KORAK  
(printed)

\_\_\_\_\_  
(printed)

8113 Tallieho Dr.  
(street address)

14  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DANNA M KORAK, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 16<sup>th</sup> day of AUGUST, 2004.

*Catherine Berkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

|                                            |                        |
|--------------------------------------------|------------------------|
| <u>Steph Pappas</u><br>(owner's signature) | _____                  |
| <u>Stephanie Pappas</u><br>(printed)       | _____                  |
| <u>8125 Tam. Ho Dr</u><br>(street address) | <u>15</u><br>(Lot No.) |

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared STEPHANIE PAPPAS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 22 day of AUGUST, 2004

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

|                                             |                        |
|---------------------------------------------|------------------------|
| <u>Jo Ann Fox</u><br>(owner's signature)    | _____                  |
| <u>Jo Ann Fox</u><br>(printed)              | _____                  |
| <u>8127 Talliko Dr.</u><br>(street address) | <u>16</u><br>(Lot No.) |

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared Jo Ann Fox, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public-Signature  
Joy Yvonne Price  
Printed

Residence County: MARION

My Commission Expires 3/9/08



SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

*Patrick R Snyder*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

PATRICK R SNYDER  
(printed)

\_\_\_\_\_  
(printed)

8162 FOXCHASE DR  
(street address)

18  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared PATRICK R SNYDER, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of AUGUST, 2007.

*Catherine Borkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Colleen Baker (owner's signature) \_\_\_\_\_ (owner's signature) \_\_\_\_\_  
COLLEEN BAKER (printed) \_\_\_\_\_ (printed) \_\_\_\_\_  
8160 Foxchase Dr (street address) \_\_\_\_\_ 19 (Lot No.) \_\_\_\_\_

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared COLEEN BAKER, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 26th day of August, 2003.

Diana L. Denney  
Notary Public--Signature

Residence County: \_\_\_\_\_

Printed \_\_\_\_\_

My Commission Expires \_\_\_\_\_

**DIANA L DENNEY**  
**NOTARY PUBLIC STATE OF INDIANA**  
**MARION COUNTY**  
**MY COMMISSION EXP. FEB. 18, 2007**

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Derren Yerks

(owner's signature)

(owner's signature)

Derren Yerks

(printed)

(printed)

8152 Fox Chase Dr

(street address)

21  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DERREN YERKS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2003~~ 2007

Catherine Berkowski

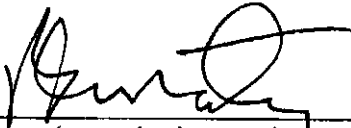
Notary Public--Signature

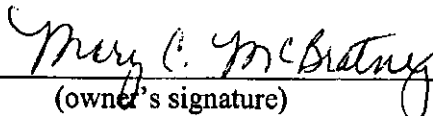
Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08

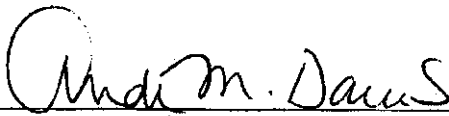
SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

  
(owner's signature)  
BRUCE McBRATNEY  
(printed)  
8144 FOXCHASE DRIVE  
(street address)

  
(owner's signature)  
MARY C. McBRATNEY  
(printed)  
22  
(Lot No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF Marion  )

Before me, a Notary Public, in and for said County and State, personally appeared Bruce McBratney + Mary McBratney, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of August, 2003.

  
Notary Public--Signature  
ANDREA M. DAVIS  
COMMISSION EXPIRES: 1-24-10  
COUNTY OF RESIDENCE: MARION  
Printed

Residence County: Marion

My Commission Expires 1/24/10

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Nancy L. Lloyd  
(owner's signature)

NANCY L. LLOYD  
(printed)

8142 FOXCHASE DR.  
(street address)

Robert C. Lloyd  
(owner's signature)

ROBERT C. LLOYD  
(printed)

23  
(Lot No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared NANCY L. LLOYD & ROBERT C. LLOYD, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Susanne M. Ness  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Susanne M. Ness  
(printed)

\_\_\_\_\_  
(printed)

8134 Fox Chase Dr  
(street address)

24  
(Lot No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared SUSANNE M. NESS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public - Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Howard Lowell Martin  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

HOWARD LOWELL MARTIN  
(printed)

\_\_\_\_\_  
(printed)

8132 FOXCHASE DR.  
(street address)

25  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared HOWARD L MARTIN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of JULY, 2008.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Grace A. Falvey  
(owner's signature)

Robert H. Dill  
(owner's signature)

GRACE A. FALVEY  
(printed)

ROBERT H. DILL  
(printed)

8116 FOXCHASE DR.  
(street address)

26  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared GRACE FALVEY & ROBERT DILL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 20 day of JULY, 2004.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

James A. Welchel \_\_\_\_\_  
(owner's signature) (owner's signature)

JAMES A. WELCHEL \_\_\_\_\_  
(printed) (printed)

