

028539

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

RECEIVED FOR RECORD

At...
Recorded in Book 71 Page 601-611

DEC 1 1987

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RECORDED

This Seventh Amendment to Enabling Declaration made this 15 day of December, 1987, by College Park Condominiums, Ltd., an Indiana limited liability Partnership, hereinafter referred to as "Declarant," the sole owner in fee simple of certain real property hereinafter described, which property is referred to as the "Annexed Property."

RECITALS:

WHEREAS, College Park Condominiums, a horizontal property regime consisting of twenty-seven (27) units, was created on the 16th day of July, 1985, with College Park Condominiums, Ltd., the Declarant herein, as Grantor, by an Enabling Declaration filed in the Office of the Recorder of Madison County, Indiana, in Deed Record 625 at pages 627 through 703 inclusive, which Exhibit "A" thereto recorded in Plat Book 17 at pages 26 and 27, first amended in Deed Record Book 255 at page 658 on November 25, 1985; amended in Deed Record Book 261 at page 642; amended in Deed Record Book 273 at page 644; amended in Deed Record Book 264 at pages 624-637; amended in Deed Record Book 266 at pages 544-553; and amended in Deed Record 267 at pages 247-257, and

WHEREAS, in Item IX of such Enabling Declaration, the Declarant retained the right to amend said Enabling Declaration to increase the number of units in the Condominium by construction upon any part or all of certain real estate described in said Item IX and designated "Future Development," and

WHEREAS, the Annexed Property above referred to is a part of land situated within the Future Development, and the Declarant has constructed on said Annexed

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Property six (6) additional units in one (1) building which harmonize with the development of the original Condominium; and

WHEREAS, the Declarant desires to submit the Annexed Property to Condominium Ownership.

NOW, THEREFORE, the said Declarant hereby makes the following amendments to said Enabling Declaration:

1. The Annexed Property, the description of which appears on Exhibit "A" attached hereto and made a part hereof, is hereby incorporated into and made a part of the real property subject to said Enabling Declaration. All provisions of said Enabling Declaration as herein amended shall constitute covenants running with the land and shall be binding on this Declarant, its successors and assigns, and all subsequent Owners of all or any part of said Annexed Property and the improvements thereon, their grantees, successors, heirs, devisees, personal representatives, and assigns.

2. All references in the Enabling Declaration to twenty-seven (27) Units are hereby changed to thirty-three (33) Units.

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

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

C. Designation and Description of Units. The thirty-three (33) individual Units hereby established are described as follows:

1. The Units shall be contained in a building designated as Building 1 without basement and as follows:

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

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

2. The Units shall be contained in a building designated as Building 2 without basement and as follows:
 - a. Unit A is located in Building 2 and is a two-bedroom, one-story Unit without basement.
 - b. Unit B is located in Building 2 and is a two-bedroom, one-story unit without basement.

The Unit locations and dimensions in Building 2 are more particularly described in documents filed in Plat Book 17, pages 86-87, records of Madison County, State of Indiana.

3. The Units shall be contained in a building designated as Building 3 without basement and as follows:
 - a. Unit A is located in Building 3 and is a three-bedroom, one story Unit without basement.
 - b. Unit B is located in Building 3 and is a two-bedroom, one story unit without basement.

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

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

- 4. The Units shall be contained in a building designated as Building 4 without basement and as follows:
 - a. Unit A is located in Building 4 and is a three-bedroom, one-story Unit without basement.
 - b. Unit B is located in Building 4 and is a two-bedroom, one and one-half story unit without basement.
 - c. Unit C is located in Building 4 and is a two-bedroom, one-story Unit without basement.
 - d. Unit D is located in Building 4 and is a two-bedroom, one-story Unit without basement.

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

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

The Unit locations and dimensions in Building 5 are more particularly described in documents filed in Plat Book 17, pages

72-73, records of Madison County, State of Indiana.

6. The Units shall be contained in a building designated as Building 8 without basement and as follows:
 - a. Unit A is located in Building 8 and is a three-bedroom, one-story Unit without basement.
 - b. Unit B is located in Building 8 and is a two-bedroom, one-story Unit without basement.
 - c. Unit C is located in Building 8 and is a two-bedroom, one-story Unit without basement.
 - d. Unit D is located in Building 8 and is a two-bedroom, one-story Unit without basement.
 - e. Unit E is located in Building 8 and is a two-bedroom, one-story Unit without basement.
 - f. Unit F is located in Building 8 and is a three-bedroom, one-story Unit without basement.

