

CROSS REFERENCE

36.505p. (15)

870014334

The Holcomb Estates
H. P. R.
84-79773

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Washington Dep.

Paul Crispine
842-6777

870014334

APPROVED THIS 12 Feb
DAY OF February 1987
ASSESSOR OF WASHINGTON TWP.

SEVENTH AMENDMENT AND SUPPLEMENT
TO DECLARATION OF HORIZONTAL PROPERTY
OWNERSHIP FOR THE HOLCOMB ESTATE
HORIZONTAL PROPERTY REGIME

CANNOT BE CROSS
INDEXED IN
MARION COUNTY

This Seventh Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Seventh Amendment and Supplement"), made as of the 2nd day of February, 1987, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

A. Declarant, on the 11th day of October, 1984, executed a Declaration of Horizontal Property Ownership for The Holcomb Estate Horizontal Property Regime, which was recorded in the office of the Recorder of Marion County, Indiana, on the 11th day of October, 1984, as Instrument No. 84-79773 (hereinafter referred to as the "Declaration") establishing and creating The Holcomb Estate Horizontal Property Regime (hereinafter and in the Declaration referred to as "The Holcomb Estate").

B. Declarant on the 19th day of November, 1984, executed a certain First Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 28th day of November, 1984, as Instrument No. 84-93096.

C. Declarant on the 31st day of January, 1985, executed a certain Second Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 1st day of February, 1985, as Instrument No. 85-8513.

D. Declarant on the 1st day of July, 1985, executed a certain Third Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 11th day of July, 1985, as Instrument No. 85-57287.

E. Declarant on the 16th day of May, 1986, executed a certain Fourth Amendment and Supplement to the Declaration, which was recorded in

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the office of the aforesaid Recorder on the 19th day of May, 1986, as Instrument No. 86-41800.

F. Declarant on the 27th day of May, 1986, executed a certain Fifth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 29th day of May, 1986, as Instrument No. 86-45460.

G. Declarant on the 22nd day of September, 1986, executed a certain Sixth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 25th day of September, 1986, as Instrument No. 86-95927.

H. Declarant is the sole owner of the fee simple title to that certain parcel of real estate located in Marion County, Indiana, which is more particularly described in Exhibit "A" attached hereto and hereby made a part hereof by this reference (hereinafter referred to as "Additional Tract VII").

I. Additional Tract VII constitutes a portion of the Real Estate (as defined in the Declaration) and constitutes the sixth phase of the general plan of development of the Real Estate as described in paragraph 16 of the Declaration into which Declarant has reserved the right to expand The Holcomb Estate as provided in said paragraph 16 of the Declaration and the Act (as defined in the Declaration).

J. All conditions relating to the expansion of The Holcomb Estate to include Additional Tract VII and to the inclusion of Additional Tract VII in The Holcomb Estate have been met and satisfied and Declarant, by this Seventh Amendment and Supplement, desires to and hereby does expand The Holcomb Estate to include Additional Tract VII and to incorporate Additional Tract VII in The Holcomb Estate.

NOW, THEREFORE, Declarant, in accordance with the Act and its rights reserved in the Declaration, makes this Seventh Amendment and Supplement as follows:

1. Definitions. The definitions used in the Declaration shall be applicable to Additional Tract VII and this Seventh Amendment and Supplement; provided, however, Additional Tract VII shall for all purposes now be included in the definition of

"Tract" in the Declaration, and the definition of "Plans" in the Declaration where appropriate shall now include the Tract VII Plans defined in this Seventh Amendment and Supplement.

"Tract VII Plans" as used herein means the floor and building plans and elevations of the Building and Condominium Units on Additional Tract VII, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of January 23, 1987, and a site plan of Additional Tract VII and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of January 23, 1987, all of which are incorporated herein by reference.

2. Declaration. Declarant hereby expressly declares that Additional Tract VII and all appurtenant easements, Condominium Units, Building, garages, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon shall be annexed to and become part of The Holcomb Estate, and The Holcomb Estate is hereby expanded to include Additional Tract VII, all as if the same had originally been included in the Declaration, and the same shall hereafter be held, transferred, sold, conveyed, used and occupied subject to all of the covenants, conditions, restrictions, terms and provisions of the Declaration, this Seventh Amendment and Supplement, the Act, and the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, the Declaration being incorporated herein and made a part hereof by reference.

3. Description of Building. There is one (1) Building containing two (2) Condominium Units on Additional Tract VII as shown on the Tract VII Plans. The Building is identified and referred to in the Tract VII Plans and in this Seventh Amendment and Supplement as Building P. A description of the Building located on Additional Tract VII and the Condominium Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Seventh Amendment and Supplement, The Holcomb Estate now consists of eleven (11) Buildings containing thirty-one (31) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Seventh Amendment and Supplement, shall be 3.2258%. The Condominium Units on Additional Tract VII are identified on the

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Tract VII Plans by a letter which identifies the Building in which the Condominium Units are located followed by a single digit arabic number. The legal description for each such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract VII Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Condominium Unit shall constitute an agreement by the Owner thereof and all those claiming by, through or under him that the provisions of this Seventh Amendment and Supplement, the Declaration, all previous amendments of and supplements to the Declaration, the Act, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by such Owner or occupant and those claiming by, through or under him, 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 Condominium Unit or the Property as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, lease thereon or other instrument or document relating thereto.

6. Floor Plans. The Tract VII Plans setting forth the layout, location, identification numbers and dimensions of the Condominium Units and Property identified in this Seventh Amendment and Supplement are incorporated into the Declaration, added to the Plans filed with the Declaration, and have been filed in the office of the Recorder of Marion County, Indiana, under the same Instrument Number as this Seventh Amendment and Supplement.

7. Exculpation. This instrument is executed and delivered on the express condition that anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements herein made on the part of Declarant ("Representations"), while in form purporting to be the Representations of Declarant, are nevertheless each and every one of them, made and intended not as personal Representations by Declarant or for the purpose or with the intention of binding Declarant personally, but are made and intended for the purpose of binding only the Tract; and no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant personally or any of its partners or agents, on account of this instrument or on account of, in connection with or arising out of any Representations of Declarant in this instrument contained, either express or implied, all such personal liability, if any, being expressly waived and released by each Person who acquires any

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interest in a Condominium Unit as a condition to the acquisition thereof.

IN WITNESS WHEREOF, the undersigned has caused this Seventh Amendment and Supplement to be executed the day and year first above written.

HOLCOMB PROPERTIES

By 

Tom Charles Huston
Assistant General Manager

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STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tom Charles Huston, known to me and known by me to be the Assistant General Manager of Holcomb Properties, an Indiana general partnership, who acknowledged the execution of the foregoing Seventh Amendment and Supplement to Declaration of Horizontal Property Regime for and on behalf of said partnership.

WITNESS my hand and Notarial Seal this 27th day of January, 1987.

Von Leigh Wilson

Notary Public Residing in
Greene County

Von Leigh Wilson
(printed signature)

My Commission Expires:

August 13, 1990

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Marchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

87001-1334

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49972, hereby consents to the recording of the above and foregoing Seventh Amendment and Supplement to Declaration and the submission of the Additional Tract VII to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Seventh Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 21st day of January, 1987.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

By Michael W. Richard
Michael W. Richard
Vice President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael W. Richard, a Vice President of Merchants National Bank & Trust Company of Indianapolis, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said bank and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 21 day of January,
1987.

Patricia A. Nuebler
Notary Public, Residing in
Marion County

Patricia A. Nuebler
(printed signature)

My Commission Expires:

7-8-88

870014334

This instrument prepared by Tom Charles Huston, Attorney at
Law, 1313 Merchants Bank Building, 11 South Meridian Street,
Indianapolis, Indiana 46204.

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49973, hereby consents to the recording of the above and foregoing Seventh Amendment and Supplement to Declaration and the submission of the Additional Tract VII to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Seventh Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 27th day of Jan, 1987.

IWC RESOURCES, INC.

BY *Dale B. Luther*
Dale B. Luther
(printed name)
Its President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

87001-1334

Before me, a Notary Public in and for said County and State, personally appeared Dale B. Luther, the President of IWC Resources, Inc., who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on

behalf of said corporation and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 21st day of January, 1987.



Juanita A. Cromer
Notary Public Residing in
Marion County

Juanita A. Cromer
(printed signature)

My Commission Expires:

July 22, 1987

870014334

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

EXHIBIT A
Legal Description of the Tract

Beginning at the Point of Beginning of the tract as described in Exhibit B of the Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the as built site plan, Sheet 2 of 3 all recorded October 11, 1984 as Instrument 84-79773 in the Office of the Recorder of Marion County, Indiana; thence along the North line of said "Tract" South 74 degrees 44 minutes 46 seconds West 210.08 feet; thence North 03 degrees 39 minutes 26 seconds West 151.39 feet; thence North 63 degrees 45 minutes 15 seconds East 150.00 feet to a point on the Westerly line of a 22.00 wide Ingress and egress easement recorded in said Instrument 84-79773; thence along the Westerly line of said easement South 25 degrees 53 minutes 29 seconds East 180.17 feet to the Point of Beginning, containing 0.67 acres, more or less.

