

2018046279 AMENDMENT \$25.00 10/03/2018 11:22:43A 6 PGS Jennifer Hayden HAMILTON County Recorder IN Recorded as Presented

FIFTH AMENDMENT TO AND SUPPLEMENTAL DECLARATION OF DECLARATION OF COVENANTS AND RESTRICTIONS OF THE VILLAGES OF OAK MANOR PROPERTY OWNERSHIP

This Fifth Amendment to and Supplemental Declaration of Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership (the "Amendment") is made this day of _______, 2018, by Grand Communities, LtC (f/k/a Grand Communities, Ltd.), a Kentucky limited liability company ("Declarant").

WITNESSETH:

WHEREAS, the following facts are true:

WHEREAS, Hills Homes of Indiana, LLC, an Indiana limited liability A. company, formerly known as Creekside Crossing, LLC, an Indiana limited liability company successor by merger to Hills Oak Manor, LLC, an Indiana limited liability company pursuant to Instrument No. 2007-000216 recorded on January 3, 2007 in the Office of the Recorder of Hamilton County, Indiana ("Recorder"), executed a certain Declaration of Covenants and Restrictions of The Villages of Oak Manor Property Ownership dated February 12, 2007, and recorded on February 21, 2007 in the Office of the Recorder as Instrument No. 2007009407, as supplemented by a Supplemental Declaration of The Villages of Oak Manor Property Ownership recorded on March 26, 2008 in the Office of the Recorder as Instrument No. 2008015711, a Supplemental Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on April 8, 2008 in the Office of the Recorder as Instrument No. 2008018415, a Supplemental Declaration of and First Amendment to Covenants and Restrictions of The Villages at Oak Manor Property Ownership recorded on April 8, 2008 in the Office of the Recorder as Instrument No. 200818412, a Supplemental Declaration of Covenants, and Restrictions of The Villages at Oak Manor Property Ownership recorded on January 26, 2009 in the Office of the Recorder as Instrument No. 2009003444, a First Amendment to Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on March 24, 2009 in the Office of the Recorder as Instrument No. 2009015975, a Second Amendment to Declaration of Covenants and Restrictions of the

Villages of Oak Manor Property Ownership recorded on September 4, 2009 in the Office of the Recorder as Instrument No. 2009053424, a Third Amendment to Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on December 14, 2009 in the Office of the Recorder as Instrument No. 2009071237, a Fourth Amendment to and Supplemental Declaration of Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on November 12, 2014 in the Office of the Recorder as Instrument No. 2014050787, a Supplemental Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on February 6, 2015 in the Office of the Recorder as Instrument No. 2015005220, and a Supplemental Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on March 15, 2017 in the Office of the Recorder as Instrument No. 2017011034 (collectively, the "Master Declaration");

- B. Hills Homes assigned its rights as Declarant under the Master Declaration to Hills Developers, Inc., an Ohio corporation ("Hills Developers") pursuant to an Assignment of Declarant's Rights under the Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on January 14, 2014 in the Office of the Recorder as Instrument No. 2014001184 (the "Developers Assignment");
- C. Hills Developers assigned its rights as Declarant under the Master Declaration to Grand Communities, Ltd. pursuant to an Assignment of Declarant's Rights under the Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on January 14, 2014 in the Office of the Recorder as Instrument No. 2014001185 (the "Grand Assignment"), reserving for itself certain rights over the Lancashire Section of the Villages of Oak Manor, including but not limited to exclusive authority regarding architectural approval of any Dwelling Unit or Condominium Unit in the Lancashire Section of the Villages of Oak Manor;
- D. Hills Developers sold the undeveloped portion of the Condominium Real Estate to Lancashire Partners LLC and Lancashire Partners LLC is developing such property as Suffolk at Oak Manor;
- E. Pursuant to Paragraph 23(b) and Paragraph 36 of the Declaration, Declarant desires to amend the Declaration relating to the creation of Suffolk at Oak Manor as a new Section in the Villages of Oak Manor;
- F. Lancashire Partners, LLC is the sole owner of the fee simple title to the following described real estate located in Hamilton County, Indiana, to-wit:

Lots 1 through 67, 101 through 105, 201 through 204, 301 through 304, 401 through 404, 501 through 504, 601 through 604, 701 through 704, 801 through 804, 901 through 904, and 1001 through 1004, inclusive, and Master Common Areas A through L and Suffolk Common Areas AA and BB, in the Villages of Oak Manor, a subdivision in Hamilton County, Indiana as per plat thereof recorded on July 5, 2018 as Instrument No. 2018030292 in the Office of the Recorder of Hamilton County, Indiana (hereinafter referred to as "Suffolk at Oak Manor"); and

G. Suffolk at Oak Manor is part of the Master Real Estate described in Paragraph A of the recitals of the Declaration. Paragraph 36 of the Declaration provides that all or part of the Master Real Estate may be annexed to The Villages of Oak Manor, incorporated into the Declaration and the Owners thereof become members of The Villages of Oak Manor in accordance with the conditions in Paragraph 36 of the Declaration and the filing of the Supplemental Declaration by Declarant. All conditions relating to the annexation of Suffolk at Oak Manor to the Master Tract of The Villages of Oak Manor have been met, and Declarant, by execution of this Supplemental Declaration, hereby incorporates Suffolk at Oak Manor into The Villages of Oak Manor.

NOW, THEREFORE, Declarant makes this Fifth Amendment and Supplemental Declaration as follows:

- 1. All terms in this Amendment with initial capital letters (and not otherwise defined in this Amendment) shall have the same meanings herein as in the Master Declaration (as the same may be amended or supplemented from time to time as therein provided).
 - 2. A new Paragraph 39 is added to the Master Declaration as follows:
- 39. Suffolk at Oak Manor. Notwithstanding any other provisions in this Declaration, including but not limited to Paragraph 11(d), this Declaration is amended to provide that the Master Declaration will be developed into five (5) different residential areas being referred individually as "Section" and collectively as "Sections", which Sections have been Lancashire at Oak Manor, Suffolk at Oak Manor, Cotswold at Oak Manor, Southampton at Oak Manor, and Nottingham at Oak Manor. The Section Declarant under the Section Declaration for Suffolk at Oak Manor will be Lancashire Partners, LLC, as the successor to Hills Developers. The president of the Suffolk at Oak Manor shall be a member of the Master Board of Directors as provided in Section 11(c)(ii) and Section 6 of the Grand Assignment, which Master Board of Directors shall have seven (7) members. Declarant hereby expressly declares that Suffolk at Oak Manor and all appurtenant easements, Master Common Area, Blocks, Lots, Section Common Area, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon is hereby annexed to and becomes a part of The Villages of Oak Manor as if such originally had been included in the Master Declaration, and shall hereafter be held, transferred, sold conveyed and occupied subject to the covenants, restrictions and provisions of the Master Declaration, and the rules and regulations as adopted by the Master Board of Directors, as each may be amended from time to time. Suffolk at Oak Manor hereafter and for all purposes shall be included in the definition of "Master Tract" as defined in Paragraph 1(0) of the Master Declaration and the lots are further identified as Suffolk Lots.
- 3. <u>Master Common Area</u>. Master Common Area, as shown on the Suffolk Plat, hereafter and for all purposes shall be added to the definition of "Master Common Area." Paragraph 1(k) of the Declaration shall hereafter read as follows:

"Master Common Area" means (i) the area designated as such on the Plat (as defined in Subparagraph (s)) which was recorded as Instrument Number 200600047128 in the Office of the Hamilton County Recorder) or designated

as such in the Declaration; (ii) Common Areas A through H and K as shown on the Plat; (iii) Master Common Area "N," as shown on the Section 3D Plat; (iv) Master Common Areas "0" and "P," as shown on the Section 3A Plat; (v) Master Common Area "M" as shown on the Section 3A Plat; (vi) Master Common Area as shown on the Southampton Plat; (vii) Master Common Area shown on the Suffolk Plat; and (viii) the Master Common Area will be maintained and controlled by the Master Corporation. The Master Common Area shall be conveyed to the Master Corporation and Master Corporation shall have the obligation to provide for the maintenance, upkeep, repairs and replacement of the Master Common Area at all times, even if the Master Common Area has not yet been conveyed to the Master Corporation, all as more fully described in the Master Declaration.