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

7. The Units shall be contained in a building designated as Building 9 without basement and as follows:
 - a. Unit A is located in Building 9 and is a two-bedroom, one-story Unit without basement.
 - b. Unit B is located in Building 9 and is a two-bedroom, one and one-half story Unit without basement.
 - c. Unit C is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.
 - d. Unit D is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.

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

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

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

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

Item 11.D. of the Uniting Declaration shall hereafter read as follows:

D. Percentage Interest in Common Elements and Share of Common Expenses:

The undivided interest in the Common Elements hereby established, which shall be conveyed with each respective Unit, and which is also the proportional voting right of each Unit Owner and the Unit Owner's share of common expenses and common surplus, is based on the ratio of the Unit to the total number of all Units of the condominium and reflecting a continuing total interest of one hundred

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

TABLE OF UNIT SHARES

<u>Unit Identification</u>	<u>Share</u>
1-A	3.0303%
1-B	3.0303%
1-C	3.0303%
1-D	3.0303%
1-E	3.0303%
2-A	3.0303%
2-B	3.0303%
3-A	3.0303%
3-B	3.0303%
3-C	3.0303%
3-D	3.0303%
4-A	3.0303%
4-B	3.0303%
4-C	3.0303%
4-D	3.0303%
5-A	3.0303%
5-B	3.0303%
8-A	3.0303%
8-B	3.0303%
8-C	3.0303%
8-D	3.0303%
8-E	3.0303%
8-F	3.0303%
9-A	3.0303%
9-B	3.0303%
9-C	3.0303%
9-D	3.0303%
10-A	3.0303%
10-B	3.0303%
10-C	3.0303%
10-D	3.0303%
10-E	3.0303%
10-F	3.0303%

The above respective undivided interests established and to be conveyed in the respective Units as indicated above cannot be changed, except by amendment of this Declaration as hereafter provided, and the Grantor, its successors and assigns, and its grantees covenant and agree that the undivided interests in the Common Elements and the fee titles to the respective Units conveyed therewith, shall not be separated nor separately conveyed, and each said undivided interest shall be deemed to be conveyed or encumbered with

its respective Unit, even though the description in the instrument of conveyance or encumbrance may refer only to the fee title to the Unit.

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

E. Legal Description of Unit. The following shall be an adequate legal description of each Unit:

Unit _____ contained in Building _____ and all appurtenances thereto in College Park Condominiums Horizontal Property Regime as delineated in the Declaration recorded in the Office of the Madison County Recorder on July 16, 1985, in Book 625, pages 627 through 703 as amended by a First Amendment to Enabling Declaration recorded in said office on the 25th day of November, 1985, in Book 255 at page 658; further amended by a Second Amendment to Enabling Declaration recorded in said office on the 29th day of July, 1986, in Book 261 at page 642; further amended by a Third Amendment to Enabling Declaration recorded in said office on the 14th day of October, 1986, in Book 263 at pages 144-152; further amended by a Fourth Amendment to Enabling Declaration recorded in said office on the 2nd day of December, 1986, in Book 264 at pages 124-132; further amended by a Fifth Amendment to Enabling Declaration recorded in said office on the 10th day of April, 1987, in Book 266 at pages 544-553; further amended by a Sixth Amendment to Enabling Declaration recorded in said office on the 4th day of June, 1987, in Book 267 at pages 647-657; and further amended by a Seventh Amendment to Enabling Declaration recorded in said office on the 1st day of December, 1987, in Book 271 at pages 601-611.

7. Attached hereto as Exhibit "C" and made a part hereof is a survey consisting of two (2) sheets as prepared by Harold E. Smith & Associates, such sheets being dated the 1st day of December, 1987. The Condominium Survey for College Park Condominiums Horizontal Property Regime shall hereafter consist of Exhibit "A" to the original Enabling Declaration; Exhibit "C" to the First Amendment to Enabling Declaration; Exhibit "C" to the Second Amendment to Enabling Declaration; Exhibit "C" to the Third Amendment to Enabling Declaration; Exhibit "C" to the Fourth Amendment to Enabling Declaration; Exhibit "C" to the Fifth Amendment to Enabling Declaration; Exhibit "C" to the Sixth Amendment to Enabling Declaration; and Exhibit "C" to this Seventh Amendment to Enabling Declaration.