Subject to and together with a 10.00 feet wide gas line easement recorded as Instrument 83-77761 in said Recorder's Office.

Also, subject to and together with a 20.00 feet wide water main easement recorded as Instrument 83-77973 in said Recorder's Office.

And, subject to and together with a 20.00 feet wide sewer easement recorded as Instrument 84-52812 in said Recorder's Office.

Together with the nonexclusive easements for ingress and egress recorded October 11, 1984 as Instrument 84-79773 and November 28, 1984 as Instrument 84-93096 in the Office of the Recorder of Marion County, Indiana.

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Exhibit B
Description of Buildings and Condominium Units

The building on additional Tract VII as of the date of this Supplemental Declaration is identified and referred to in the plans as Building P. Building P is a two story structure and is constructed of wood frame. The building is more particularly described as follows:

Building P contains a total of two (2) separate condominium units, which consists of the following:

Unit P-1

2 story

Living Area - first floor	1637 Square Feet
Living Area - second floor	1014 Square Feet
Basement Area	929 Square Feet
Garage Area	398 Square Feet
(3 bedrooms, den and 2 1/2 baths)	

Unit P-2

1 story

Living Area	2250 Square Feet
Basement Area	1083 Square Feet
Garage Area	451 Square Feet
(2 bedrooms, den and 2 baths)	

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As Built Plans for
The Holcomb Estates
H. P. R.

- 84-79773
- 84-93096
- 85-8313
- 85-57287
- 86-41800
- 86-45460
- 86-95927
- 87-14334
- 84-49972

APR 24 3 57 PM '37

Washington

Paul Crupe
842-6777

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APPROVED THIS 23rd DAY OF April 1987 (13)
ASSESSOR OF WASHINGTON TWP.
Edward J. ... DRAFTSMAN 22.00

EIGHTH AMENDMENT AND SUPPLEMENT
TO DECLARATION OF HORIZONTAL PROPERTY
OWNERSHIP FOR THE HOLCOMB ESTATE
HORIZONTAL PROPERTY REGIME

This Eighth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Eighth Amendment and Supplement"), made as of the 15th day of April, 1987, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

A. Declarant, on the 11th day of October, 1984, executed a Declaration of Horizontal Property Ownership for The Holcomb Estate Horizontal Property Regime, which was recorded in the office of the Recorder of Marion County, Indiana, on the 11th day of October, 1984, as Instrument No. 84-79773 (hereinafter referred to as the "Declaration") establishing and creating The Holcomb Estate Horizontal Property Regime (hereinafter and in the Declaration referred to as "The Holcomb Estate").

B. Declarant on the 19th day of November, 1984, executed a certain First Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 28th day of November, 1984, as Instrument No. 84-93096.

C. Declarant on the 31st day of January, 1985, executed a certain Second Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 1st day of February, 1985, as Instrument No. 85-8313.

D. Declarant on the 1st day of July, 1985, executed a certain Third Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 11th day of July, 1985, as Instrument No. 85-57287.

E. Declarant on the 16th day of May, 1986, executed a certain Fourth Amendment and Supplement to the Declaration, which was recorded in

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MARION COUNTY, INDIANA

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the office of the aforesaid Recorder on the 19th day of May, 1986, as Instrument No. 86-41800.

F. Declarant on the 27th day of May, 1986, executed a certain Fifth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 29th day of May, 1986, as Instrument No. 86-45460.

G. Declarant on the 22nd day of September, 1986, executed a certain Sixth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 25th day of September, 1986, as Instrument No. 86-95927.

H. Declarant on the 2nd day of February, 1987, executed a certain Seventh Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 6th day of February, 1987, as Instrument No. 87-14334.

I. Declarant is the sole owner of the fee simple title to that certain parcel of real estate located in Marion County, Indiana, which is more particularly described in Exhibit "A" attached hereto and hereby made a part hereof by this reference (hereinafter referred to as "Additional Tract VIII").

J. Additional Tract VIII constitutes a portion of the Real Estate (as defined in the Declaration) and constitutes the seventh phase of the general plan of development of the Real Estate as described in paragraph 16 of the Declaration in which Declarant has reserved the right to expand The Holcomb Estate as provided in said paragraph 16 of the Declaration and the Act (as defined in the Declaration).

K. All conditions relating to the expansion of The Holcomb Estate to include Additional Tract VIII and to the inclusion of Additional Tract VIII in The Holcomb Estate have been met and satisfied and Declarant, by this Eighth Amendment and Supplement, desires to and hereby does expand The Holcomb Estate to include Additional Tract VIII and to incorporate Additional Tract VIII in The Holcomb Estate.

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NOW, THEREFORE, Declarant, in accordance with the Act and its rights reserved in the Declaration, makes this Eighth Amendment and Supplement as follows:

1. Definitions. The definitions used in the Declaration shall be applicable to Additional Tract VIII and this Eighth Amendment and Supplement; provided, however, Additional Tract VIII shall for all purposes now be included in the definition of "Tract" in the Declaration, and the definition of "Plans" in the Declaration where appropriate shall now include the Tract VIII Plans defined in this Eighth Amendment and Supplement.

"Tract VIII Plans" as used herein means the floor and building plans and elevations of the Building and Condominium Units on Additional Tract VIII, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of April 1, 1987, and a site plan of Additional Tract VIII and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of April 1, 1987, all of which are incorporated herein by reference.

2. Declaration. Declarant hereby expressly declares that Additional Tract VIII and all appurtenant easements, Condominium Units, Building, garages, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon shall be annexed to and become part of The Holcomb Estate, and The Holcomb Estate is hereby expanded to include Additional Tract VIII, all as if the same had originally been included in the Declaration, and the same shall hereafter be held, transferred, sold, conveyed, used and occupied subject to all of the covenants, conditions, restrictions, terms and provisions of the Declaration, this Eighth Amendment and Supplement, the Act, and the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, the Declaration being incorporated herein and made a part hereof by reference.

3. Description of Building. There is one (1) Building containing two (2) Condominium Units on Additional Tract VIII as shown on the Tract VIII Plans. The Building is identified and referred to in the Tract VIII Plans and in this Eighth Amendment and Supplement as Building G. A description of the Building located on Additional Tract VIII and the Condominium Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Eighth Amendment and Supplement, The Holcomb Estate now consists of twelve (12) Buildings containing thirty-three (33) Condominium Units.

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4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Eighth Amendment and Supplement, shall be 3.033%. The Condominium Units on Additional Tract VIII are identified on the Tract VIII Plans by a letter which identifies the Building in which the Condominium Units are located followed by a single digit arabic number. The legal description for each such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract VIII Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Condominium Unit shall constitute an agreement by the Owner thereof and all those claiming by, through or under him that the provisions of this Eighth Amendment and Supplement, the Declaration, all previous amendments of and supplements to the Declaration, the Act, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by such Owner or occupant and those claiming by, through or under him, 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 Condominium Unit or the Property as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, lease thereof or other instrument or document relating thereto.

6. Floor Plans. The Tract VIII Plans setting forth the layout, location, identification numbers and dimensions of the Condominium Units and Property identified in this Eighth Amendment and Supplement are incorporated into the Declaration, added to the Plans filed with the Declaration, and have been filed in the office of the Recorder of Marion County, Indiana, under the same Instrument Number as this Eighth Amendment and Supplement.

7. Description of the Real Estate. The Declaration, as amended to date, is further amended to correct a scrivener's error in the description of Parcel 1 of the Real Estate set forth in Exhibit A to the Declaration by substituting therefor the description of Parcel 1 set forth on Exhibit C attached hereto. All references to the Real Estate in the Declaration or any amendment or supplement thereto, or in any of the Plans, to the extent applicable to Parcel 1 of the Real Estate, shall

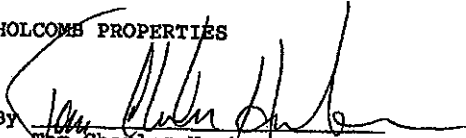
8700-15204

be deemed to be references to the land described as Parcel 1 in the attached Exhibit C. Declarant certifies that this amendment to Exhibit A to the Declaration is made pursuant to the authority reserved to Declarant in Paragraph 14(v) of the Declaration. The land described in Exhibit B to the Declaration as the original Tract and the lands described as Tracts I through VIII in the eight Supplemental Declarations lie within the perimeter, and are consistent with the description, of the land described as Parcel 1 in Exhibit C.

8. Exculpation. This instrument is executed and delivered on the express condition that anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements herein made on the part of Declarant ("Representations"), while in form purporting to be the Representations of Declarant, are nevertheless each and every one of them, made and intended not as personal Representations by Declarant or for the purpose or with the intention of binding Declarant personally, but are made and intended for the purpose of binding only the Tract; and no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant personally or any of its partners or agents, on account of this instrument or on account of, in connection with or arising out of any Representations of Declarant in this instrument contained, either express or implied, all such personal liability, if any, being expressly waived and released by each Person who acquires any interest in a Condominium Unit as a condition to the acquisition thereof.

IN WITNESS WHEREOF, the undersigned has caused this Eighth Amendment and Supplement to be executed the day and year first above written.