4. <u>Description of Suffolk at Oak Manor</u>. Suffolk at Oak Manor consists of 108 Lots, together with the Master Common Area and Easements as designated on the Suffolk Plat. The Master Common Area, Easements and the size of the Lots are designated on the Suffolk Plat. The legal description for each Lot shall be as follows:

Lot ____ in Suffolk at Oak Manor, a subdivision in Hamilton County, Indiana, as per plat thereof recorded on July 5, 2018 as Instrument No. 2018030292, in the Office of the Recorder of Hamilton County, Indiana.

- 5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Lot and/or Dwelling Unit shall constitute an agreement that the provisions of this Amendment, the Master Declaration and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant and occupant, 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 Lot and/or Dwelling Unit or the Master Real Estate as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.
- 6. <u>Secondary Plat</u>. The Secondary Plat for Suffolk at Oak Manor, prepared by Central States Consulting, LLC, under the date of June 29, 2018 setting forth the layout, location, identification and dimension of the Lots, Blocks and Master Common Area identified in this Amendment (the "Suffolk Plat") is incorporated into the Master Declaration, added to the plans filed with the Master Declaration, and has been filed in the Office of the Recorder of Hamilton County, Indiana, on July 5, 2018 as Instrument No. 2018030292. The Suffolk Plat was amended by and now includes a Certificate of Correction filed in the Office of the Recorder of Hamilton County, Indiana on August 17, 2018 as Instrument No. 2018038289.
- 7. <u>Lancashire Partners, LLC's Approval</u>. Notwithstanding anything to the contrary in the Master Declaration and pursuant to Section 6 of the Grand Assignment, so long as Lancashire Partners, LLC owns any portion of Suffolk at Oak Manor, Declarant shall

not (a) amend the Master Declaration or any Section Declaration in any way which would affect Suffolk at Oak Manor, (b) modify the covenants and restrictions set forth in Section 22 of the Master Declaration, (c) modify the architectural control standards set forth in Section 17 of the Master Declaration, (d) modify the Master Common Areas, or (e) modify the rights of the owner of any of the undeveloped portions of Suffolk of Oak Manor to use the Master Common Areas or any other common area available to the residents of the Villages of Oak Manor, unless consented to in writing by Lancashire Partners, LLC.

8. Except to the extent modified or amended herein, all terms and conditions of the Master Declaration remain in full force and effect.

GRAND COMMUNITIES, LLC. (f/k/a Grand Communities, Ltd.) a Kentucky limited liability company

By: Todd F. Huss President

STATE OF KENTWCKY)
COUNTY OF BOOVE)

Before me, a Notary Public in and for said County and State, personally appeared Todd E. Huss, known to me to be the President of Grand Communities, Ltd.) and acknowledged the execution of the foregoing for and on behalf of said company.

Witness my hand and notarial seal this day of Ottober 2018.

MELISSA KARYN BODNER
Notary Public State at Large, Kentucky
My Commission Expires January 8 2022
Notary ID 592889

My Commission Expires:

My County of Residence:

1-8-2022

CCCVVIII OTTOBER 2018.