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

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

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

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

John M. Blevins
By John M. Blevins
President

ATTEST:

John M. Blevins
John M. Blevins
Secretary

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

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

WITNESS my hand and notarial seal this 13th day of December, 1987.

My Commission Expires
8-4-89

Clara X. Bridgewater
Clara X. Bridgewater
Notary Public
Resident of Madison County

PREPARED BY

John M. Blevins
Attorney at Law
205 West 8th Street
Anderson, Indiana 46010
(317) 649-9201

NOV 27 1987

COMBINED DESCR

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST IN THE CITY OF ANDERSON, ANDERSON TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEQ
 QUARTER OF SEC
 00 DEGREES 00
 SAID EAST HALF
 SECONDS 265.00
 THENCE SOUTH 8
 DEGREES 00 MIN
 SECONDS EAST 3
 FEET; THENCE S
 THE CENTERLINE
 MINUTES 00 SEC
 WEST 106.38 FE
 THENCE SOUTH 0
 35 MINUTES 33
 SECONDS 400.00
 FEET; THENCE N
 DEGREES 35 MIN
 00 SECONDS WE
 FEET; THENCE N
 POINT OF BEGIN
 RIGHT OF WAY 0

DATED: MAY 28

DESCRIPTION

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST IN THE CITY OF ANDERSON, ANDERSON TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS (ASSURED BEARING) 1423.34 FEET ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 180.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 55.00 FEET THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 358.06 FEET; THENCE SOUTH 00 DEGREES 01 SECOND EAST 55.00 FEET; THENCE SOUTH 02 DEGREES 45 MINUTES 43 SECONDS EAST 50.23 FEET TO A POINT ON THE CENTERLINE OF ST. JAMES PLACE (A PRIVATE DRIVE); THENCE SOUTH 60 DEGREES 00 MINUTES 00 SECONDS WEST 48.71 FEET ALONG THE CENTERLINE OF ST. JAMES PLACE TO THE POINT OF BEGINNING OF A CURVE CONCERNING TO THE NORTH SAID CURVE HAVING A RADIUS OF 73.415 FEET AND A CENTRAL ANGLE OF 30 DEGREES 28 MINUTES 41 SECONDS; THENCE SOUTHWESTERLY ALONG SAID CURVE AND CENTERLINE OF ST. JAMES PLACE AN ARC DISTANCE OF 39.05 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE NORTH 89 DEGREES 31 MINUTES 19 SECONDS WEST 106.25 FEET ALONG THE CENTERLINE OF ST. JAMES PLACE TO THE POINT OF BEGINNING OF A CURVE CONCERNING TO THE SOUTH, SAID CURVE HAVING A RADIUS OF 88.456 FEET AND A CENTRAL ANGLE OF 25 DEGREES 28 MINUTES 41 SECONDS; THENCE SOUTHWESTERLY ALONG SAID CURVE AND CENTERLINE OF ST. JAMES PLACE AN ARC DISTANCE OF 39.34 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 65 DEGREES 00 MINUTES 00 SECONDS WEST 27.85 FEET TO THE POINT OF INTERSECTION OF THE CENTERLINE OF ST. JAMES PLACE AND COLLEGE PARKWAY (A PRIVATE DRIVE); THENCE NORTH 30 DEGREES 00 MINUTES 00 SECONDS WEST 100.97 FEET ALONG THE CENTERLINE OF COLLEGE PARKWAY TO THE POINT OF BEGINNING OF A CURVE CONCERNING TO THE NORTHEAST SAID CURVE HAVING A RADIUS OF 223.92 FEET AND A CENTRAL ANGLE OF 03 DEGREES 24 MINUTES 24 SECONDS; THENCE NORTHWESTERLY ALONG SAID CURVE AND CENTERLINE OF COLLEGE PARKWAY AN ARC DISTANCE OF 13.31 FEET TO A NON-TANGENT POINT ON SAID CURVE; THENCE NORTH 89 DEGREES 31 MINUTES 19 SECONDS WEST 50.69 FEET TO THE POINT OF BEGINNING. CONTAINING 0.996 OF AN ACRE, MORE OR LESS.