HOLCOMB PROPERTIES

By 
Tom Charles Huston
Assistant General Manager

5392a

8700-15204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tom Charles Huston, known to me and known by me to be the Assistant General Manager of Holcomb Properties, an Indiana general partnership, who acknowledged the execution of the foregoing Eighth Amendment and Supplement to Declaration of Horizontal Property Regime for and on behalf of said partnership.

WITNESS my hand and Notarial Seal this 12th day of April, 1987.



Notary Public Residing in
Greene County

Von Leigh Wilson
(printed signature)

My Commission Expires:

August 13, 1990

8700.15204

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49972, hereby consents to the recording of the above and foregoing Eighth Amendment and Supplement to Declaration and the submission of the Additional Tract VIII to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Eighth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 9th day of April, 1987.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

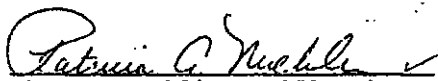
By *Michael W. Richard*
Michael W. Richard
Vice President

8700-15204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael W. Richard, a Vice President of Merchants National Bank & Trust Company of Indianapolis, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said bank and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 9th day of April, 1987.


Notary Public Residing in
Marion County

Patricia A. Nuebler
(printed signature)

My Commission Expires:
7-8-88

870045204

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49973, hereby consents to the recording of the above and foregoing Eighth Amendment and Supplement to Declaration and the submission of the Additional Tract VIII to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Eighth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 13th day of April, 1987.

IWC RESOURCES CORPORATION

By *Dale B. Luther*
Dale B. Luther
President

870045204

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Dale B. Luther, the President of IWC Resources Corporation, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said corporation and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 13 day of April, 1987.

Jane G. Ryan
Notary Public Residing in
Marion County

JANE G. RYAN
(printed signature)

My Commission Expires:

4-17-90 ✓

870045204

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

EXHIBIT A
LEGAL DESCRIPTION OF
ADDITIONAL TRACT VIII

Part of the Northwest Quarter of Section 15, Township 16 North, Range 3 East
In Marion County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of the 0.57 acre parcel of Additional Tract
II as described in Exhibit A of the Second Amendment and Supplement to
Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal
Property Regime and shown on the As Built Site Plan, Sheet 2 of 3 all recorded
February 1, 1985 as Instrument #85-8313 in the Office of the Recorder of
Marion County, Indiana; thence North 82 degrees 46 minutes 58 seconds West
along the North line of said 0.57 acre parcel 201.27 feet to a point in the
center line of Cold Spring Road as located February, 1983; thence North 07
degrees 13 minutes 02 seconds East along the center line of said Cold Spring
Road 97.63 feet; thence North 00 degrees 35 minutes 14 seconds East along the
center line of said Cold Spring Road 21.50 feet; thence South 89 degrees 24
minutes 46 seconds East 182.98 feet to the West line of the first described
non-exclusive easement for Ingress and egress in Exhibit A of the First
Amendment and Supplement to Declaration of Horizontal Property Regime recorded
as Instrument #84-93096 in the said Recorder's Office (the next two courses are
along the West line of said non-exclusive easement); thence South 01 degrees
11 minutes 29 seconds East 123.85 feet to a curve having a radius of 127.41
feet, the radius point of which bears North 88 degrees 48 minutes 31 seconds
East; thence Southerly along said curve 18.03 feet to the point of beginning,
which bears South 80 degrees 41 minutes 58 seconds West from said radius
point. Contains 0.568 acres, more or less.

Together with the non-exclusive easements for Ingress and egress recorded
October 11, 1984 as Instrument #84-79773 and November 28, 1984 as
Instrument #84-93096 in the Office of the Recorder of Marion County, Indiana.

8700-15204

EXHIBIT B

DESCRIPTION OF BUILDINGS AND
CONDOMINIUM UNITS

The building on Additional Tract VIII as of the date of this Supplemental Declaration is identified and referred to in the Plans as Building G. Building G is a one story structure and is constructed of wood frame. The building is more particularly described as follows:

Building G contains a total of two (2) separate Condominium Units, which consists of the following:

Unit G-1

1 Story	
Living Area	- 2250 square feet
Basement Area	- 950 square feet
Garage Area	- 450 square feet
(2 bedrooms, den and 2 baths)	

Unit G-2

1 Story	
Living Area	- 1875 square feet
Garage Area	- 640 square feet
(2 bedrooms, den and 2 baths)	

8700-15204

EXHIBIT C

LEGAL DESCRIPTION OF THE
REAL ESTATE

PARCEL 1

Part of the Northwest Quarter of Section 15, Township 16 North, Range 3 East
in Marlon County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Quarter Section; thence along the
North line thereof South 89 degrees 23 minutes 52 seconds East (assumed
bearing) 616.12 feet to the Northwest corner of Ayrshire, the plat of which
was recorded in Plat-Book 16, page 144 in the Office of the Recorder of Marlon
County, Indiana; thence along the West line of said Ayrshire South 00 degrees
35 minutes 14 seconds West 1034.80 feet to the Southwest corner of said
Ayrshire, which is the Point of Beginning; thence along the center line of
Cold Spring Road North 64 degrees 06 minutes 31 seconds East 871.84 feet to
the Northeast corner of Instrument #65-1982 recorded in said Recorder's
Office; thence along the Easterly line of said Instrument #65-1982 and its
extension Southerly thereof South 15 degrees 15 minutes 15 seconds East
2082.97 feet to the North Bank of White River as located February, 1987 (the
next five courses are along said North Bank of White River); (1) thence North
71 degrees 04 minutes 44 seconds West 410.11 feet; (2) thence North 62 degrees
23 minutes 53 seconds West 182.25 feet; (3) thence North 72 degrees 00 minutes
24 seconds West 128.53 feet; (4) thence North 88 degrees 06 minutes 58 seconds
West 145.40 feet; (5) thence South 87 degrees 12 minutes 49 seconds West
126.22 feet to the Southwest corner of Instrument #64-45195 recorded in said
Recorder's Office (the next four courses are along the Westerly line of said
Instrument #64-45195); (1) thence North 19 degrees 48 minutes 02 seconds East
469.30 feet; (2) thence North 31 degrees 48 minutes 58 seconds West 137.40
feet; (3) thence North 10 degrees 16 minutes 58 seconds West 71.00 feet; (4)
thence North 78 degrees 00 minutes 58 seconds West 523.90 feet to a point in
the center line of Cold Spring Road; thence along said center line North 07
degrees 13 minutes 02 seconds East 370.90 feet to a point which bears South 00
degrees 35 minutes 14 seconds West along the West line of said Ayrshire
extended Southerly 268.21 feet from the point of beginning; thence along said
extended West line North 00 degrees 35 minutes 14 seconds East 268.21 feet to
the Point of Beginning, containing 32.4 acres, more or less.

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CROSS REFERENCE

870045208

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25.00

As Built Plans for
The Holcomb Estates

H.P.R.

87-79773

84-93096

85-8313

85-57287

86-41800

86-45460

86-95927

87-14334

84-49972

APR 24 4 09 PM '87

Washington
Jury

Paul Cryer
842-6777

870045208

APPROVED THIS 23rd
DAY OF April 1987
ASSESSOR OF WASHINGTON TWP.
~~Assessor of Marion County~~ DRAFTSMAN

NINTH AMENDMENT AND SUPPLEMENT
TO DECLARATION OF HORIZONTAL PROPERTY
OWNERSHIP FOR THE HOLCOMB ESTATE
HORIZONTAL PROPERTY REGIME

(12)
20.50

This Ninth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Ninth Amendment and Supplement"), made as of the 15th day of April, 1987, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

A. Declarant, on the 11th day of October, 1984, executed a Declaration of Horizontal Property Ownership for The Holcomb Estate Horizontal Property Regime, which was recorded in the office of the Recorder of Marion County, Indiana, on the 11th day of October, 1984, as Instrument No. 84-79773 (hereinafter referred to as the "Declaration") establishing and creating The Holcomb Estate Horizontal Property Regime (hereinafter and in the Declaration referred to as "The Holcomb Estate").

B. Declarant on the 19th day of November, 1984, executed a certain First Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 28th day of November, 1984, as Instrument No. 84-93096.

C. Declarant on the 31st day of January, 1985, executed a certain Second Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 1st day of February, 1985, as Instrument No. 85-8313.

D. Declarant on the 1st day of July, 1985, executed a certain Third Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 11th day of July, 1985, as Instrument No. 85-57287.

E. Declarant on the 16th day of May, 1986, executed a certain Fourth Amendment and Supplement to the Declaration, which was recorded in

APR 24 4 09 PM '87

APR 24 1987 01 14 86

D. J. C. G. [Signature]

DUTY ENTERED FOR TAXATION

the office of the aforesaid Recorder on the 19th day of May, 1986, as Instrument No. 86-41000.

F. Declarant on the 27th day of May, 1986, executed a certain Fifth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 29th day of May, 1986, as Instrument No. 86-45460.

G. Declarant on the 22nd day of September, 1986, executed a certain Sixth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 25th day of September, 1986, as Instrument No. 86-95927.

H. Declarant on the 2nd day of February, 1987, executed a certain Seventh Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 6th day of February, 1987, as Instrument No. 87-14334.