Consent of Lancashire Partners, LLC

As Owner of Suffolk at Oak Manor, Lancashire Partners, LLC hereby consents to the

terms of this Amendment.	•
STATE OF VOUNTY OF COUNTY OF COUNTY OF Public in and for said	Y DAWN STUBBS BLIC - OFFICIAL SEAL ana, Hamilton County n Expires Dec. 18, 2025 County and State, personally appeared
Lancashire Partners, LLC, a Texas limited liability of the foregoing for and on behalf of said company Witness my hand and notarial seal this 3	,
Cor	whey Dawn Stubbs
My Commission Expires: My C	ounty of Residence:
Dec. 18, 2025 Han	niHon

This instrument was prepared by Tammy K. Haney, Keller Macaluso LLC, 760 3rd Avenue SW, Suite 210, Carmel, IN 46032.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law Tammy K. Haney.

#147431_3

. . . •

2017011034 AMND DECL \$23.00 03/15/2017 11:06:43A 7 PGS Jennifer Hayden HAMILTON County Recorder IN Recorded as Presented



Section 4C

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS OF THE VILLAGES OF OAK MANOR PROPERTY OWNERSHIP

THIS SUPPLEMENTAL DECLARATION made this 13th day of Warch, 2017, by GRAND COMMUNITIES, LTD., a Kentucky limited partnership ("Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

A. Declarant is the sole owner of the fee simple title to the following described real estate located in Hamilton County, Indiana, to-wit:

See legal description attached hereto made a part hereof and marked <u>Exhibit A</u> (hereinafter referred to as "The Villages of Oak Manor Section 4C").

Hills Homes of Indiana, LLC, an Indiana limited liability company, formerly known as Creekside Crossing, LLC, an Indiana limited liability company successor by merger to Hills Oak Manor, LLC, an Indiana limited liability company pursuant to Instrument No. 2007-000216 recorded on January 3, 2007 in the Office of the Recorder of Hamilton County, Indiana ("Recorder"), executed a certain Declaration of Covenants and Restrictions of The Villages of Oak Manor Property Ownership dated February 12, 2007, and recorded on February 21, 2007 in the Office of the Recorder as Instrument No. 2007009407, as supplemented by a Supplemental Declaration of Covenants and Restrictions of The Villages of Oak Manor Property Ownership recorded on March 26, 2008 in the Office of the Recorder as Instrument No. 2008015711, a Supplemental Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on April 8, 2008 in the Office of the Recorder as Instrument No. 2008018415, a Supplemental Declaration of Covenants and Restrictions of The Villages at Oak Manor Property Ownership recorded on April 8, 2008 in the Office of the Recorder as Instrument No. 200818412, a Supplemental Declaration of Covenants. and Restrictions of The Villages at Oak Manor Property Ownership recorded on January 26, 2009 in the Office of the Recorder as Instrument No. 2009003444, a First Amendment to Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership



recorded on March 24, 2009 in the Office of the Recorder as Instrument No. 2009015975, a Second Amendment to Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on September 4, 2009 in the Office of the Recorder as Instrument No. 2009053424 and a Third Amendment to Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on December 14, 2009 in the Office of the Recorder as Instrument No. 2009071237 and a Fourth Amendment to and Supplemental Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on November 12, 2014 in the Office of the Recorder as Instrument No. 2014050787 and a Supplemental Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on February 6, 2015 in the Office of the Recorder as Instrument No. 2015005220 (collectively, the "Declaration");

- C. Hills Homes assigned its rights as Declarant under the Declaration to Hills Developers, Inc., an Ohio corporation ("Hills Developers") pursuant to an Assignment of Declarant's Rights under the Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on January 14, 2014 in the Office of the Recorder as Instrument No. 2014001184 (the "Assignment");
- D. Hills Developers assigned its rights as Declarant under the Declaration to Grand Communities, Ltd. pursuant to an Assignment of Declarant's Rights under the Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on January 14, 2014 in the Office of the Recorder as Instrument No. 2014001185;
 - E. Grand Communities, Ltd. is the current Declarant under the Declaration;
- F. The Villages of Oak Manor Section 4C is part of the Master Real Estate described in Paragraph A of the recitals of the Master Declaration. Paragraph 36 of the Master Declaration provides that all or part of the Master Real Estate may be annexed to The Villages of Oak Manor, incorporated into the Master Declaration and the Owners thereof become members of The Villages of Oak Manor in accordance with the conditions in Paragraph 36 of the Master Declaration and the filing of the Supplemental Declaration by Declarant. All conditions relating to the annexation of The Villages of Oak Manor Section 4C to the Master Tract of The Villages of Oak Manor have been met, and Declarant, by execution of this Supplemental Declaration, hereby incorporates The Villages of Oak Manor Section 4C into The Villages of Oak Manor.