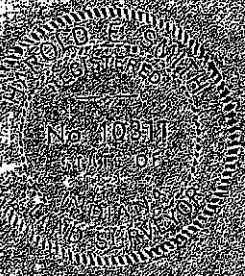
COLLEGE PARK CONDOMINIUMS
COMBINED DESCRIPTION OF LAND INCLUDED WITH BUILDINGS 1, 2, 3, 4, 5, 6, 7, 8, 9, AND 10

A TRACT OF LAND LOCATED IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST IN THE CITY OF ANDERSON, ANDERSON TOWNSHIP, MADISON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 19 NORTH, RANGE 8 EAST WHICH IS 850.00 FEET NORTH 00 DEGREES 00 MINUTES 00 SECONDS (ASSUMED BEARING) FROM THE SOUTHWEST CORNER OF SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 265.00 FEET ALONG THE WEST LINE OF SAID EAST HALF OF THE NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 180.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 40.00 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 358.06 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 01 SECONDS EAST 40.00 FEET; THENCE SOUTH 02 DEGREES 42 MINUTES 43 SECONDS EAST 50.23 FEET TO A POINT ON THE CENTERLINE OF ST. JAMES AVENUE (A PRIVATE DRIVE); THENCE SOUTH 30 DEGREES 00 MINUTES 00 SECONDS EAST 73.44 FEET; THENCE SOUTH 00 DEGREES 28 MINUTES 41 SECONDS WEST 106.38 FEET; THENCE SOUTH 89 DEGREES 31 MINUTES 19 SECONDS EAST 26.51 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS 165.49 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 35 SECONDS WEST 110.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS 400.00 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 35 SECONDS WEST 150.84 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 400.00 FEET; THENCE NORTH 89 DEGREES 35 MINUTES 35 SECONDS WEST 49.12 FEET; THENCE SOUTH 84 DEGREES 20 MINUTES 00 SECONDS WEST 88.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS 129.29 FEET; THENCE NORTH 89 DEGREES 31 MINUTES 19 SECONDS WEST 203.75 FEET BACK TO THE POINT OF BEGINNING, CONTAINING 6,294 SQUARE FEET, MORE OR LESS, SUBJECT TO THE LEGAL RIGHT OF WAY OF 25 FEET OFF THE WESTERMOST SIDE THEREOF FOR NURSERY ROAD.

DATED: MAY 28, 1987

[Signature]
REGISTERED LAND SURVEYOR NO. 10911



271-1611

393
Duly Entered for Taxation
Subject to Final Acceptance
October 7 1988
Andrea Stueben
Auditor Madison County
Ind. # 5244

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

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This Eighth Amendment to Enabling Declaration made this 1st day of October, 1988, by College Park Condominiums, Ltd., an Indiana Limited Partnership, hereinafter referred to as "Declarant," the sole owner in fee simple of certain real property hereafter described, which property is referred to as the "Annexed Property."

RECITALS:

WHEREAS, College Park Condominiums, a horizontal property regime consisting of thirty-three (33) units, was created on the 16th day of July, 1985, with College Park Condominiums, Ltd., the Declarant herein, as Grantor, by an Enabling Declaration filed in the Office of the Recorder of Madison County, Indiana, in Deed Record 625 at pages 627 through 703 inclusive, with Exhibit "A" thereto recorded in Plat Book 17 at pages 26 and 27; first amended in Deed Record Book 255 at page 658 on November 25, 1985; amended in Deed Record Book 261 at page 642; amended in Deed Record Book 263 at page 144; amended in Deed Record Book 264 at pages 124-132; amended in Deed Record Book 266 at pages 544-553; amended in Deed Record Book 267 at pages 247-257; and amended in Deed Record Book 271 at pages 601-611; and

WHEREAS, in Item IX of such Enabling Declaration, the Declarant retained the right to amend said Enabling Declaration to increase the number of units in the Condominium by construction upon any part or all of certain real estate described in said Item IX and designated "Future Development;" and

WHEREAS, the Annexed Property above referred to is a part of and is situated within the Future Development, and the Declarant has constructed on said Annexed Property two (2) additional units in one (1) building which harmonize with the development of the original Condominium; and

WHEREAS, the Declarant desires to submit the Annexed Property to Condominium Ownership.