I. Declarant on the 15th day of April, 1987, executed a certain Eighth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 24th day of April, 1987, as Instrument No. 87-45204.

J. Declarant is the sole owner of the fee simple title to that certain parcel of real estate located in Marion County, Indiana, which is more particularly described in Exhibit "A" attached hereto and hereby made a part hereof by this reference (hereinafter referred to as "Additional Tract IX").

K. Additional Tract IX constitutes a portion of the Real Estate (as defined in the Declaration) and constitutes the seventh phase of the general plan of development of the Real Estate as described in paragraph 16 of the Declaration in which Declarant has reserved the right to expand The Holcomb Estate as provided in said paragraph 16 of the Declaration and the Act (as defined in the Declaration).

L. All conditions relating to the expansion of The Holcomb Estate to include Additional Tract IX and to the inclusion of Additional Tract IX in The Holcomb Estate have been met and satis-

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fied and Declarant, by this Ninth Amendment and Supplement, desires to and hereby does expand The Holcomb Estate to include Additional Tract IX and to incorporate Additional Tract IX in The Holcomb Estate.

NOW, THEREFORE, Declarant, in accordance with the Act and its rights reserved in the Declaration, makes this Ninth Amendment and Supplement as follows:

1. Definitions. The definitions used in the Declaration shall be applicable to Additional Tract IX and this Ninth Amendment and Supplement; provided, however, Additional Tract IX shall for all purposes now be included in the definition of "Tract" in the Declaration, and the definition of "Plans" in the Declaration where appropriate shall now include the Tract IX Plans defined in this Ninth Amendment and Supplement.

"Tract IX Plans" as used herein means the floor and building plans and elevations of the Building and Condominium Unit on Additional Tract IX, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of April 1, 1987, and a site plan of Additional Tract IX and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of April 1, 1987, all of which are incorporated herein by reference.

2. Declaration. Declarant hereby expressly declares that Additional Tract IX and all appurtenant easements, Condominium Units, Building, garages, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon shall be annexed to and become part of The Holcomb Estate, and The Holcomb Estate is hereby expanded to include Additional Tract IX, all as if the same had originally been included in the Declaration, and the same shall hereafter be held, transferred, sold, conveyed, used and occupied subject to all of the covenants, conditions, restrictions, terms and provisions of the Declaration, this Ninth Amendment and Supplement, the Act, and the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, the Declaration being incorporated herein and made a part hereof by reference.

3. Description of Building. There is one (1) Building containing one (1) Condominium Unit on Additional Tract IX as shown on the Tract IX Plans. The Building is identified and referred to in the Tract IX Plans and in this Ninth Amendment and Supplement as Building N-2. A description of the Building located on Additional Tract IX and the Condominium Unit contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of

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this Ninth Amendment and Supplement, The Holcomb Estate now consists of thirteen (13) Buildings containing thirty-four (34) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Ninth Amendment and Supplement, shall be 2.942%. The Condominium Units on Additional Tract IX are identified on the Tract IX Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract IX Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Condominium Unit shall constitute an agreement by the Owner thereof and all those claiming by, through or under him that the provisions of this Ninth Amendment and Supplement, the Declaration, all previous amendments of and supplements to the Declaration, the Act, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by such Owner or occupant and those claiming by, through or under him, 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 Condominium Unit or the Property as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, lease thereof or other instrument or document relating thereto.

6. Floor Plans. The Tract IX Plans setting forth the layout, location, identification numbers and dimensions of the Condominium Units and Property identified in this Ninth Amendment and Supplement are incorporated into the Declaration, added to the Plans filed with the Declaration, and have been filed in the office of the Recorder of Marion County, Indiana, under the same Instrument Number as this Ninth Amendment and Supplement.

7. Exculpation This instrument is executed and delivered on the express condition that anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements herein made on the part of Declarant ("Representations"), while in form purporting to

be the Representations of Declarant, are nevertheless each and every one of them, made and intended not as personal Representations by Declarant or for the purpose or with the intention of binding Declarant personally, but are made and intended for the purpose of binding only the Tract; and no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant personally or any of its partners or agents, on account of this instrument or on account of, in connection with or arising out of any Representations of Declarant in this instrument contained, either express or implied, all such personal liability, if any, being expressly waived and released by each Person who acquires any interest in a Condominium Unit as a condition to the acquisition thereof.

IN WITNESS WHEREOF, the undersigned has caused this Ninth Amendment and Supplement to be executed the day and year first above written.

HOLCOMB PROPERTIES

By 

Charles Huston
Assistant General Manager

5838e

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STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tom Charles Huston, known to me and known by me to be the Assistant General Manager of Holcomb Properties, an Indiana general partnership, who acknowledged the execution of the foregoing Ninth Amendment and Supplement to Declaration of Horizontal Property Regime for and on behalf of said partnership.

WITNESS my hand and Notarial Seal this 15th day of April, 1987.

Von Leigh Wilson

Notary Public Residing in
Greene County

Von Leigh Wilson

(printed signature)

My Commission Expires:

August 13, 1990

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

870015208

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49972, hereby consents to the recording of the above and foregoing Ninth Amendment and Supplement to Declaration and the submission of the Additional Tract IX to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Ninth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 9th day of April, 1987.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

By Michael W. Richard
Michael W. Richard
Vice President

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STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael W. Richard, a Vice President of Merchants National Bank & Trust Company of Indianapolis, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said bank and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 9th day of April, 1987.


Notary Public Residing in
Marion County

Patricia A. Nuebler
(printed signature)

My Commission Expires:

7-8-88

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

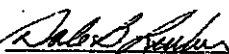
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CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49973, hereby consents to the recording of the above and foregoing Ninth Amendment and Supplement to Declaration and the submission of the Additional Tract IX to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Ninth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 13th day of April, 1987.

IWC RESOURCES CORPORATION

By 
Dale B. Luther
President

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STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Dale B. Luther, the President of IWC Resources Corporation, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said corporation and stated that the representations therein are true:

WITNESS my hand and Notarial Seal this 13 day of April, 1987.

Jane G. Ryan
Notary Public Residing in
Marion County

JANE G. RYAN
(printed signature)

My Commission Expires:

4-17-90

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

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EXHIBIT A
LEGAL DESCRIPTION OF
ADDITIONAL TRACT IX

Part of the Northwest Quarter of Section 15, Township 16 North, Range 3 East in Marion County, Indiana, more particularly described as follows:

Beginning at the Northwest corner of the 0.45 acre parcel of Additional Tract VI as described in Exhibit A of the Sixth Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3 all recorded September 25, 1986 as Instrument #86-95927 in the Office of the Recorder of Marion County, Indiana (the next two courses are along the Northerly line of said 0.45 acre parcel); thence North 49 degrees 58 minutes 07 seconds East 47.32 feet; thence North 89 degrees 24 minutes 09 seconds East 97.00 feet to the Northeast corner thereof; thence North 25 degrees 53 minutes 29 seconds West 143.95 feet to the Southerly line of the non-exclusive easement for Ingress and egress as described in Exhibit B of the Declaration of Horizontal Property Regime recorded as Instrument #84-79773 in the said Recorder's Office; thence South 64 degrees 06 minutes 31 seconds West along said Southerly line 26.72 feet to the common corner of the first described non-exclusive easement for Ingress and egress in Exhibit A of the First Amendment and Supplement to Declaration of Horizontal Property Regime recorded as Instrument #84-93096 in the said Recorder's Office; thence continuing South 64 degrees 06 minutes 31 seconds West along the Southerly line of said first described non-exclusive easement in Exhibit A of Instrument #84-93096, 36.00 feet; thence South 13 degrees 34 minutes 32 seconds West 127.25 feet to a point on the Northerly line of the said first described non-exclusive easement in Exhibit A of Instrument #84-93096, said point lies on a curve having a radius of 30.00 feet, the radius point of which bears South 13 degrees 34 minutes 32 seconds West; thence Southeasterly along said curve and non-exclusive easement 19.06 feet to the point of beginning, which bears North 49 degrees 58 minutes 07 seconds East from said radius point. Contains 0.295 acres, more or less.

Together with non-exclusive easements for Ingress and egress recorded October 11, 1984 as Instrument #84-79773 and November 28, 1984 as Instrument #84-93096 in the Office of the Recorder of Marion County, Indiana.

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EXHIBIT B

DESCRIPTION OF BUILDINGS AND
CONDOMINIUM UNITS

The building on Additional Tract XI as of the date of this Supplemental Declaration is identified and referred to in the Plans as Building N-2. Building N-2 is a one story structure and is constructed of wood frame. The building is more particularly described as follows:

Building N-2 contains a total of one (1) separate Condominium Unit, which consists of the following:

Unit N-2

1 Story	-	2285 square feet
Living Area	-	1085 square feet
Basement Area	-	465 square feet
Garage Area	-	
(2 bedrooms, den and 2 1/2 baths)		

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The Helcomb ESTATE

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8-1-1987

NOTE: W/ Supplement
(same #)

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AUG 26 3 42 PM '87

Washington University

Will (supp)
8/2 6/77

CROSS REFERENCE

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TENTH AMENDMENT AND SUPPLEMENT
TO DECLARATION OF HORIZONTAL PROPERTY
OWNERSHIP FOR THE HOLCOMB ESTATE
HORIZONTAL PROPERTY REGIME

This Tenth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Tenth Amendment and Supplement"), made as of the 15th day of August, 1987, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

A. Declarant, on the 11th day of October, 1984, executed a Declaration of Horizontal Property Ownership for The Holcomb Estate Horizontal Property Regime, which was recorded in the office of the Recorder of Marion County, Indiana, on the 11th day of October, 1984, as Instrument No. 84-79773 (hereinafter referred to as the "Declaration") establishing and creating The Holcomb Estate Horizontal Property Regime (hereinafter and in the Declaration referred to as "The Holcomb Estate").