8114 FOX CHASE DR. 27  
(street address) (Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JAMES A WELCHEL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

[Signature]  
(owner's signature)

[Signature]  
(owner's signature)

Cato K. Cork  
(printed)

Beatrice L.D. Cork  
(printed)

3102 Foxchase Dr  
(street address)

29  
(Lot No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared CATO K. + BEATRICE L.D. CORK, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

[Signature]  
Notary Public Signature

Residence County: MARION

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase Section One  
Amendment to Article XV, Section 9  
(Relating to Home Occupations)

Donna M Doty  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Donna M Doty  
(printed)

\_\_\_\_\_  
(printed)

8072 Foxchase Dr Indpls IN 46256  
(street address)

30  
(Lot No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DONNA M DOTY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2007.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



**FILED**  
AUG 20 2007

93

**Cross-References:**

*1984-87404*  
**Inst. No. 1984-46519 & 1984-87404** **LAWRENCE TOWNSHIP ASSESSOR** **AMENDMENT #2**  
**Inst. No. 1984-65706 & 1984-87402** **REPLACEMENT AMENDMENTS**  
**Inst. No. 1984-65708, 1984-87403 & 1998-0117189**

**AMENDMENT TO AMENDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR FOXCHASE, SECTIONS ONE, TWO & THREE**

This is an amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two, and Three.

WITNESSETH:

WHEREAS, a residential community known as **Foxchase, Section One** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One," filed with the Marion County Recorder's Office on June 20, 1984 as **Instrument No. 84-46519** ("Section One Declaration"); and

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section One consists of thirty-one (31) Lots numbered 1 through 31, inclusive, and Common Area; and

WHEREAS, the Section One Declaration was amended by certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section One" filed with the Marion County Recorder's Office on November 7, 1984 as **Instrument No. 84-87404** ("Section One Amended Declaration"); and

WHEREAS, a residential community known as **Foxchase, Section Two** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Two" filed with the Marion County Recorder's Office on August 22, 1984, as **Instrument No 84-65706** ("Section Two Declaration"); and

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section Two consists of thirty-one (31) Lots numbered 33 through 43 and 45 through 64, inclusive, and Common Area; and

WHEREAS, the Section Two Declaration was amended by a certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Two" filed with the Marion County Recorder's Office on November 7, 1984 as **Instrument No. 84-87402** ("Section Two Amended Declaration"); and

WHEREAS, a residential community known as **Foxchase, Section Three** located in Marion County, Indiana was established pursuant to a certain "Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Three" filed with the Marion County Recorder's Office on August 22, 1984, as **Instrument No. 84-65708** ("Section Three Declaration"); and

RECORDED  
INDEXED  
AUG 23 2007

08/23/07 03:42PM JULIE L VOORHIES MARION CTY RECORDER JMW 204.00 PAGES: 94

Inst # 2007-0124231

WHEREAS, pursuant to Plats filed with the Marion County Recorder's Office, Foxchase Section Three consists of forty-six (46) Lots numbered 65 through 110 inclusive, and Common Area; and

WHEREAS, the Section Three Declaration was amended by a certain "Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Section Three" filed with the Marion County Recorder's Office on November 7, 1984, **Instrument No. 84-87403** ("Section Three Amended Declaration"); and

WHEREAS, the Section Two Amended Declaration and the Section Three Amended Declaration were further amended by an Amendment filed with the Marion County Recorder's Office on July 10, 1998, as **Instrument No. 1998-0117189**; and

WHEREAS, the Section One, Section Two and Section Three Amended Declarations shall be referred to hereafter collectively as the "Amended Declarations"; and

WHEREAS, although platted separately, Foxchase Sections One, Two and Three are part of an overall community commonly known as "Foxchase"; and

WHEREAS, all three Sections of Foxchase are governed and managed by the Foxchase Homeowners Association, Inc ("Association"); and

WHEREAS, Article XVII, Section Four of each of the Amended Declarations states that they may be amended during the first 25 year period by an instrument signed by not less than seventy-five percent (75%) of the owners, which Amendment must be recorded in the Office of the Recorder of Marion County, Indiana; and

WHEREAS, the Owners within all three Sections of Foxchase desire to amend certain provisions of the Amended Declarations; and

WHEREAS, the undersigned Owners, constituting more than seventy-five percent (75%) of the current Lot Owners within Section One, Section Two and Section Three of Foxchase, desire to amend the Amended Declarations pursuant to the terms and conditions set forth below.

NOW, THEREFOE, the undersigned Owners hereby amend the Amended Declarations such that all of the Lots, Common Areas, and Lands located within the Properties are held and shall be held, conveyed, hypothecated, or encumbered, leased, rented, used, occupied and improved, subject to the following restrictions, all of which were and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the Foxchase development as a whole and of each of said Lots situated therein. All of the restrictions contained herein shall run with the land and shall be binding upon the present and future Owners and upon the parties having or acquiring any right, title or interest, legal or equitable, in and to the Properties or any part or parts thereof subject to such restrictions.