NOW, THEREFORE, the said Declarant hereby makes the following amendments to said Enabling Declaration:

1. The Annexed Property, the description of which appears on Exhibit "A" attached hereto and made a part hereof, is hereby incorporated into and made a part of the real property subject to said Enabling Declaration. All provisions of said Enabling Declaration as herein amended shall constitute covenants running with the land and shall be binding on this Declarant, its successors and assigns, and all subsequent Owners of all or any part of said Annexed Property and the improvements thereon, their grantees, successors, heirs, devisees, personal representatives, and assigns.

2. All references in the Enabling Declaration to thirty-three (33) Units are hereby changed to thirty-five (35) Units.

3. Exhibit "B" attached hereto is a perimeter description of

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

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

C. Designation and Description of Units. The thirty-five (35) individual Units hereby established are described as follows:

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

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

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

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

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

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

The Unit locations and dimensions in Building 2 are more particularly described in documents filed in Plat Book 17, pages 86-87, records of Madison County, State of Indiana.

3. The Units shall be contained in a building designated Building 3 without basement and as follows:

a. Unit A is located in Building 3 and is a three-bedroom, one story Unit without basement.

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

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

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

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

- a. Unit A is located in Building 4 and is a three-bedroom, one story Unit without basement.
- b. Unit B is located in Building 4 and is a two-bedroom, one and one-half story unit without basement.
- c. Unit C is located in Building 4 and is a two-bedroom, one-story Unit without basement.
- d. Unit D is located in Building 4 and is a two-bedroom, one-story Unit without basement.

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

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

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

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

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

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

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

7. The Units shall be contained in a building

designated as Building 8 without basement and as follows:

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

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

8. The Units shall be contained in a building designated as Building 9 without basement and as follows:
 - a. Unit A is located in Building 9 and is a two-bedroom, one-story Unit without basement.
 - b. Unit B is located in Building 9 and is a two-bedroom, one and one-half story Unit without basement.

c. Unit C is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.

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

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

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

a. Unit A is located in Building 10 and is a three-bedroom, one-story Unit without basement.

b. Unit B is located in Building 10 and is a two-bedroom, one-story Unit without basement.

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

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

e. Unit E. is located in Building 10 and is a two-bedroom, one-story Unit without basement.

f. Unit F is located in Building 10 and is a

three-bedroom, one-story Unit without base-
ment.

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

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

D. Percentage Interest in Common Elements and Share of Common Expenses.

The undivided interest in the Common Elements hereby established, which shall be conveyed with each respective Unit, and which is also the proportional voting right of each Unit Owner and the Unit Owner's share of common expenses and common surplus, is based on the ratio of the Unit to the total number of all Units of the condominium and reflecting a continuing total interest of one hundred percent (100%) for the entire Condominium. The individual Units have the following undivided interests:

<u>Unit Identification</u>	<u>Share</u>
1-A	2.8571%
1-B	2.8571%
1-C	2.8571%
1-D	2.8571%
2-A	2.8571%
2-B	2.8571%
3-A	2.8571%
3-B	2.8571%
3-C	2.8571%
3-D	2.8571%
4-A	2.8571%
4-B	2.8571%
4-C	2.8571%

4-D	2.8571%
5-A	2.8571%
5-B	2.8571%
6-A.A	2.8571%
6-A.B	2.8571%
8-A	2.8571%
8-B	2.8571%
8-C	2.8571%
8-D	2.8571%
8-E	2.8571%
8-F	2.8571%
9-A	2.8571%
9-B	2.8571%
9-C	2.8571%
9-D	2.8571%
10-A	2.8571%
10-B	2.8571%
10-C	2.8571%
10-D	2.8571%
10-E	2.8571%
10-F	2.8571%

The above respective undivided interests established and to be conveyed with the respective Units as indicated above cannot be changed, except by amendment of this Declaration as hereafter provided, and the Grantor, its successors and assigns, and its grantees covenant and agree that the undivided interests in the Common Elements and the fee titles to the respective Units conveyed therewith, shall not be separated nor separately conveyed, and each said undivided interest shall be deemed to be conveyed or encumbered with its respective Unit, even though the description in the instrument of conveyance or encumbrance may refer only to the fee title to the Unit.

