

3500
11
400 more

Instrument
9809866217

9809866217
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 11-18-1998 At 03:07 pm.
DEC COV RES 35.00

Cross Reference:
Instrument No. 9809803531; Instrument No. 9809807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;

SIXTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES

THIS SIXTH SUPPLEMENTAL DECLARATION, made this 13th day of November, 1998, by CJB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the



"By-Laws");

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 7 ("Tract 7") in Exhibit "A", attached hereto and incorporated herein and Tract 7 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Courtyard Lakes into Tract 7 have been met and Declarant, by execution of this Sixth Supplemental Declaration, desires to subject Tract 7 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Sixth Supplemental Declaration shall mean the following:

"Tract 7 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 7), as prepared and certified by Brian S. Tierney, a licensed professional engineer, under date of November 12, 1998, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

CHICAGO TITLE
2

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 7 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 7 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units each on Tract 7 as of the date hereof, as shown on the Tract 7 Plans (the "Tract 7 Plans"). Such Building is identified on the Tract 7 Plans as Building 9. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 7 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 6 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Sixth Supplemental Declaration were recorded on the 17th day of November, 1998, in the Office of the Recorder of Hamilton County, Indiana as Document No. 8866217.

CHICAGO TITLE

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT:

CJB FISHERS, L.L.C., an Indiana Limited Liability Company

BY: [Signature]
Charles J. Burnworth, Managing Member

STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared Charles J. Burnworth, who being first duly sworn by me upon his oath, stated that he is the Managing Member of CJB FISHERS, L.L.C., an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 13th day of NOVEMBER, 1998.

My Commission Expires:
12/8/1998

[Signature]
ROBERT WORDINGER, Notary Public
My County of Residence:
Delaware



CHICAGO TITLE
This Instrument prepared by Ms. Bryn P. Massey, Director of Condominium Operations, CJB Enterprises, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.
4

EXHIBIT "A"

(Perimeter Legal Description of "Tract 7" to consisting of Building "9")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northeast Corner of said section, marked with a Harrison Monument; Thence South 89 degrees 43 minutes 44 seconds West (assumed bearing) along the North Line of said section 805.86 feet to the Northwest Corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, Page 149 in the Office of the Recorder of Hamilton County, Indiana; Thence South 00 degrees 00 minutes 00 seconds East 1527.17 feet along the West Line of said Timber Lane Estates and the West Line of Whitmire Glen as per plat thereof recorded in Plat Cabinet 1, Slide 42 in the Office of the Recorder of said county to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, Pages 149-150, in the Office of the Recorder of said county, said point being on the North Line of the South Half of the Northeast Quarter of said section; Thence South 89 degrees 31 minutes 32 seconds West along said North Line thereof 547.11 feet; Thence South 00 degrees 11 minutes 58 seconds East 725.75 feet; Thence North 90 degrees 00 minutes 00 seconds West 314.54 feet to the POINT OF BEGINNING; Thence continuing North 90 degrees 00 minutes 00 seconds West 315.46 feet; Thence North 00 degrees 11 minutes 58 seconds West 131.79 feet; Thence South 90 degrees 00 minutes 00 seconds East 315.00 feet; Thence South 00 degrees 11 minutes 58 seconds East 130.69 feet to the POINT OF BEGINNING, containing 0.954 acres, more or less. Subject to any legal easements, highways and rights-of-way of record.