1. The first sentence of Article XVII, Section 4 of each of the Amended Declarations, which pertains to the procedure for amendments to the Amended Declarations, shall be deleted in its entirety and replaced with the following:

**Amendment: The Owners acknowledge that Sections One, Two and Three of Foxchase are contiguous to each other, with all Owners being members of the Foxchase Homeowners Association, Inc, such that all Lots are part of a single cohesive community commonly known as Foxchase with no practical differentiation as to Sections. As a result, this Declaration may be amended at any time by the Owners of at least two-thirds (2/3) of the total number of Lots in the aggregate in Foxchase Sections One, Two and Three at an annual or special meeting of the members of the Association called for such purpose. The Owners may vote either in person or by proxy. Such an amendment shall be signed by the President and Secretary of the Association, signifying that a sufficient number of Owners approved the amendment.**

All other provisions of Article XVII, Section 4 shall remain in full force and effect.

2. Definitions. The definition of terms defined in the Amended Declarations as used herein shall be applicable to this Amendment.
3. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Dwelling shall constitute a ratification of this Amendment, together with the Amended Declarations (including all amendments and supplements thereto), the Association's By-Laws and all amendments thereto, the Association's Articles of Incorporation and all amendments thereto, and any Rules or Regulations adopted pursuant to said documents, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Dwelling or a Lot within the Properties as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease.

IN WITNESS WHEREOF, the undersigned Owners of Lots within Foxchase execute this Amendment to the Amended Declaration of Covenants, Conditions and Restrictions for Foxchase Sections One, Two and Three as of the date of the last signature below.

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

This instrument prepared by, and should be returned to, P Thomas Murray, Jr, EADS MURRAY & PUGH, PC, Attorneys at Law, 7321 Shadeland Station, Suite 250, Indianapolis, IN 46256. (317) 842-8550.





SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

James E Knowles  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

JAMES - KNOWLES  
(printed)

\_\_\_\_\_  
(printed)

8055 Foxchase Dr  
(street address)

2  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

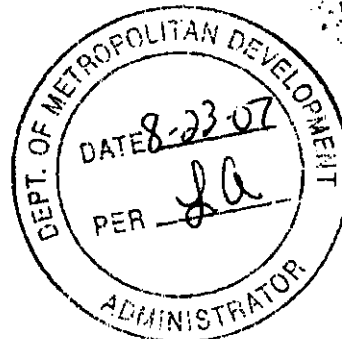
Before me, a Notary Public, in and for said County and State, personally appeared JAMES E KNOWLES, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of SEPTEMBER, 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: 3-10-08

CATHERINE BORKOWSKI  
Printed

My Commission Expires MARION





SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Nancy Hubbard

(owner's signature)

(owner's signature)

Nancy Hubbard

(printed)

(printed)

8077 Foxchase Dr

(street address)

6

(Lot No.)

(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared NANCY HUBBARD, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price

Notary Public--Signature

Residence County: MARION

Joy YVONNE PRICE

Printed

My Commission Expires 3/9/08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Pamela Jo Beckman  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

PAMELA JO BECKMAN  
(printed)

\_\_\_\_\_  
(printed)

8107 FOXCHASE DR  
(street address)

008  
(Lot No.)

01  
(Section No.)

STATE OF INDIANA )  
COUNTY OF Martin )

Before me, a Notary Public, in and for said County and State, personally appeared Pamela Jo Beckman, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 25th day of January, 2008

Joy Yvonne Price  
Notary Public--Signature

Residence County: Martin

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Virginia M. Mitchell  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

VIRGINIA M. MITCHELL  
(printed)

\_\_\_\_\_  
(printed)

8121 Foxchase DR.  
(street address)

9  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared VIRGINIA MITCHELL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of JULY, 2004

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Anthony Burns  
(owner's signature)

Loreen M. Burns  
(owner's signature)

Anthony A. Burns  
(printed)

LOREEN M. BURNS  
(printed)

8112 Tallho Dr.  
(street address)

11  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF Marion     )

Before me, a Notary Public, in and for said County and State, personally appeared Anthony Burns + Loreen Burns, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of September, 2003.

Kar R. Smith  
Notary Public--Signature

Residence County: Marion

Karonna Smith  
Printed

My Commission Expires 9-29-06



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

[Signature]  
(owner's signature)

[Signature]  
(owner's signature)

LESLIE NELL  
(printed)

ELAINE M. NELL  
(printed)

8110 TALLADO DR  
(street address)

12  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared LESLIE NELL & ELAINE NELL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 16th day of AUGUST, 2004

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Danna M. Korak*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

DANNA M. KORAK  
(printed)

\_\_\_\_\_  
(printed)

8113 Tallho DR.  
(street address)

14  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA     )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DANNA KORAK, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 16<sup>th</sup> day of AUGUST, 2004