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

E. Legal Description of Unit. The following shall be an

adequate legal description of each Unit:

Unit _____ contained in Building _____ and all appurtenances thereto in College Park Condominiums Horizontal Property Regime as delineated in the Declaration recorded in the Office of the Madison County Recorder on July 16, 1985, in Book 625, pages 627 through 703 as amended by a First Amendment to Enabling Declaration recorded in said office on the 25th day of November, 1985, in Book 255 at page 658; further amended by a Second Amendment to Enabling Declaration recorded in said office on the 29th day of July, 1986, in Book 261 at page 642; further amended by a Third Amendment to Enabling Declaration recorded in said office on the 14th day of October, 1986, in Book 263 at pages 144-152; further amended by a Fourth Amendment to Enabling Declaration recorded in said office on the 2nd day of December, 1986, in Book 264 at pages 124-132; further amended by a Fifth Amendment to Enabling Declaration recorded in said office on the 10th day of April, 1987, in Book 266 at pages 544-553; further amended by a Sixth Amendment to Enabling Declaration recorded in said office on the 4th day of June, 1987, in Book 267 at pages 647-657; and amended by a Seventh Amendment to Enabling Declaration recorded in said office on the 1st day of December, 1987, in Book 271 at pages 601-611; and further amended by an Eighth Amendment to Enabling Declaration recorded in said office on the 10 day of Oct., 1988.

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

Amendment to Enabling Declaration; and Exhibit "C" to the Seventh Amendment to Enabling Declaration; and Exhibit "C" to this Eighth Amendment to Enabling Declaration.

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

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

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

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

John M. Blevins
By: John M. Blevins
President

ATTEST:
John M. Blevins
John M. Blevins
Secretary

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

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

277-287

and on behalf of said corporation.

1988 277-208

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

My Commission Expires:
9-25-90

Nancy Shaw

NANCY SHAW
Notary Public
Resident of Madison County

043656

RECEIVED FOR RECORD
At 11:20 AM
Recorded in Book 277-208

OCT 10 1988

Geneva Harris
MADISON COUNTY RECORDER

PREPARED BY:

John M. Blevins, 2778-48
Attorney at Law
205 West 8th Street
Anderson, Indiana 46016
(317) 649-0201

22.00

Duty Entered for Taxation
Subject to Final Acceptance for Transfer

Handwritten signature
ALDERMAN Madison County,
Ind.

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

LIBER 277 PAGE 630

This Ninth Amendment to Enabling Declaration made this
24th day of ~~November~~, 1988, by College Park Condominiums, Ltd.,
an Indiana Limited Partnership, hereinafter referred to as
"Declarant," the sole owner in fee simple of certain real prop-
erty hereafter described, which property is referred to as the
"Annexed Property"

RECITALS:

WHEREAS, College Park Condominiums, a horizontal prop-
erty regime consisting of thirty-five (35) units, was created
on the 16th day of July, 1985, with College Park Condominiums,
~~and the Declaration there is entered by its parties~~
as a ~~horizontal~~ filed in the Office of the Recorder of Madison
County, Indiana, in Deed Record Book 625 at pages 627 through 703
inclusive, with Exhibit "A" thereto recorded in Plat Book 17 at
pages 26 and 27; first amended in Deed Record Book 255 at page
658 on November 25, 1985; amended in Deed Record Book 264 at page
642; amended in Deed Record Book 263 at page 144; amended in Deed
Record Book 264 at pages 124-132; amended in Deed Record Book 266
at pages 544-553; amended in Deed Record Book 267 at pages 247-257;
amended in Deed Record Book 271 at pages 601-611; and amended in
Deed Record Book 277 at pages 196-208; and

WHEREAS, in Item IX of such Enabling Declaration, the Declarant retained the right to amend said Enabling Declaration to increase the number of units in the Condominium by construction upon any part or all of certain real estate described in said Item IX and designated "Future Development;" and

WHEREAS, the Annexed Property above referred to is a part of and is situated within the Future Development, and the Declarant has constructed on said Annexed Property two (2) additional units in one (1) building which harmonize with the development of the original Condominium; and

WHEREAS, the Declarant desires to submit the Annexed Property to Condominium Ownership.