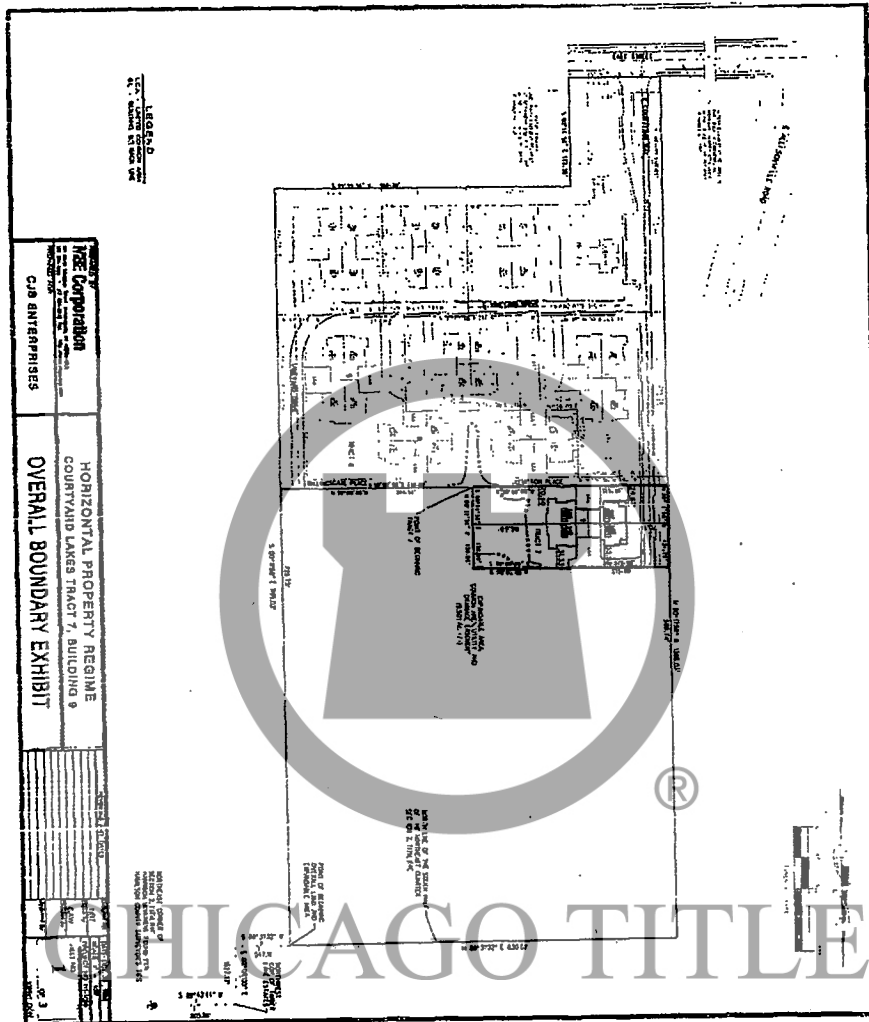
CHICAGO TITLE

EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 7" as certified by project Engineer)



CHICAGO TITLE

BEST POSSIBLE IMAGE
ALL PAGES



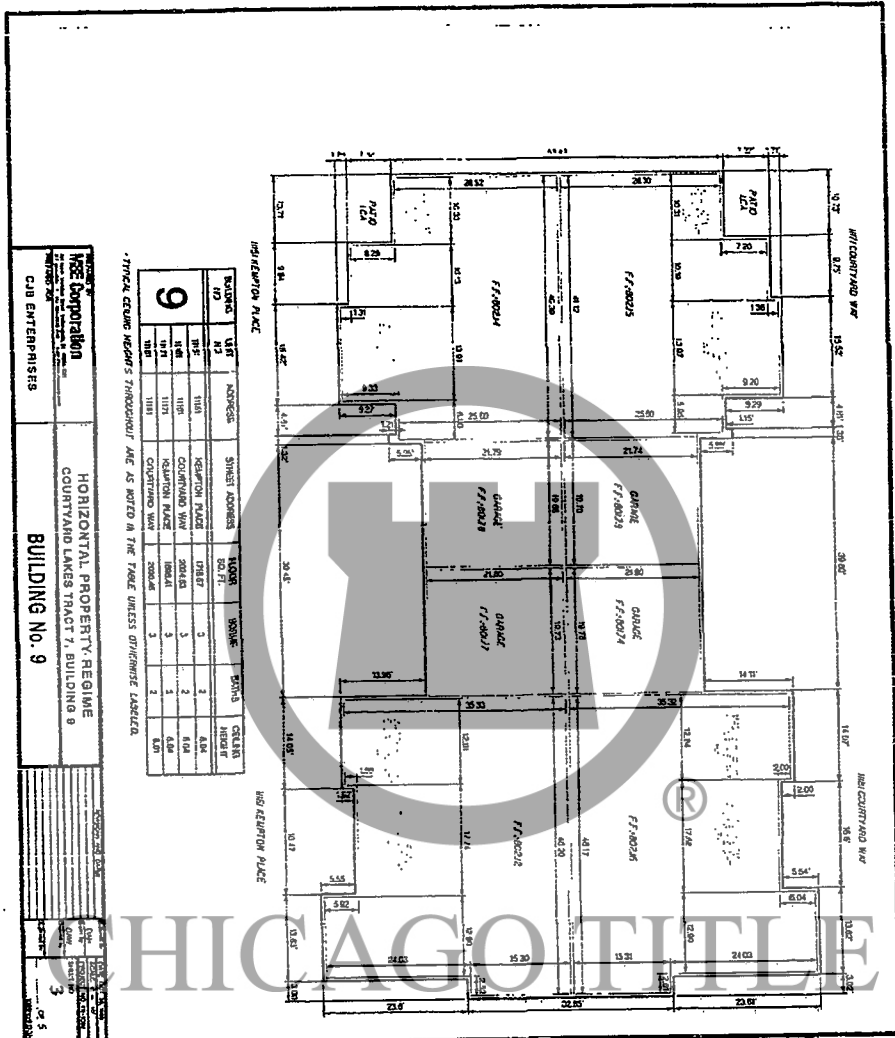


EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 2.44% as of the date of this Sixth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