*Catherine Borkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Stephanie Pappas (owner's signature) \_\_\_\_\_ (owner's signature)  
Stephanie Pappas (printed) \_\_\_\_\_ (printed)  
8125 Tall. hick. (street address) 15 (Lot No.) \_\_\_\_\_ (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared STEPHANIE PAPPAS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 22 day of AUGUST, 2004.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

|                                             |                        |                        |
|---------------------------------------------|------------------------|------------------------|
| <u>JoAnn Fox</u><br>(owner's signature)     | _____                  | _____                  |
| <u>JoAnn Fox</u><br>(printed)               | _____                  | _____                  |
| <u>8127 Talleho Dr.</u><br>(street address) | <u>16</u><br>(Lot No.) | _____<br>(Section No.) |

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared JoAnn Fox, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public - Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Patrick R Snyder*  
(owner's signature)

PATRICK R SNYDER  
(printed)

8162 FOXCHASE DR  
(street address)

\_\_\_\_\_  
(owner's signature)

\_\_\_\_\_  
(printed)

18      1  
(Lot No.)      (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared PATRICK R SNYDER, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of AUGUST, 2008

*Catherine Borkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Derren S Yerks  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Derren S Yerks  
(printed)

\_\_\_\_\_  
(printed)

8152 Foxchase Dr  
(street address)

21  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DERREN YERKS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2003~~ 2007

Catherine Borkowski  
Notary Public--Signature

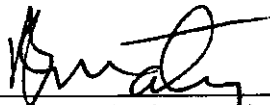
Residence County: MARION

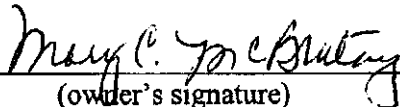
CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



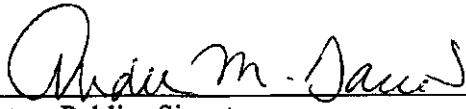
SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

  
(owner's signature)  
BRUCE McBRATNEY  
(printed)  
8144 FOXCHASE DR.  
(street address)

  
(owner's signature)  
MARY C. McBRATNEY  
(printed)  
22      1  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                  )  
COUNTY OF Marion  )

Before me, a Notary Public, in and for said County and State, personally appeared Bruce McBratney + Mary McBratney, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of August, 2003.

  
Notary Public--Signature

Residence County: Marion

Printed ANDREA M. DAVIS  
COMMISSION EXPIRES: 1-24-10  
COUNTY OF RESIDENCE: MARION

My Commission Expires 1/24/10



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Susanne M. Ness  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Susanne M Ness  
(printed)

\_\_\_\_\_  
(printed)

8134 Foxchase Dr  
(street address)

24  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared SUSANNE M. NESS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public--Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Howard Lowell Martin  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

HOWARD LOWELL MARTIN  
(printed)

\_\_\_\_\_  
(printed)

8132 FOXCHASE DR  
(street address)

25  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared HOWARD L MARTIN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of JULY, 2004.

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Grace A. Falvey*  
(owner's signature)

*Robert H. Dill*  
(owner's signature)

GRACE A. FALVEY  
(printed)

ROBERT H. DILL  
(printed)

8116 FOXCHASE DR.  
(street address)

26      1  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
COUNTY OF MARION      )

Before me, a Notary Public, in and for said County and State, personally appeared GRACE FALVEY & ROBERT DILL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 20 day of JULY, 2008

*Catherine Borkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

James A. Welchel  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

JAMES A. WELCHEL  
(printed)

\_\_\_\_\_  
(printed)

8114 FOXCHASE DR.  
(street address)

27  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION     )

Before me, a Notary Public, in and for said County and State, personally appeared JAMES A. WELCHEL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2007.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARCH

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)



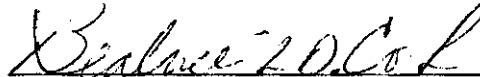
(owner's signature)

Cato K. Cork

(printed)

8102 Foxchase Drive

(street address)



(owner's signature)

Beatrice L. D. Cork

(printed)

29  
(Lot No.)

1  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF MARION     )

Before me, a Notary Public, in and for said County and State, personally appeared CATO K. + BEATRICE L. D. CORK, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.



Notary Public - Signature

Residence County: MARION

Joy YVONNE PRICE

Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Donna M Doty (owner's signature) \_\_\_\_\_ (owner's signature)  
Donna M Doty (printed) \_\_\_\_\_ (printed)  
8072 Foxchase Dr 46226 (street address) 30 (Lot No.) 1 (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DONNA M DOTY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2006

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Diane Phillips  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Diane Phillips  
(printed)

\_\_\_\_\_  
(printed)

8070 Fox Chase Dr.  
(street address)

031  
(Lot No.)