NOW, THEREFORE, the said Declarant hereby makes the following amendments to said Enabling Declaration:

1. The Annexed Property, the description of which appears on Exhibit "A" attached hereto and made a part hereof, is hereby incorporated into and made a part of the real property subject to said Enabling Declaration. All provisions of said Enabling Declaration as herein amended shall constitute covenants running with the land and shall be binding on this Declarant, its successors and assigns, and all subsequent Owners of all or any part of said Annexed Property and the improvements thereon, their grantees, successors, heirs, devisees, personal representatives, and assigns.

2. All references in the Enabling Declaration to thirty-five (35) Units are hereby changed to thirty-seven (37) Units.

3. Exhibit "B" attached hereto is a perimeter description of

UDR 277-631

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

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

C. Designation and Description of Units. The thirty-seven (37) individual Units hereby established are described as follows:

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

e. Unit E is located in Building 1 and is a

three bedroom, one story unit without basement.

The unit locations and dimensions in Building 1 are more particularly described in documents filed in Plat Book 17, pages 77-78, records of Madison County, State of Indiana.

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

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

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

The unit locations and dimensions in Building 2 are more particularly described in documents filed in Plat Book 17, pages 86-87, records of Madison County, State of Indiana.

The units shall be contained in a building designated Building 3 without basement and as follows:

a. Unit A is located in Building 3 and is a three bedroom, one story unit without basement.

b. Unit B is located in Building 3 and is a two bedroom, one story unit without basement.

277-633

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

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

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

The units shall be contained in a building designated as Building 4 without basement, and is follows:

a. Unit A is located in Building 4 and is a three-bedroom, one-story unit without basement.

b. Unit B is located in Building 4 and is a two-bedroom, one and one-half-story unit without basement.

c. Unit C is located in Building 4 and is a two-bedroom, one-story unit without basement.

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

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

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

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

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

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

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

The Unit locations and dimensions in Building 6-A are more particularly described in documents filed in Plat Book 18, pages 60-61, records of Madison County, Indiana.

7. The Units shall be contained in a building

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

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

The Unit locations and dimensions in Building 7-A are more particularly described in documents filed in Plat Book 18, pages 70, records of Madison County, Indiana.

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

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

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

9. The Units shall be contained in a building designated as Building 9 without basement and as follows:
 - a. Unit A is located in Building 9 and is a two-bedroom, one-story Unit without basement.
 - b. Unit B is located in Building 9 and is a two-bedroom, one and one-half story Unit without basement.
 - c. Unit C is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.
 - d. Unit D is located in Building 9 and is a three-bedroom, one and one-half story Unit without basement.

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

10. The Units shall be contained in a building designated as Building 10 without basement and as follows:
 - a. Unit A is located in Building 10 and is a three-bedroom, one-story Unit without basement.

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

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

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

D. Percentage Interest in Common Elements and Share of Common Expenses.

The undivided interest in the Common Elements hereby established, which shall be conveyed with each respective Unit, and which is also the proportional voting right of each Unit Owner and the Unit Owner's share of common expenses and common surplus, is based on the ratio of the Unit to the total number of all

Units of the condominium and reflecting a continuing total interest of one hundred percent (100%) for the entire Condominium. The individual Units have the following undivided interests:

TABLE OF UNIT SHARES

<u>Unit Identification</u>	<u>Share</u>
1-A	2.7027%
1-B	2.7027%
1-C	2.7027%
1-D	2.7027%
1-E	2.7027%
2-A	2.7027%
2-B	2.7027%
3-A	2.7027%
3-B	2.7027%
3-C	2.7027%
3-D	2.7027%
4-A	2.7027%
4-B	2.7027%
4-C	2.7027%
4-D	2.7027%
5-A	2.7027%
5-B	2.7027%
6-A.A	2.7027%
6-A.B	2.7027%
7-A.A	2.7027%
7-A.B	2.7027%
8-A	2.7027%
8-B	2.7027%
8-C	2.7027%
8-D	2.7027%
8-E	2.7027%
8-F	2.7027%
9-A	2.7027%
9-B	2.7027%
9-C	2.7027%
9-D	2.7027%
10-A	2.7027%
10-B	2.7027%
10-C	2.7027%
10-D	2.7027%
10-E	2.7027%
10-F	2.7027%

The above respective undivided interests established and to be conveyed with the respective Units as indicated above cannot be changed, except by amendment of this Declaration as

hereafter provided, and the Grantor, its successors and assigns, and its grantees covenant and agree that the undivided interests in the Common Elements and the fee titles to the respective Units conveyed therewith, shall not be separated nor separately conveyed, and each said undivided interest shall be deemed to be conveyed or encumbered with its respective Unit, even though the description in the instrument of conveyance or encumbrance may refer only to the fee title to the Unit.