NOW, THEREFORE, Declarant makes this Supplemental Declaration as follows:

1. <u>Master Declaration</u>. Declarant hereby expressly declares that The Villages of Oak Manor Section 4C and all appurtenant easements, Master Common Area, Blocks, Lots, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon is hereby annexed to and becomes a part of The Villages of Oak Manor as if such originally had been included in the Master Declaration, and shall hereafter be held, transferred, sold conveyed and occupied subject to the covenants, restrictions and provisions of the Master Declaration, and the rules and regulations as adopted by the Master Board of Directors, as each may be amended from time to time. The Villages of Oak Manor Section 4C hereafter and for all purposes shall be included



in the definition of "Master Tract" as defined in Paragraph 1(0) of the Master Declaration and the lots are further identified as Southampton Lots.

2. <u>Master Common Area</u>. Master Common Area, as shown on the Villages Plat, hereafter and for all purposes shall be added to the definition of "Master Common Area." Paragraph 1(k) of the Declaration shall hereafter read as follows:

"Master Common Area" means (i) the area designated as such on the Plat (as defined in Subparagraph (s)) which was recorded as Instrument Number 200600047128 in the Office of the Hamilton County Recorder) or designated as such in the Declaration; (ii) Common Areas A through H and K as shown on the Plat; (iii) Master Common Area "N," as shown on the Section 3D Plat; (iv) Master Common Areas "0" and "P," as shown on the Section 3A Plat; (v) Master Common Area "M" as shown on the Section 3A Plat; (vi) Master Common Area as shown on the Villages Plat; (vii) Master Common Area "O" and "R" as shown on the Section 4A Plat; (viii) Master Common Area "S" and "T" as shown on the Section 4C Plat; and (ix) the Master Common Area will be maintained and controlled by the Master Corporation. The Master Common Area shall be conveyed to the Master Corporation and Master Corporation shall have the obligation to provide for the maintenance, upkeep, repairs and replacement of the Master Common Area at all times, even if the Master Common Area has not yet been conveyed to the Master Corporation, all as more fully described in the Master Declaration.

3. <u>Description of the Villages at Oak Manor Section 4C</u>. The Villages at Oak Manor Section 4C consists of 19 Southampton Lots numbered 26 through 45 inclusive, together with the Master Common Area and Easements as designated on the Section 4C Plat. The Master Common Area, Easements and the size of the Southampton Lots are designated on the Section 4C Plat. The legal description for each Southampton Lot shall be as follows:

Southampton Lot ____ in The Villages of Oak Manor, Section 4C, a subdivision in Hamilton County, Indiana, as per plat thereof recorded December 13, 2016 in Plat Cabinet 5, Slide 610 as Instrument No. 2016066058, in the Office of the Recorder of Hamilton County, Indiana.

- 4. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Lot and/or Dwelling Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Master Declaration and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant and occupant, 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 Lot and/or Dwelling Unit or the Master Real Estate as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.
- 5. <u>Secondary Plat</u>. The Secondary Plat for The Villages of Oak Manor Section 4C, prepared by The Schneider Corporation, certified by Steven W. Reeves, a registered land surveyor under the date of November 26, 2014, setting forth the layout, location, identification and dimension of the Lots, Blocks and Master Common Area identified in this Supplemental Declaration (the "4C Plat") is incorporated into the Master Declaration, added to the plans filed with the Master



Declaration, and has been filed in the Office of the Recorder of Hamilton County, Indiana, on December 13, 2016 as Instrument No. 2016066058.