B. Declarant on the 19th day of November, 1984, executed a certain First Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 28th day of November, 1984, as Instrument No. 84-93096.

C. Declarant on the 31st day of January, 1985, executed a certain Second Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 1st day of February, 1985, as Instrument No. 85-8313.

D. Declarant on the 1st day of July, 1985, executed a certain Third Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 11th day of July, 1985, as Instrument No. 85-57287.

E. Declarant on the 16th day of May, 1986, executed a certain Fourth Amendment and Supple-

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DULY ENTERED FOR TAXATION
MARION COUNTY AUDITOR

AUG 25 3 41 PM '87

APPROVED 8-26-87
WASHINGTON TOWNSHIP ASSESSOR
BY: [Signature] Real Estate Deputy

ment to the Declaration, which was recorded in the office of the aforesaid Recorder on the 19th day of May, 1986, as Instrument No. 86-41800.

F. Declarant on the 27th day of May, 1986, executed a certain Fifth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 29th day of May, 1986, as Instrument No. 86-45460.

G. Declarant on the 22nd day of September, 1986, executed a certain Sixth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 25th day of September, 1986, as Instrument No. 86-95927.

H. Declarant on the 2nd day of February, 1987, executed a certain Seventh Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 6th day of February, 1987, as Instrument No. 87-14334.

I. Declarant on the 15th day of April, 1987, executed a certain Eighth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 24th day of April, 1987, as Instrument No. 87-45204.

J. Declarant on the 15th day of April, 1987, executed a certain Ninth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 24th day of April, 1987, as Instrument No. 87-45208.

K. Declarant is the sole owner of the fee simple title to that certain parcel of real estate located in Marion County, Indiana, which is more particularly described in Exhibit "A" attached hereto and hereby made a part hereof by this reference (hereinafter referred to as "Additional Tract X").

L. Additional Tract X constitutes a portion of the Real Estate (as defined in the Declaration) and constitutes the ninth phase of the general plan of development of the Real Estate as described in paragraph 16 of the Declaration in

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which Declarant has reserved the right to expand The Holcomb Estate as provided in said paragraph 16 of the Declaration and the Act (as defined in the Declaration).

M. All conditions relating to the expansion of The Holcomb Estate to include Additional Tract X and to the inclusion of Additional Tract X in The Holcomb Estate have been met and satisfied and Declarant, by this Tenth Amendment and Supplement, does and hereby does expand The Holcomb Estate to include Additional Tract X and to incorporate Additional Tract X in The Holcomb Estate.

NOW, THEREFORE, Declarant, in accordance with the Act and its rights reserved in the Declaration, makes this Tenth Amendment and Supplement as follows:

1. Definitions. The definitions used in the Declaration shall be applicable to Additional Tract X and this Tenth Amendment and Supplement; provided, however, Additional Tract X shall for all purposes now be included in the definition of "Tract" in the Declaration, and the definition of "Plans" in the Declaration where appropriate shall now include the Tract X Plans defined in this Tenth Amendment and Supplement.

"Tract X Plans" as used herein means the floor and building plans and elevations of the Building and Condominium Units on Additional Tract X, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of August 11, 1987, and a site plan of Additional Tract X and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of August 11, 1987, all of which are incorporated herein by reference.

2. Declaration. Declarant hereby expressly declares that Additional Tract X and all appurtenant easements, Condominium Units, Building, garages, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon shall be annexed to and become part of The Holcomb Estate, and The Holcomb Estate is hereby expanded to include Additional Tract X, all as if the same had originally been included in the Declaration, and the same shall hereafter be held, transferred, sold, conveyed, used and occupied subject to all of the covenants, conditions, restrictions, terms and provisions of the Declaration, this Tenth Amendment and Supplement, the Act, and the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, the Declaration being incorporated herein and made a part hereof by reference.

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3. Description of Building. There is one (1) Building containing two (2) Condominium Units on Additional Tract X as shown on the Tract X Plans. The Building is identified and referred to in the Tract X Plans and in this Tenth Amendment and Supplement as Building O. A description of the Building located on Additional Tract X and the Condominium Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Tenth Amendment and Supplement, The Holcomb Estate now consists of fourteen (14) Buildings containing thirty-six (36) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Tenth Amendment and Supplement, shall be 2.7777%. The Condominium Units on Additional Tract X are identified on the Tract X Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract X Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Condominium Unit shall constitute an agreement by the Owner thereof and all those claiming by, through or under him that the provisions of this Tenth Amendment and Supplement, the Declaration, all previous amendments of and supplements to the Declaration, the Act, the By-Laws, and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by such Owner or occupant and those claiming by, through or under him, 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 Condominium Unit or the Property as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, lease thereof or other instrument or document relating thereto.

6. Floor Plans. The Tract X Plans setting forth the layout, location, identification numbers and dimensions of the Condominium Units and Property identified in this Tenth Amendment and Supplement are incorporated into the Declaration, added to the Plans filed with the Declaration, and have been

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filed in the office of the Recorder of Marion County, Indiana, under the same Instrument Number as this Tenth Amendment and Supplement.

7. Description of Certain Units. The Declaration, as amended to date, is further amended to correct the following scrivener error: Unit G-1 as described in Exhibit B to the Eighth Amendment contains four (4) bedrooms and three (3) baths.

8. Exculpation. This instrument is executed and delivered on the express condition that anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements herein made on the part of Declarant ("Representations"), while in form purporting to be the Representations of Declarant, are nevertheless each and every one of them, made and intended not as personal Representations by Declarant or for the purpose or with the intention of binding Declarant personally, but are made and intended for the purpose of binding only the Tract; and no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant personally or any of its partners or agents, on account of this instrument or on account of, in connection with or arising out of any Representations of Declarant in this instrument contained, either express or implied, all such personal liability, if any, being expressly waived and released by each Person who acquires any interest in a Condominium Unit as a condition to the acquisition thereof.

IN WITNESS WHEREOF, the undersigned has caused this Tenth Amendment and Supplement to be executed the day and year first above written.

HOLCOMB PROPERTIES

By 

Tom Charles Huston
Assistant General Manager

6268j

870098972

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tom Charles Huston, known to me and known by me to be the Assistant General Manager of Holcomb Properties, an Indiana general partnership, who acknowledged the execution of the foregoing Tenth Amendment and Supplement to Declaration of Horizontal Property Regime for and on behalf of said partnership.

WITNESS my hand and Notarial Seal this 27th day of August, 1987.

Von Leigh Wilson
Notary Public Residing in
Greene County

Von Leigh Wilson
(printed signature)

My Commission Expires:

August 13, 1990

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

870038972

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration; which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49972, hereby consents to the recording of the above and foregoing Tenth Amendment and Supplement to Declaration and the submission of the Additional Tract X to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Tenth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 17th day of August, 1987.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

By 
Michael W. Richard
Vice President

870098972

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael W. Richard, a Vice President of Merchants National Bank & Trust Company of Indianapolis, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said bank and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 17th day of August, 1987.

Patricia A. Nuebler
Notary Public Residing in
Marion County

Patricia A. Nuebler
(printed signature)

My Commission Expires:

7-8-88

870098972

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49973, hereby consents to the recording of the above and foregoing Tenth Amendment and Supplement to Declaration and the submission of the Additional Tract X to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Tenth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 20th day of August, 1987.

IWC RESOURCES CORPORATION

BY Michael G. Hinkle as
Michael G. Hinkle
Senior Vice President

870098972

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael G. Hinkle, the Senior Vice President of IWC Resources Corporation, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgage for and on behalf of said corporation and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 20th day of August, 1987.

Earlene Stanley

Notary Public Residing in
Marion County

NOTARY RESIDES IN MARION COUNTY
MY COMMISSION EXPIRES MARCH 22, 1989
EARLENE STANLEY

(printed signature)

My Commission Expires:

870098972

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT X

Part of the Northwest Quarter of Section 15, Township 16 North,
Range 3 East in Marion County, Indiana, more particularly
described as follows:

Beginning at the Northeasterly corner of the 0.67 acre parcel of
Additional Tract VII as described in EXHIBIT A of the Declaration
of Horizontal Property Regime and shown on the AS BUILT SITE
PLAN, SHEET 2 of 3, all recorded February 6, 1987 as Instrument
87-14334 in the Office of the Recorder of Marion County, Indiana;
thence along the Northwesterly line of said 0.67 acre parcel of
Additional Tract VII South 83 degrees 45 minutes 15 seconds West
150.00 feet to the Northwesterly corner thereof; thence North 03
degrees 59 minutes 26 seconds West 137.92 feet; thence North 81
degrees 18 minutes 36 seconds East 117.77 feet to a point on the
Westerly line of a 22.00 feet wide ingress and egress easement
recorded as Instrument 84-79773 in said Recorder's Office, which
point is on a curve having a radius of 311.81 feet, the radius
point of which bears North 81 degrees 18 minutes 36 seconds East;
thence Southerly, along the Westerly line of said easement and
along said curve, 93.81 feet to a point which bears South 84
degrees 06 minutes 31 seconds West from said radius point and
which is the Point of Beginning, containing 0.339 acres, more or
less.