6. Section II E. of the Enabling Declaration shall hereafter read as follows:
- E. Legal Description of Unit. The following shall be an adequate legal description of each Unit:

Unit _____ contained in Building _____ and all appurtenances thereto in College Park Condominiums Horizontal Property Regime as delineated in the Declaration recorded in the Office of the Madison County Recorder on July 16, 1985, in Book 625, pages 627 through 703 as amended by a First Amendment to Enabling Declaration recorded in said office on the 25th day of November, 1985, in Book 255 at page 658; further amended by a Second Amendment to Enabling Declaration recorded in said office on the 29th day of July, 1986, in Book 261 at page 642; further amended by a Third Amendment to Enabling Declaration recorded in said office on the 14th day of October, 1986, in Book 263 at pages 144-152; further amended by a Fourth Amendment to Enabling Declaration recorded in said office on the 2nd day of December, 1986, in Book 264 at pages 124-132; further amended by a Fifth Amendment to Enabling Declaration recorded in said office on the 10th day of April, 1987, in Book 266 at pages 544-553; further amended by a Sixth Amendment to Enabling Declaration recorded in said office on the 4th day of June, 1987, in Book 267 at pages 647-657; further amended by a Seventh Amendment to Enabling Declaration recorded in said office on the 1st day of December, 1987, in Book 271 at pages 601-611; further amended by an Eighth Amendment to Enabling Declaration recorded in said office on the 10th day of October, 1988, in Book 277 at pages 196-208; and further amended by a Ninth Amendment to Enabling Declaration recorded in said office on the _____ day of _____, 1988.

7. Attached hereto as Exhibit "C" and made a part hereof is a survey consisting of two (2) sheets as prepared by Harold E. Smith & Associates, such sheets being dated the 4th day of NOVEMBER, 1988. The Condominium Survey for College Park Condominiums Horizontal Property Regime shall hereafter consist of Exhibit "A" to the original Enabling Declaration; Exhibit "C" to the First Amendment to Enabling Declaration; Exhibit "C" to the Second Amendment to Enabling Declaration; Exhibit "C" to the Third Amendment to Enabling Declaration; Exhibit "C" to the Fourth Amendment to Enabling Declaration; Exhibit "C" to the Fifth Amendment to Enabling Declaration; Exhibit "C" to the Sixth Amendment to Enabling Declaration; and Exhibit "C" to the Seventh Amendment to Enabling Declaration; and Exhibit "C" to the Eighth Amendment to Enabling Declaration, and Exhibit "C" to this Ninth Amendment to Enabling Declaration.

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

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

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

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

John M. Blevins
By: John M. Blevins
President

SECRET:

John M. Blevins
John M. Blevins
Secretary

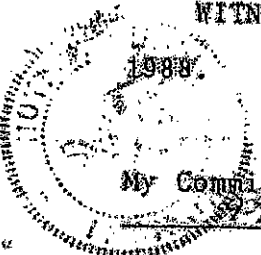
BOOK 277 PAGE 641

STATE OF INDIANA)
) SS:
COUNTY OF MADISON)

LIBER 277 PAGE 642

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

WITNESS my hand and notarial seal this 9th day of November,



My Commission Expires:
11-25-90

Nancy Shaw
NANCY SHAW
Notary Public
Resident of Madison County

045430

RECEIVED FOR RECORD
At 1:50 o'clock P.M.
Recorded in Book 200 - 630-642

NOV 9 1988

Herbert H. Hines
MADISON COUNTY RECORDER

PREPARED BY:

John M. Blevins, 2775-48
Attorney at Law
205 West 8th Street
Anderson, Indiana 46016
(317) 649-9201