- 6. <u>Hills Homes' Approval</u>. Notwithstanding anything to the contrary in the Master Declaration and pursuant to the Assignment, so long as Hills Homes owns any of the Lancashire Section, Hills Homes shall have the right to review and approve amendments or changes to the Declaration.
- 7. Except to the extent modified or amended herein, all terms and conditions of the Master Declaration remain in full force and effect.



GRAND COMMUNITIES, LTD.

a Kentucky limited partnership

By: Fischer Development Company

a Kentucky corporation

Its: General Partner

Todd E. Huss, President

STATE OF Kentucky)

COUNTY OF Boone)

Before me, a Notary Public in and for said County and State, personally appeared Todd E. Huss, known to me to be the President of Fischer Development Company, a Kentucky corporation and the general partner of Grand Communities, Ltd., a Kentucky limited partnership, and acknowledged the execution of the foregoing for and on behalf of said company.

Witness my hand and notarial seal this 23rd day of January 2017.

Notary Public

Printed Name

My Commission Expires:

My County of Residence:

Campbell County, KY

Consent of Hills Homes of Indiana, LLC

Pursuant to the terms of the Assignment (as defined in the foregoing Supplemental Declaration) Hills Homes hereby consents to the terms of this Supplemental Declaration.

	HILLS HOMES OF INDIANA LLC, an Indiana limited liability company	
	By: fry freeze	
	Printed: Louis Guttman	
	Title: <u>Treasurer</u>	
STATE OF OHIO)	
COUNTY OF HAMILTON) SS:)	
Guttman, known to me to be	n and for said County and State, personally appeared Louis the Treasurer of Hills Homes of Indiana LLC, an Indiana limited wledged the execution of the foregoing for and on behalf of said	
Witness my hand and notarial seal this 4 day of March 2017.		
* Notary Programmissi	A J. GAENGE Notary Public Notary Public Donna J. Gaenge Printed Name	
My Commission Expires:	My County of Residence:	

This instrument was prepared by Tammy K. Haney, Keller Macaluso LLC, 760 3rd Avenue SW, Suite 210, Carmel, IN 46032.

1-2-22

Hamilton

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law Tammy K. Haney.

EXHIBIT A

THE VILLAGES OF OAK MANOR SECTION 4C

Southampton Lots 26 through 45 in The Villages of Oak Manor, Section 4C, a subdivision in Hamilton County, Indiana, as per plat thereof recorded December 13, 2016 in Plat Cabinet 5, Slide 610 as Instrument No. 2016066058, in the Office of the Recorder of Hamilton County, Indiana.

Lot Number	Parcel No.
26	08-10-05-00-23-001.000
27	08-10-05-00-23-002.000
28	08-10-05-00-23-003.000
29	08-10-05-00-23-004.000
30	08-10-05-00-23-005.000
31	08-10-05-00-23-006.000
32	08-10-05-00-23-007.000
33	08-10-05-00-23-008.000
34	08-10-05-00-23-009.000
35	08-10-05-00-23-010.000
36	08-10-05-00-23-011.000
37	08-10-05-00-23-012.000
38	08-10-05-00-23-013.000
39	08-10-05-00-23-014.000
40	08-10-05-00-23-015.000
42	08-10-05-00-23-016.000
43	08-10-05-00-23-017.000
44	08-10-05-00-23-018.000
45	08-10-05-00-23-019.000
C.A."S"	08-10-05-00-23-020.000
C.A."T"	08-10-05-00-23-021.000

CONSENT AND ACKNOWLEDGMENT

The undersigned, Fischer Homes Indianapolis, L.P., an Indiana limited partnership ("Fischer Homes"), as fee owner of Lots 33, 37 and 40, of The Villages of Oak Manor, Section 4C ("Lot"), hereby consents to the execution and delivery of the foregoing Supplemental Declaration of Covenants and Restrictions of The Villages of Oak Manor Property Ownership (the "Supplemental Declaration), and to the filing thereof in the Hamilton County, Indiana Recorder's Office. Prior to the recording of the Supplemental Declaration, fee simple title to the Lot was transferred to Fischer Homes. Therefore, Fischer Homes hereby agrees that the covenants, restrictions and conditions contained in the Supplemental Declaration shall run with the land and bind Fischer Homes and each immediate and remote successor owner of the Lot owned by Fischer Homes and its respective legal heirs and assigns.