Subject to and together with a 10.00 feet wide gas line easement
recorded as Instrument 83-77761 in said Recorder's Office.

Also, subject to and together with a 20.00 feet wide water main
easement recorded as Instrument 83-77973 in said Recorder's
Office.

And, subject to and together with a 20.00 feet wide sewer
easement recorded as Instrument 84-52812 in said Recorder's
Office.

Together with the nonexclusive easements for ingress and egress
recorded October 11, 1984 as Instrument 84-79773 and November 28,
1984 as Instrument 84-93096 in the Office of the Recorder of
Marion County, Indiana.

870098972

EXHIBIT B
DESCRIPTION OF BUILDINGS AND
CONDOMINIUM UNITS

The building on Additional Tract X as of the date of this Supplemental Declaration is identified and referred to in the Plans as Building O. Building O is a two story structure and is constructed of wood frame. The building is more particularly described as follows:

Building O contains a total of two (2) separate Condominium Units, which consists of the following:

Unit O-1

2 Story	
Living Area, First Floor	- 1833 square feet
Second Floor	- 1024 square feet
Basement Area	- 1577 square feet
Garage Area	- 471 square feet
(3 bedrooms, den and 2 1/2 baths)	

Unit O-2

1 Story	
Living Area	- 2266 square feet
Basement Area	- 1076 square feet
Garage Area	- 463 square feet
(2 bedrooms, den and 2 baths)	

870098972

③

CROSS REFERENCE

870099291

17⁰⁰

The Holcomb Estates
H.P.B.

84-79773

AUG 21 2 21 PM '97

Washington

Paul Crife
842-6777

with Comments

CROSS REFERENCE

870099291

(12) 20.50

ELEVENTH AMENDMENT AND SUPPLEMENT TO DECLARATION OF HORIZONTAL PROPERTY OWNERSHIP FOR THE HOLCOMB ESTATE HORIZONTAL PROPERTY REGIME MARION COUNTY AUDITOR No 2787026112

DULY ENTERED FOR TAXATION

This Eleventh Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Eleventh Amendment and Supplement"), made as of the 20th day of August, 1987, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

A. Declarant, on the 11th day of October, 1984, executed a Declaration of Horizontal Property Ownership for The Holcomb Estate Horizontal Property Regime, which was recorded in the office of the Recorder of Marion County, Indiana, on the 11th day of October, 1984, as Instrument No. 84-79773 (hereinafter referred to as the "Declaration") establishing and creating The Holcomb Estate Horizontal Property Regime (hereinafter and in the Declaration referred to as "The Holcomb Estate").

B. Declarant on the 19th day of November, 1984, executed a certain First Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 28th day of November, 1984, as Instrument No. 84-93096.

C. Declarant on the 31st day of January, 1985, executed a certain Second Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 1st day of February, 1985, as Instrument No. 85-8313.

D. Declarant on the 1st day of July, 1985, executed a certain Third Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 11th day of July, 1985, as Instrument No. 85-57287.

E. Declarant on the 16th day of May, 1986, executed a certain Fourth Amendment and Supple-

Aug 27 2 24 PM '87

APPROVED 8-27-87
WASHINGTON TOWNSHIP ASSESSOR
BY: Clarence J. Jasin Real Estate Deputy

ment to the Declaration, which was recorded in the office of the aforesaid Recorder on the 19th day of May, 1986, as Instrument No. 86-41800.

F. Declarant on the 27th day of May, 1986, executed a certain Fifth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 29th day of May, 1986, as Instrument No. 86-45460.

G. Declarant on the 22nd day of September, 1986, executed a certain Sixth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 25th day of September, 1986, as Instrument No. 86-95927.

H. Declarant on the 2nd day of February, 1987, executed a certain Seventh Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 6th day of February, 1987, as Instrument No. 87-14334.

I. Declarant on the 15th day of April, 1987, executed a certain Eighth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 24th day of April, 1987, as Instrument No. 87-45204.

J. Declarant on the 15th day of April, 1987, executed a certain Ninth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 24th day of April, 1987, as Instrument No. 87-45208.

K. Declarant on the 15th day of August, 1987, executed a certain Tenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 26th day of August, 1987, as Instrument No. 87-98977.

L. Declarant is the sole owner of the fee simple title to that certain parcel of real estate located in Marion County, Indiana, which is more particularly described in Exhibit "A" attached hereto and hereby made a part hereof by this reference (hereinafter referred to as "Additional Tract XI").

870093291

L. Additional Tract XI constitutes a portion of the Real Estate (as defined in the Declaration) and constitutes the ninth phase of the general plan of development of the Real Estate as described in paragraph 16 of the Declaration in which Declarant has reserved the right to expand The Holcomb Estate as provided in said paragraph 16 of the Declaration and the Act (as defined in the Declaration).

M. All conditions relating to the expansion of The Holcomb Estate to include Additional Tract XI and to the inclusion of Additional Tract XI in The Holcomb Estate have been met and satisfied and Declarant, by this Eleventh Amendment and Supplement, desires to and hereby does expand The Holcomb Estate to include Additional Tract XI and to incorporate Additional Tract XI in The Holcomb Estate.

NOW, THEREFORE, Declarant, in accordance with the Act and its rights reserved in the Declaration, makes this Eleventh Amendment and Supplement as follows:

1. Definitions. The definitions used in the Declaration shall be applicable to Additional Tract XI and this Eleventh Amendment and Supplement; provided, however, Additional Tract XI shall for all purposes now be included in the definition of "Tract" in the Declaration, and the definition of "Plans" in the Declaration where appropriate shall now include the Tract XI Plans defined in this Eleventh Amendment and Supplement.

"Tract XI Plans" as used herein means the floor and building plans and elevations of the Building and Condominium Units on Additional Tract XI, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of August 24, 1987, and a site plan of Additional Tract XI and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of August 24, 1987, all of which are incorporated herein by reference.

2. Declaration. Declarant hereby expressly declares that Additional Tract XI and all appurtenant easements, Condominium Units, Building, garages, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon shall be annexed to and become part of The Holcomb Estate, and The Holcomb Estate is hereby expanded to include Additional Tract XI, all as if the same had originally been included in the Declaration, and the same shall hereafter be held, transferred, sold, conveyed, used and occupied subject to

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all of the covenants, conditions, restrictions, terms and provisions of the Declaration, this Eleventh Amendment and Supplement, the Act, and the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, the Declaration being incorporated herein and made a part hereof by reference.

3. Description of Building. There is one (1) Building containing two (2) Condominium Units on Additional Tract XI as shown on the Tract XI Plans. The Building is identified and referred to in the Tract XI Plans and in this Eleventh Amendment and Supplement as Building I. A description of the Building located on Additional Tract XI and the Condominium Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Eleventh Amendment and Supplement, The Holcomb Estate now consists of fifteen (15) Buildings containing thirty-eight (38) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Eleventh Amendment and Supplement, shall be 2.63157%. The Condominium Units on Additional Tract XI are identified on the Tract XI Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract XI Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Condominium Unit shall constitute an agreement by the Owner thereof and all those claiming by, through or under him that the provisions of this Eleventh Amendment and Supplement, the Declaration, all previous amendments of and supplements to the Declaration, the Act, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by such Owner or occupant and those claiming by, through or under him, 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 Condominium Unit or the Property as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, lease thereof or other instrument or document relating thereto.

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6. Floor Plans. The Tract XI Plans setting forth the layout, location, identification numbers and dimensions of the Condominium Units and Property identified in this Eleventh Amendment and Supplement are incorporated into the Declaration, added to the Plans filed with the Declaration, and have been filed in the office of the Recorder of Marion County, Indiana, under the same Instrument Number as this Eleventh Amendment and Supplement.

7. Exculpation. This instrument is executed and delivered on the express condition that anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements herein made on the part of Declarant ("Representations"), while in form purporting to be the Representations of Declarant, are nevertheless each and every one of them, made and intended not as personal Representations by Declarant or for the purpose or with the intention of binding Declarant personally, but are made and intended for the purpose of binding only the Tract; and no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant personally or any of its partners or agents, on account of this instrument or on account of, in connection with or arising out of any Representations of Declarant in this instrument contained, either express or implied, all such personal liability, if any, being expressly waived and released by each Person who acquires any interest in a Condominium Unit as a condition to the acquisition thereof.

IN WITNESS WHEREOF, the undersigned has caused this Eleventh Amendment and Supplement to be executed the day and year first above written.