\_\_\_\_\_  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared Diane Phillips, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public--Signature

Residence County: MARION

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Carla Maxwell  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Carla Maxwell  
(printed)

\_\_\_\_\_  
(printed)

8094 Tallibo Dr.  
(street address)

33  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
                                  )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Carla Maxwell, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 22 day of JULY, 2006

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Janet L. Garrett (owner's signature) \_\_\_\_\_ (owner's signature)  
Janet L. Garrett (printed) \_\_\_\_\_ (printed)  
8092 Talliho Dr. Indianapolis (street address) 34 (Lot No.) 2 (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JANET L GARRETT, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2003~~ 2007

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKY  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

|                                                                |                                              |                           |
|----------------------------------------------------------------|----------------------------------------------|---------------------------|
| <u>Richard A. Logan</u><br>(owner's signature)                 | <u>Kathy A. Logan</u><br>(owner's signature) |                           |
| <u>Richard A. Logan</u><br>(printed)                           | <u>Kathy A. Logan</u><br>(printed)           |                           |
| <u>8084 Tallies Dr., Indpls., IN 46256</u><br>(street address) | <u>35</u><br>(Lot No.)                       | <u>2</u><br>(Section No.) |

STATE OF INDIANA     )  
COUNTY OF MARION)

Before me, a Notary Public, in and for said County and State, personally appeared RICHARD A LOGAN & KATHY A LOGAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 19 day of JULY, ~~2003~~ 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Richard K. Egan  
(owner's signature)

Evelyn J. Egan  
(owner's signature)

RICHARD K. EGAN  
(printed)

Evelyn T. Egan  
(printed)

8016 TALLHO DRIVE  
(street address)

37  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared RICHARD K EGAN & EVELYN T EGAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Gaye Wetzelberger  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Gaye Wetzelberger  
(printed)

\_\_\_\_\_  
(printed)

8054 Talliho Dr.  
(street address)

39  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared GAYE WETZELBERGER, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Astrid L. Trauble  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Astrid L. TRAUBLE  
(printed)

\_\_\_\_\_  
(printed)

8052 TALLIHO DR.  
(street address)

40  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared ASTRID L. TRAUBLE, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2008.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08





SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Charles D. Praed  
(owner's signature)

Martha L. Praed  
(owner's signature)

Charles D. Praed  
(printed)

MARTHA L. PRAED  
(printed)

8040 Talliko Dr.  
(street address)

42  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared CHARLES D. PRAED AND MARTHA L. PRAED, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

Printed \_\_\_\_\_

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Calvin N Steussy*  
(owner's signature)

CALVIN N STEUSSY  
(printed)

8032 Tallahassee Dr  
(street address)

*Gene W Steussy*  
(owner's signature)

GENE W STEUSSY  
(printed)

43                      2  
(Lot No.)                      (Section No.)

STATE OF INDIANA            )  
                                          )  
COUNTY OF MARION        )

Before me, a Notary Public, in and for said County and State, personally appeared CALVIN & GENE STEUSSY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of NOVEMBER, 2004.

*Catherine Borkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

[Signature]  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

DIANA BEDWELL  
(printed)

\_\_\_\_\_  
(printed)

8022 TULLHO DRIVE  
(street address)

45  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DIANA BEDWELL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of SEPTEMBER 2007

[Signature]  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Barbara Larson*  
(owner's signature)

*Leanne Larson*  
(owner's signature)

BARBARA LARSON  
(printed)

Leanne Larson  
(printed)

8012 Talliko Dr  
(street address)

47      2  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
COUNTY OF MARTIN      )

Before me, a Notary Public, in and for said County and State, personally appeared BARBARA + LEANNE LARSON, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of August, 2003.

*Joy Wonne Price*  
Notary Public--Signature

Residence County: Martin

Joy Wonne Price  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

[Signature]  
(owner's signature)

John R. Brehm  
(printed)

8010 Tallies Dr  
(street address)

[Signature]  
(owner's signature)

MURIEL K. BREHM  
(printed)

4843      2  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
COUNTY OF MARION      )

Before me, a Notary Public, in and for said County and State, personally appeared JOHN R. BREHM AND MURIEL K. BREHM, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

[Signature]  
Notary Public--Signature

Residence County: \_\_\_\_\_

Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Franklin L. Speckman (owner's signature) \_\_\_\_\_ (owner's signature)  
Franklin L. Speckman (printed) \_\_\_\_\_ (printed)  
8021 Tallho Dr (street address) \_\_\_\_\_ 49 (Lot No.) 2 (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared FRANKLIN L SPECKMAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed


My Commission Expires 3-10-08







SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

  
(owner's signature)

Brad Snodgrass  
(printed)

8041 Tallino  
(street address)

\_\_\_\_\_  
(owner's signature)

\_\_\_\_\_  
(printed)

53      2  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION      )

Before me, a Notary Public, in and for said County and State, personally appeared BRAD SNODGRASS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 30 day of JUNE, 2004

  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Beverly S. Brown  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

BEVERLY S. BROWN  
(printed)

\_\_\_\_\_  
(printed)

8043 Fall Rd  
(street address)

54  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared BEVERLY S. BROWN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of AUGUST, 2004

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Mary Jane Spencer*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

MARY JANE SPENCER  
(printed)

\_\_\_\_\_  
(printed)

8049 TALLHO DRIVE  
(street address)

55  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared MARY JANE SPENCER, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

*P. Thomas Murray, Jr.*  
Notary Public--Signature

Residence County: \_\_\_\_\_

Printed

My Commission Expires \_\_\_\_\_

**P. THOMAS MURRAY, JR.**  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Betty Barber  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Betty BARBER  
(printed)

\_\_\_\_\_  
(printed)

8051 TALLHO DR  
(street address)

56  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared BETTY BARBER, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

B. Glancy  
(owner's signature)

Shirley Glancy  
(owner's signature)

BEN GLANCY  
(printed)

SHIRLEY GLANCY  
(printed)

8043 Tuleho  
(street address)

54      2  
(Lot No.)      (Section No.)