IN WITNESS WHEREOF, Fischer Homes Indianapolis, L.P., an Indiana limited partnership, has caused the execution of the Consent and Acknowledgement as of the 13th day of Warch, 2017.

CONTRACTOR
DANIELLE BORMAN
Notary Public State of Large Kentucky
State at Large, Kentucky My Commission Expires on Jan. 13, 2018
Notary ID# 503579

COMMONWEALTH OF KENTUCKY

resolution of its Board of Directors.

COUNTY OF BOONE

FISCH	ER HOMES INDIAPOLIS, L.P.
an Indi	ana limited partnership
By:	Fischer Residential Indianapolis, LLC
	an Indiana limited liability company
Its:	General Paytner
	By:
	Name: TIMOTAY & MCMAHON
	Title: President & COO
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)	

The foregoing instrument was signed, acknowledged, subscribed and sworn to me before me this day of Warch, 2017, by Fischer Homes Indianapolis, L.P., an Indiana limited partnership, by its General Partner, Fischer Residential Indianapolis, LLC, an Indiana limited liability company, by and through Timotry K. McManon, its President & COO , duly authorized by



Cross Reference: 2007009407
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2009003444
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Mary L. Clark
HAMILTON County Recorder IN
Recorded as Presented
2014001184
2014001185

FOURTH AMENDMENT TO AND SUPPLEMENTAL DECLARATION OF DECLARATION OF COVENANTS AND RESTRICTIONS OF THE VILLAGES OF OAK MANOR PROPERTY OWNERSHIP

This Fourth Amendment to and Supplemental Declaration of Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership (the "Amendment") is made this ____ day of ____, 2014, by Grand Communities, Ltd., a Kentucky limited partnership ("Declarant").

WITNESSETH:

WHEREAS, the following facts are true:

WHEREAS, Hills Homes of Indiana, LLC, an Indiana limited liability A. company, formerly known as Creekside Crossing, LLC, an Indiana limited liability company successor by merger to Hills Oak Manor, LLC, an Indiana limited liability company pursuant to Instrument No. 2007-000216 recorded on January 3, 2007 in the Office of the Recorder of Hamilton County, Indiana ("Recorder"), executed a certain Declaration of Covenants and Restrictions of The Villages of Oak Manor Property Ownership dated February 12, 2007, and recorded on February 21, 2007 in the Office of the Recorder as Instrument No. 2007009407, as supplemented by a Supplemental Declaration of Covenants and Restrictions of The Villages of Oak Manor Property Ownership recorded on March 26, 2008 in the Office of the Recorder as Instrument No. 2008015711, a Supplemental Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on April 8, 2008 in the Office of the Recorder as Instrument No. 2008018415, a Supplemental Declaration of Covenants and Restrictions of The Villages at Oak Manor Property Ownership recorded on April 8, 2008 in the Office of the Recorder as Instrument No. 200818412, a Supplemental Declaration of Covenants. and Restrictions of The Villages at Oak Manor Property Ownership recorded on January 26, 2009 in the Office of the Recorder as Instrument No. 2009003444, a First Amendment to Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on March 24, 2009 in the Office of the Recorder as Instrument No. 2009015975, a Second Amendment to Declaration of Covenants and Restrictions of the Villages of Oak Manor Property Ownership recorded on September 4, 2009 in the Office of the Recorder as Instrument No. 2009053424 and a Third Amendment to