HOLCOMB PROPERTIES

By 

Tom Charles Huston
Assistant General Manager

7523j

870099291

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tom Charles Huston, known to me and known by me to be the Assistant General Manager of Holcomb Properties, an Indiana general partnership, who acknowledged the execution of the foregoing Eleventh Amendment and Supplement to Declaration of Horizontal Property Regime for and on behalf of said partnership.

WITNESS my hand and Notarial Seal this 26th day of August, 1987.

Von Leigh Wilson
Notary Public Residing in
Greene County

Von Leigh Wilson
(printed signature)

My Commission Expires:

August 13, 1990

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.


870099291

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49972, hereby consents to the recording of the above and foregoing Eleventh Amendment and Supplement to Declaration and the submission of the Additional Tract XI to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Eleventh Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 29th day of August, 1987.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

By 
Michael W. Richard
Senior Vice President

870099291

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael W. Richard, a Senior Vice President of Merchants National Bank & Trust Company of Indianapolis, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said bank and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 24th day of August, 1987.

Miriam E. Sherman
Notary Public Residing in
MADISON County
Hamilton

Miriam E. Sherman
(printed signature)

My Commission Expires:

November 9, 1990

870099291

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana 46204.

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49973, hereby consents to the recording of the above and foregoing Eleventh Amendment and Supplement to Declaration and the submission of the Additional Tract XI to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Eleventh Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 20th day of August, 1987.

IWC RESOURCES CORPORATION

By Michael G. Hinkle
Michael G. Hinkle
Senior Vice President

870099291

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael G. Hinkle, the Senior Vice President of IWC Resources Corporation, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said corporation and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 20th day of August, 1987.

NOTARY RESIDES IN MARION COUNTY
MY COMMISSION EXPIRES MARCH 29, 1989
EARLENE STANLEY

E. Earlene Stanley
Notary Public Residing in
Marion County

(printed signature)

My Commission Expires:

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 South Meridian Street, Indianapolis, Indiana, 46204.

870089291

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT XI

Part of the Northwest Quarter of Section 15, Township 16 North, Range 3 East in Marion County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of said Quarter Section; thence along the North line thereof South 89 degrees 23 minutes 52 seconds East (assumed bearing) 616.12 feet to the Northwest corner of Ayrshire, the plat of which was recorded in Plat Book 16, page 144 in the Office of the Recorder of Marion County, Indiana; thence along the West line of said Ayrshire South 00 degrees 35 minutes 14 seconds West 1034.80 feet to the Southwest corner of said Ayrshire, which is the Point of Beginning; thence South 57 degrees 59 minutes 32 seconds East 253.70 feet to a point on the Westerly line of a 22.00' feet wide Ingress and egress easement recorded in Instrument 84-93096 in said Recorder's Office; thence along the Westerly line of said easement the following three courses: South 34 degrees 09 minutes 51 seconds West 20.53 feet to a curve having a radius of 136.51 feet, the radius point of which bears South 55 degrees 50 minutes 09 seconds East; thence Southerly along said curve 84.23 feet to a point which bears South 88 degrees 48 minutes 31 seconds West from said radius point; thence South 01 degrees 11 minutes 29 seconds East 17.62 feet to the Northeast corner of the 0.568 acre parcel of Additional Tract VIII as described in Exhibit A of the Eighth Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3, all recorded April 24, 1987 as Instrument #87-45204 in said Recorder's Office; thence along the North line of said 0.568 acre parcel of Additional Tract VIII North 89 degrees 24 minutes 46 seconds West 182.98 feet to a point on the center line of Cold Spring Road as located February, 1983, which point is the Northwest corner of said 0.568 acre parcel of Additional Tract VIII; thence along the center line of said Cold Spring Road North 00 degrees 35 minutes 14 seconds East 243.71 feet to the Point of Beginning, containing 0.832 acres, more or less.

Subject to and together with a 20.00 feet wide water main easement recorded as Instrument 84-84031 in said Recorder's Office.

And, subject to and together with a 20.00 feet wide sewer easement recorded as Instrument 84-52812 in said Recorder's Office.

Together with the nonexclusive easements for Ingress and egress recorded October 11, 1984 as Instrument 84-79773 and November 26, 1984 as Instrument 84-93096 in the Office of the Recorder of Marion County, Indiana.

870099291

EXHIBIT B
DESCRIPTION OF BUILDINGS AND
CONDOMINIUM UNITS

The building on Additional Tract XI as of the date of this Supplemental Declaration is identified and referred to in the Plans as Building I. Building I is a one story structure and is constructed of wood frame. The building is more particularly described as follows:

Building I contains a total of two (2) separate Condominium Units, which consists of the following:

Unit 1-1

1 Story	
Living Area, First Floor	1968 Square Feet
Basement Area	896 Square Feet
Garage Area	445 Square Feet
(2 bedrooms, den and 2 baths)	

Unit 1-2

1 Story	
Living Area	2245 Square Feet
Basement Area	1028 Square Feet
Garage Area	421 Square Feet
(4 bedrooms, den and 3 baths)	

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ORIGINAL FILE

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64-79773

The HOLCOMB Estates
HPR

For the N.W. 1/4 of S. 15 T-16 N-R 3E.
12th AMENDMENT

(DECLARATION RECORDED. SAME NUMBER)

Washington Township

PAUL CRIFE
015-1-11-87

870129384

see plat

TWELFTH AMENDMENT AND SUPPLEMENT
TO DECLARATION OF HORIZONTAL PROPERTY
OWNERSHIP FOR THE HOLCOMB ESTATE
HORIZONTAL PROPERTY REGIME

This Twelfth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Twelfth Amendment and Supplement"), made as of the 21st day of October, 1987, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

A. Declarant, on the 11th day of October, 1984, executed a Declaration of Horizontal Property Ownership for The Holcomb Estate Horizontal Property Regime, which was recorded in the office of the Recorder of Marion County, Indiana, on the 11th day of October, 1984, as Instrument No. 84-79773 (hereinafter referred to as the "Declaration") establishing and creating The Holcomb Estate Horizontal Property Regime (hereinafter and in the Declaration referred to as "The Holcomb Estate").

B. Declarant on the 19th day of November, 1984, executed a certain First Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 28th day of November, 1984, as Instrument No. 84-93096.

C. Declarant on the 31st day of January, 1985, executed a certain Second Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 1st day of February, 1985, as Instrument No. 85-8313.

D. Declarant on the 1st day of July, 1985, executed a certain Third Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 11th day of July, 1985, as Instrument No. 85-57287.

NOV 10 1987

FILED

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APPROVED Nov. 10, 1987
WASHINGTON TOWNSHIP ASSESSOR
BY: [Signature] Real Estate Deputy

NOV 10 1987
51 34723
[Signature]
MARION COUNTY AUDITOR

E. Declarant on the 16th day of May, 1986, executed a certain Fourth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 19th day of May, 1986, as Instrument No. 86-41800.

F. Declarant on the 27th day of May, 1986, executed a certain Fifth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 29th day of May, 1986, as Instrument No. 86-45460.

G. Declarant on the 22nd day of September, 1986, executed a certain Sixth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 25th day of September, 1986, as Instrument No. 86-95927.

H. Declarant on the 2nd day of February, 1987, executed a certain Seventh Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 6th day of February, 1987, as Instrument No. 87-14334.

I. Declarant on the 15th day of April, 1987, executed a certain Eighth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 24th day of April, 1987, as Instrument No. 87-45204.

J. Declarant on the 15th day of April, 1987, executed a certain Ninth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 24th day of April, 1987, as Instrument No. 87-45208.

K. Declarant on the 15th day of August, 1987, executed a certain Tenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 26th day of August, 1987, as Instrument No. 87-98972.

L. Declarant on the 15th day of August, 1987, executed a certain Eleventh Amendment and Supplement to the Declaration, which was recorded

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in the office of the aforesaid Recorder on the 27th day of August, 1987, as Instrument No. 87--99291.

M. Declarant is the sole owner of the fee simple title to that certain parcel of real estate located in Marion County, Indiana, which is more particularly described in Exhibit "A" attached hereto and hereby made a part hereof by this reference (hereinafter referred to as "Additional Tract XII").

L. Additional Tract XII constitutes a portion of the Real Estate (as defined in the Declaration) and constitutes the eleventh phase of the general plan of development of the Real Estate as described in paragraph 16 of the Declaration in which Declarant has reserved the right to expand The Holcomb Estate as provided in said paragraph 16 of the Declaration and the Act (as defined in the Declaration).

M. All conditions relating to the expansion of The Holcomb Estate to include Additional Tract XII and to the inclusion of Additional Tract XII in The Holcomb Estate have been met and satisfied and Declarant, by this Twelfth Amendment and Supplement, desires to and hereby does expand The Holcomb Estate to include Additional Tract XII and to incorporate Additional Tract XII in The Holcomb Estate.

NOW, THEREFORE, Declarant, in accordance with the Act and its rights reserved in the Declaration, makes this Twelfth Amendment and Supplement as follows:

1. Definitions. The definitions used in the Declaration shall be applicable to Additional Tract XII and this Twelfth Amendment and Supplement; provided, however, Additional Tract XII shall for all purposes now be included in the definition of "Tract" in the Declaration, and the definition of "Plans" in the Declaration where appropriate shall now include the Tract XII Plans defined in this Twelfth Amendment and Supplement.