STATE OF INDIANA )  
COUNTY OF Dunn

Before me, a Notary Public, in and for said County and State, personally appeared Ben Glancy & Shirley Glancy who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of August, 2003.

Karen L. O'Connor  
Notary Public--Signature

Residence County: Morgan

Karen L. O'Connor  
Printed

My Commission Expires 9/10/06

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

John R. Brehm  
(owner's signature)

Muriel K. Brehm  
(owner's signature)

John R Brehm  
(printed)

MURIEL K. BREHM  
(printed)

8061 Talliho Dr  
(street address)

18  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JOHN R BREHM & MURIEL K BREHM, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2007.

Catherine Borzkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORZKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

MAR Roache  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Melissa Roache  
(printed)

\_\_\_\_\_  
(printed)

8001 Tallho Dr.  
(street address)

59  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
                                          )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared MELISSA ROACHE, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8 day of AUGUST, 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

William M. Hon  
(owner's signature)

WILLIAM M. HON  
(owner's signature)

Carole V. Hon  
(printed)

CAROLE V. HON  
(printed)

8071 TALLHO DRIVE  
(street address)

60  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared WILLIAM HON & CAROLE HON, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of OCTOBER, 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Kevin J. Christel  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

KEVIN J. CRISTEL  
(printed)

\_\_\_\_\_  
(printed)

8083 TALLHO DRIVE  
(street address)

62  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared KEVIN J. CRISTEL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

P. THOMAS MURRAY, JR.  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Nanci Haber  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

NANCI HABER  
(printed)

\_\_\_\_\_  
(printed)

8091 Tallino Dr  
(street address)

63  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION

Before me, a Notary Public, in and for said County and State, personally appeared NANCI HABER, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

**P. THOMAS MURRAY, JR.**  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Shelby Watkins*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

SHELBY WATKINS  
(printed)

\_\_\_\_\_  
(printed)

8093 TOLLHO DR  
(street address)

64  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared SHELBY WATKINS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 31 day of MARCH, 2003/6

*Catherine Borkowski*  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Mary Beth Lippold

(owner's signature)

\_\_\_\_\_ (owner's signature)

Mary Beth Lippold

(printed)

\_\_\_\_\_ (printed)

8135 Talliko DR

(street address)

66  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared MARY BETH LIPPOLD, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price

Notary Public - Signature

Residence County: MARION

Joy Yvonne Price

Printed

My Commission Expires 3/9/08





SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Donna F. Firkos (owner's signature)      \_\_\_\_\_ (owner's signature)  
Donna F. Firkos (printed)      \_\_\_\_\_ (printed)  
8153 Tallito Dr. (street address)      69 (Lot No.)      669 (Section No.)

STATE OF INDIANA )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Donna Firkos, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27th day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public--Signature  
Joy Yvonne Price  
Printed

Residence County: MARION  
My Commission Expires 3/9/08





SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Donald J. Fressie*  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

DONALD J. FRESSIE  
(printed)

\_\_\_\_\_  
(printed)

8163 TALLHO DR.  
(street address)

71  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared DONALD J. FRESSIE, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

*Joy Yvonne Price*  
Notary Public--Signature

Residence County: MARION

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Elizabeth A. Macy (owner's signature) \_\_\_\_\_  
(owner's signature)  
Elizabeth A. Macy (printed) \_\_\_\_\_  
(printed)  
8163 Tallilo Dr. (street address) \_\_\_\_\_  
\_\_\_\_\_ 72 \_\_\_\_\_ 3 \_\_\_\_\_  
(Lot No.) (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared ELIZABETH A MACY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 12<sup>th</sup> day of JULY, 2007

Catherine Borkowski  
Notary Public--Signature  
CATHERINE BORKOWSKI  
Printed

Residence County: MARION

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Rosemarie E. Rian  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

ROSEMARIE E. RIAN  
(printed)

\_\_\_\_\_  
(printed)

8175 Tallhoda  
(street address)

73  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared ROSEMARIE E RIAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 30 day of JUNE, 2004

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

[Signature] (owner's signature) \_\_\_\_\_ (owner's signature)  
Edwin Gaston (printed) \_\_\_\_\_ (printed)  
8177 Tallio Dr. (street address) 74 (Lot No.) 5003 (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared G EDWIN GASTON, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2003~~ 2007.