"Tract XII Plans" as used herein means the floor and building plans and elevations of the Building and Condominium Units on Additional Tract XII, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of August 26, 1987, and a site plan of Additional Tract XII and the Building thereon prepared by Paul I. Cripe,

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Inc., certified by James E. Dankert, a registered land surveyor, under date of August 26, 1987, all of which are incorporated herein by reference.

2. Declaration. Declarant hereby expressly declares that Additional Tract XII and all appurtenant easements, Condominium Units, Building, garages, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon shall be annexed to and become part of The Holcomb Estate, and The Holcomb Estate is hereby expanded to include Additional Tract XII, all as if the same had originally been included in the Declaration, and the same shall hereafter be held, transferred, sold, conveyed, used and occupied subject to all of the covenants, conditions, restrictions, terms and provisions of the Declaration, this Twelfth Amendment and Supplement, the Act, and the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, the Declaration being incorporated herein and made a part hereof by reference.

3. Description of Building. There is one (1) Building containing two (2) Condominium Units on Additional Tract XII as shown on the Tract XII Plans. The Building is identified and referred to in the Tract XII Plans and in this Twelfth Amendment and Supplement as Building 00. A description of the Building located on Additional Tract XII and the Condominium Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Twelfth Amendment and Supplement, The Holcomb Estate now consists of sixteen (16) Buildings containing forty (40) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Twelfth Amendment and Supplement, shall be 2.50%. The Condominium Units on Additional Tract XII are identified on the Tract XII Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract XII Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

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5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Condominium Unit shall constitute an agreement by the Owner thereof and all those claiming by, through or under him that the provisions of this Twelfth Amendment and Supplement, the Declaration, all previous amendments of and supplements to the Declaration, the Act, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by such Owner or occupant and those claiming by, through or under him, 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 Condominium Unit or the Property as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, lease thereof or other instrument or document relating thereto.

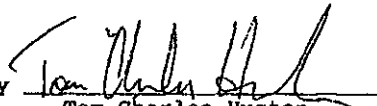
6. Floor Plans. The Tract XII Plans setting forth the layout, location, identification numbers and dimensions of the Condominium Units and Property identified in this Twelfth Amendment and Supplement are incorporated into the Declaration, added to the Plans filed with the Declaration, and have been filed in the office of the Recorder of Marion County, Indiana, under the same Instrument Number as this Twelfth Amendment and Supplement.

7. Exculpation. This instrument is executed and delivered on the express condition that anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements herein made on the part of Declarant ("Representations"), while in form purporting to be the Representations of Declarant, are nevertheless each and every one of them, made and intended not as personal Representations by Declarant or for the purpose or with the intention of binding Declarant personally, but are made and intended for the purpose of binding only the Tract; and no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant personally or any of its partners or agents, on account of this instrument or on account of, in connection with or arising out of any Representations of Declarant in this instrument contained, either express or implied, all such personal liability, if any, being expressly waived and released by each Person who acquires any interest in a Condominium Unit as a condition to the acquisition thereof.

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IN WITNESS WHEREOF, the undersigned has caused this Twelfth Amendment and Supplement to be executed the day and year first above written.

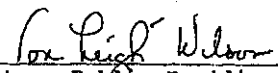
HOLCOMB PROPERTIES

By 
Tom Charles Huston
Assistant General Manager

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Tom Charles Huston, known to me and known by me to be the Assistant General Manager of Holcomb Properties, an Indiana general partnership, who acknowledged the execution of the foregoing Twelfth Amendment and Supplement to Declaration of Horizontal Property Regime for and on behalf of said partnership.

WITNESS my hand and Notarial Seal this 29th day of October, 1987.


Notary Public Residing in
Greene County

Von Leigh Wilson
(printed signature)

My Commission Expires:

August 13, 1990

9494j

This instrument prepared by Tom Charles Huston, Attorney at Law, 1313 Merchants Bank Building, 11 S. Meridian St., Indianapolis, Indiana 46204.

870129384

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49972, hereby consents to the recording of the above and foregoing Twelfth Amendment and Supplement to Declaration and the submission of the Additional Tract XII to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Twelfth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 22nd day of October, 1987.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

By Michael W. Richard
Michael W. Richard
Senior Vice President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael W. Richard, a Senior Vice President of Merchants National Bank & Trust Company of Indianapolis, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said bank and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 23rd day of October, 1987.

070129384

Patricia A. Nuebler
Notary Public Residing in
Marion County

Patricia A. Nuebler
(printed signature)

My Commission Expires:

July 8, 1988

This instrument prepared by Tom Charles Huston, Attorney at Law,
11 S. Meridian St., Suite 1313, Indianapolis, Indiana 46204.

CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49973, hereby consents to the recording of the above and foregoing Twelfth Amendment and Supplement to Declaration and the submission of the Additional Tract XII to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Twelfth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 22nd day of October, 1987.

IWC RESOURCES CORPORATION

By Michael G. Hinkle
Michael G. Hinkle
Senior Vice President & Treasurer

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Michael G. Hinkle, the Senior Vice President of IWC Resources Corporation, who, having been duly sworn, acknowledged the execution of the foregoing Consent of Mortgagee for and on behalf of said corporation and stated that the representations therein are true.

WITNESS my hand and Notarial Seal this 22nd day of October, 1987.

NOTARY RESIDES IN MARION COUNTY
MY COMMISSION EXPIRES MARCH 29, 1989
EARLENE STANLEY

Earlene Stanley
Notary Public Residing in
Marion County

(printed signature)

My Commission Expires:

070129384

This instrument prepared by Tom Charles Huston, Attorney at Law,
11 S. Meridian St., Suite 1313, Indianapolis, Indiana 46204.

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT XII

Part of the Northwest Quarter of Section 15, Township 18 North, Range 3 East in Marion County, Indiana, more particularly described as follows:

Beginning at the Northeast corner of the 0.339 acre parcel of Additional Tract X as described in Exhibit A of the Tenth Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3, all recorded August 26, 1987 as Instrument 87-98972 in the Office of the Recorder of Marion County, Indiana; thence along the North line of said 0.339 acre parcel of Additional Tract X South 81 degrees 18 minutes 36 seconds West 117.77 feet to the Northwest corner thereof; thence North 03 degrees 25 minutes 40 seconds West 155.60 feet to a point on the Southerly line of a 22.00 feet wide ingress and egress easement recorded in Instrument 84-79773 in said Recorder's Office; thence along the Southerly and Westerly lines of said easement the following four courses: North 78 degrees 26 minutes 31 seconds East 74.51 feet to a curve having a radius of 42.07 feet, the radius point of which bears South 13 degrees 33 minutes 29 seconds East; thence Easterly, Southeasterly, and Southerly along said curve 77.58 feet to a point which bears South 87 degrees 53 minutes 29 seconds East from said radius point; thence South 02 degrees 06 minutes 31 seconds West 54.00 feet to a curve having a radius of 311.81 feet, the radius point of which bears South 87 degrees 53 minutes 29 seconds East; thence Southerly along said curve 58.77 feet to a point which bears South 81 degrees 18 minutes 36 seconds East from said radius point and which is the Point of Beginning, containing 0.429 acres, more or less.

Subject to and together with a 10.00 feet wide gas line easement recorded as Instrument 83-77761 in said Recorder's Office.

Also, subject to and together with a 20.00 feet wide water main easement recorded as Instrument 83-77973 in said Recorder's Office.

And, subject to and together with a 20.00 feet wide sewer easement recorded as Instrument 84-52812 in said Recorder's Office.

Together with the nonexclusive easements for ingress and egress recorded October 11, 1984 as Instrument 84-79773 and November 28, 1984 as Instrument 84-93096 in the Office of the Recorder of Marion County, Indiana.

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EXHIBIT B
DESCRIPTION OF BUILDINGS
AND CONDOMINIUM UNITS

The building on Additional Tract XII as of the date of this Supplemental Declaration is identified and referred to in the Plans as Building OO. Building OO is a one story structure and is constructed of wood frame. The building is more particularly described as follows:

Building OO contains a total of two (2) separate Condominium Units, which consists of the following:

Unit OO-1

1 Story	
Living Area	2243 square feet
Basement Area	1075 square feet
Garage Area	421 square feet
(4 bedrooms, den and 3 baths)	

Unit OO-2

1 Story	
Living Area	1988 square feet
Basement Area	501 square feet
Garage Area	430 square feet
(2 bedrooms, den and 2 baths)	

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INITIALS

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\$ 32⁰⁰

10+3

The Holcomb Estates

LEGAL TRACT XIII

CROSS REFERENCE

84-79773

DECLARATION

Same number
as this

DMD/VOID STAMP
LAND SURVEYOR
TOWNSHIP
AUDITOR
NOTARY

|||

RECEIVED FOR RECORD
88 MAY 12 AM 11:58
BETH D. AUGER, JR.
MARION COUNTY RECORDER

TOWNSHIP

Washington

RETURN TO:

Paul Crisp
842-6777