CATHERINE BORKOWSKY  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKY  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Elizabeth W. Adams  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

ELIZABETH W ADAMS  
(printed)

\_\_\_\_\_  
(printed)

8187 TALLHO DR  
(street address)

76  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared ELIZABETH ADAMS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 21 day of JULY, 2008.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08







SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Robert M. Ahearn  
ROBERT M. AHEARN  
(owner's signature)

Margaret R. Ahearn  
(owner's signature)

ROBERT M. AHEARN  
(printed)

MARGARET R. AHEARN  
(printed)

8198 FOXCHASE CIRCLE  
(street address)

79  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared MARGARET R. AHEARN & ROBERT M. AHEARN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27<sup>th</sup> day of AUGUST, 2003.

Joy Yvonne Price  
Notary Public--Signature

Residence County: MARION

Joy Yvonne Price  
Printed

My Commission Expires 3/9/08



SIGNATURE PAGE

Foxchase

Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Charles M. Tinsley  
(owner's signature)

Margaret A. Tinsley  
(owner's signature)

CHARLES M TINSLEY  
(printed)

MARGARET TINSLEY  
(printed)

8190 FOX CHASE CIR  
(street address)

81  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared CHARLES & MARGARET TINSLEY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of JULY, 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

[Signature]  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

BRANDON GENTRY  
(printed)

\_\_\_\_\_  
(printed)

8188 Fox Chase Ct  
(street address)

82      3  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared BRANDON GENTRY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of JULY, 2008

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Karen Worl  
(owner's signature)

Esther G Worl  
(owner's signature)

KAREN WORL  
(printed)

ESTHER G WORL  
(printed)

8182 FOXCHASE CIRCE  
(street address)

84      3  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF MARION    )

Before me, a Notary Public, in and for said County and State, personally appeared KAREN & ESTHER WORL, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of AUGUST, 2004

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Walter A. Kenyon  
(owner's signature)

WALTER A. KENYON  
(printed)

8150 Foxchase Circle  
(street address)

Annet D. Greathouse  
(owner's signature)

ANNET D. GREATHOUSE  
(printed)

89      3  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
COUNTY OF MARION      )

Before me, a Notary Public, in and for said County and State, personally appeared WALTER A KENYON & ANNET D GREATHOUSE, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 12<sup>th</sup> day of JULY, 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

K

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

[Signature]  
(owner's signature)

JAMES R. CRAIG  
(printed)

8148 Foxchase  
(street address)

[Signature]  
(owner's signature)

90 - 3  
(printed)

90      3  
(Lot No.)      (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared JAMES CRAIG & ROSALYN CRAIG, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 23 day of JULY, 2007.

[Signature]  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

[Signature]  
(owner's signature)  
Tim King  
(printed)

\_\_\_\_\_  
(owner's signature)  
\_\_\_\_\_  
(printed)

8140 Foxchase Circle  
(street address)

91      13  
(Lot No.)      (Section No.)

STATE OF INDIANA      )  
                                          )  
COUNTY OF Marion )

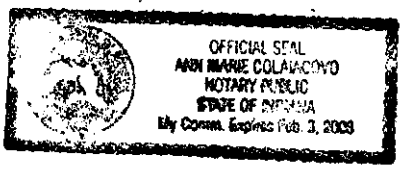
Before me, a Notary Public, in and for said County and State, personally appeared Tim King, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 29<sup>th</sup> day of Aug., 2003.

[Signature]  
Notary Public--Signature

Residence County: Marion

ANN MARIE COLAIACONO  
Printed

My Commission Expires 11.30.08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Umi Chong  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Umi Chong  
(printed)

\_\_\_\_\_  
(printed)

3138 Foxchase Circle  
(street address)

92  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared UMI CHONG, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of SEPTEMBER, 2008

Catherine Barkolosky  
Notary Public--Signature

Residence County: MARION

CATHERINE BARKOLOSKY  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

J. David Paris  
(owner's signature)

Kathleen H. Paris  
(owner's signature)

J. David Paris  
(printed)

Kathleen H. Paris  
(printed)

8133 Foxchase Circle  
(street address)

93  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF Marion     )

Before me, a Notary Public, in and for said County and State, personally appeared David & Kathleen Paris, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 25th day of January, 2003.

Joy Yvonne Price  
Notary Public--Signature

Residence County: Marion

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Foster C Reed  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

FOSTER C REED  
(printed)

\_\_\_\_\_  
(printed)

8128 FOXCHASE CIR.  
(street address)

94  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared FOSTER C. REED, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

**P. THOMAS MURRAY, JR.**  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Carol S. Miller  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

CAROL S. MILLER  
(printed)

\_\_\_\_\_  
(printed)

8126 Foxchase Circle  
(street address)

95  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION)

Before me, a Notary Public, in and for said County and State, personally appeared CAROL S. MILLER, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 27 day of AUGUST, 2003.

P. Thomas Murray, Jr.  
Notary Public--Signature

Residence County: \_\_\_\_\_

\_\_\_\_\_  
Printed

My Commission Expires \_\_\_\_\_

**P. THOMAS MURRAY, JR.**  
Notary Public, State of Indiana  
County of Marion  
My Commission Expires Dec. 20, 2009



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Ray Cortez  
(owner's signature)

RAY CORTEZ  
(printed)

5720 Foxchase Cir  
(street address)

Sandra J Cortez  
(owner's signature)

SANDRA J Cortez  
(printed)

97  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared RAY CORTEZ & SANDRA J CORTEZ, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 17 day of SEPTEMBER 2008.

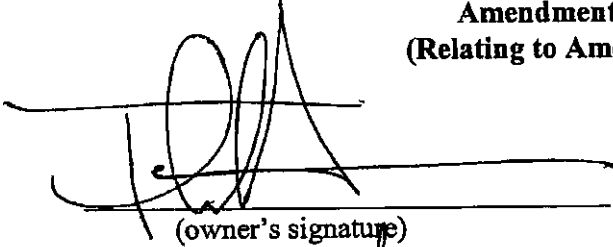
Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Thomas Auman  
(printed)

\_\_\_\_\_  
(printed)

818 Foxchase Circle  
(street address)

77  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared THOMAS AUMAN, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 14 day of JULY, ~~2003~~ 2007

Catherine Berkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BERKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Cindy K. Reed (owner's signature) \_\_\_\_\_ (owner's signature)  
Cindy K. Reed (printed) \_\_\_\_\_ (printed)  
8156 Tallahassee Dr. (street address) 99 (Lot No.) 3 (Section No.)

STATE OF INDIANA )  
COUNTY OF MARION

Before me, a Notary Public, in and for said County and State, personally appeared CINDY REED, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 12th day of JULY, 2007

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Wanda Terry  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

WANDA TERRY  
(printed)

\_\_\_\_\_  
(printed)

8164 Talliko Dr.  
(street address)

101  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared WANDA TERRY, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 12<sup>th</sup> day of JULY, 2007.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08





SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Catherine Borkowski  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

CATHERINE BORKOWSKI  
(printed)

\_\_\_\_\_  
(printed)

8169 FOXCHASE CIR  
(street address)

107  
(Lot No.)

2  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION  )

Before me, a Notary Public, in and for said County and State, personally appeared CATHERINE BORKOWSKI, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 28<sup>th</sup> day of JANUARY, 2007.

Catherine Price  
Notary Public--Signature

Residence County: Marion

Joy YVONNE PRICE  
Printed

My Commission Expires 3/9/08

SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

*Alex F. Martell*  
(owner's signature)

*Kathryn E. Martell*  
(owner's signature)

ALEX F. MARTELL  
(printed)

KATHRYN E. MARTELL  
(printed)

8167 FOXCHASE CIRLE  
(street address)

108  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA )  
                                  )  
COUNTY OF Marion )

Before me, a Notary Public, in and for said County and State, personally appeared Alex F + Kathryn E Martell, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 2 day of Sept, 2003.

*Teresa L Cosgrove*  
Notary Public--Signature

Residence County: Marion

Teresa L Cosgrove  
Printed

My Commission Expires 7-6-07

SIGNATURE PAGE  
Foxchase  
**Amendment to Article XVII, Section 4**  
**(Relating to Amendment Approval Procedure)**

Sherilyn L Klein  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Sherilyn L. Klein  
(printed)

\_\_\_\_\_  
(printed)

8139 Foxchase Circle  
(street address)

109  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                          )  
COUNTY OF \_\_\_\_\_)

Before me, a Notary Public, in and for said County and State, personally appeared Sherilyn L Klein, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 25<sup>th</sup> day of August, 2003.

Betty J. Hertel  
Notary Public--Signature

Residence County: Marion

Betty J. Hertel  
Printed

My Commission Expires 9/4/2010



SIGNATURE PAGE  
Foxchase  
Amendment to Article XVII, Section 4  
(Relating to Amendment Approval Procedure)

Donna M. Meadows  
(owner's signature)

\_\_\_\_\_  
(owner's signature)

Donna M. Meadows  
(printed)

\_\_\_\_\_  
(printed)

8137 Foxchase Circle  
(street address)

110  
(Lot No.)

3  
(Section No.)

STATE OF INDIANA     )  
                                  )  
COUNTY OF MARION )

Before me, a Notary Public, in and for said County and State, personally appeared DONNA MEADOWS, who acknowledged the execution of the foregoing Amendment to Amended Declaration of Covenants, Conditions and Restrictions for Foxchase, Sections One, Two and Three and who, having been duly sworn, stated that the statements contained herein are true to the best of their knowledge and belief. Subscribed and sworn to before me this 8<sup>th</sup> day of JULY, 2008.

Catherine Borkowski  
Notary Public--Signature

Residence County: MARION

CATHERINE BORKOWSKI  
Printed

My Commission Expires 3-10-08