39.00
14

Instrument
9809822380

9809822380
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 04-30-1998 At 09:55 am.
DEC COV RES 39.00

Cross Reference:

Instrument No. 9809803531; Instrument No. 98099807599; Instrument No. 9809818475

THIRD SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES

THIS THIRD SUPPLEMENTAL DECLARATION, made this 28 day of
April, 1998, by CJB FISHERS, L.L.C., an Indiana limited liability
company (the "Declarant"),

RECITALS

A. As of January 5, 1998, Declarant executed a certain
Declaration of Condominium Ownership of Courtyard Lakes, filed of
record in the Office of the Recorder of Hamilton County, Indiana on
January 23, 1998 as Instrument No. 9809803531; as amended by that
certain First Supplemental Declaration of Condominium Ownership of
Courtyard Lakes dated February 9, 1998 and recorded of record in
the Office of the Recorder of Hamilton County, Indiana on February
18, 1998 as Instrument No. 9809807599; as further amended by that
certain Second Supplemental Declaration of Condominium Ownership of
Courtyard Lakes dated March 30, 1998 and recorded of record in the
Office of the Recorder of Hamilton County, Indiana on April 13,
1998 as Instrument No. 9809818475; (as amended, the "Declaration"),
which Declaration incorporates by reference the Articles of
Incorporation of Courtyard Lakes Owners Association, Inc. (the
"Articles") and the Code of By-Laws of Courtyard Lakes and
Courtyard Lakes Owners Association, Inc. (the "By-Laws");

CHICAGO¹ TITLE

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 4 ("Tract 4") in Exhibit "A", attached hereto and incorporated herein and Tract 4 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Courtyard Lakes into Tract 4 have been met and Declarant, by execution of this Third Supplemental Declaration, desires to subject Tract 4 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Third Supplemental Declaration shall mean the following:

"Tract 4 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Building and Condominium Units located on Tract 4), as prepared and certified by Michael D. Little, a licensed professional engineer, under date of April 20, 1998, copies of which are attached as

CHICAGO TITLE

Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 4 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 4 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units on Tract 4 as of the date hereof, as shown on the Tract 4 Plans (the "Tract 4 Plans"). Such Building is identified on the Tract 4 Plans as Building 3. A description of the Building and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 4 Plans shall be deemed part of the Plans as defined in the Declaration.

CHICAGO TITLE

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.



5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract & Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Third Supplemental Declaration were recorded on the 30th day of April, 1998, in the Office of the Recorder of Hamilton County, Indiana as Document No. 9822379.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT:

CJB FISHERS, L.L.C.

BY: Charles J. Bynworth  
Charles J. Bynworth, Managing Member

PLEASE SEE ACKNOWLEDGMENT - NEXT PAGE

CHICAGO TITLE

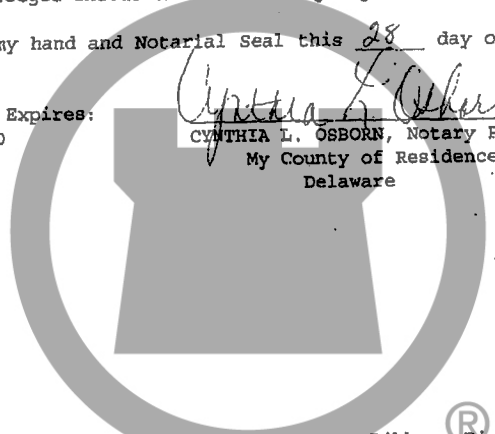
STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared **Charles J. Burnworth**, who being first duly sworn by me upon his oath, stated that he is the **Managing Member of CJB FISHERS, L.L.C.**, an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 28 day of APRIL, 1998.

My Commission Expires:
8/19/2000

Cynthia L. Osborn
CYNTHIA L. OSBORN, Notary Public
My County of Residence:
Delaware



This Instrument prepared by Ms. Eryn Massey-Bibbee, [®] Director of Condominium Operations, CJB Enterprises, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.

CHICAGO TITLE

EXHIBIT "A"

(Perimeter Legal Description of "Tract 4" to consist of Building "3")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

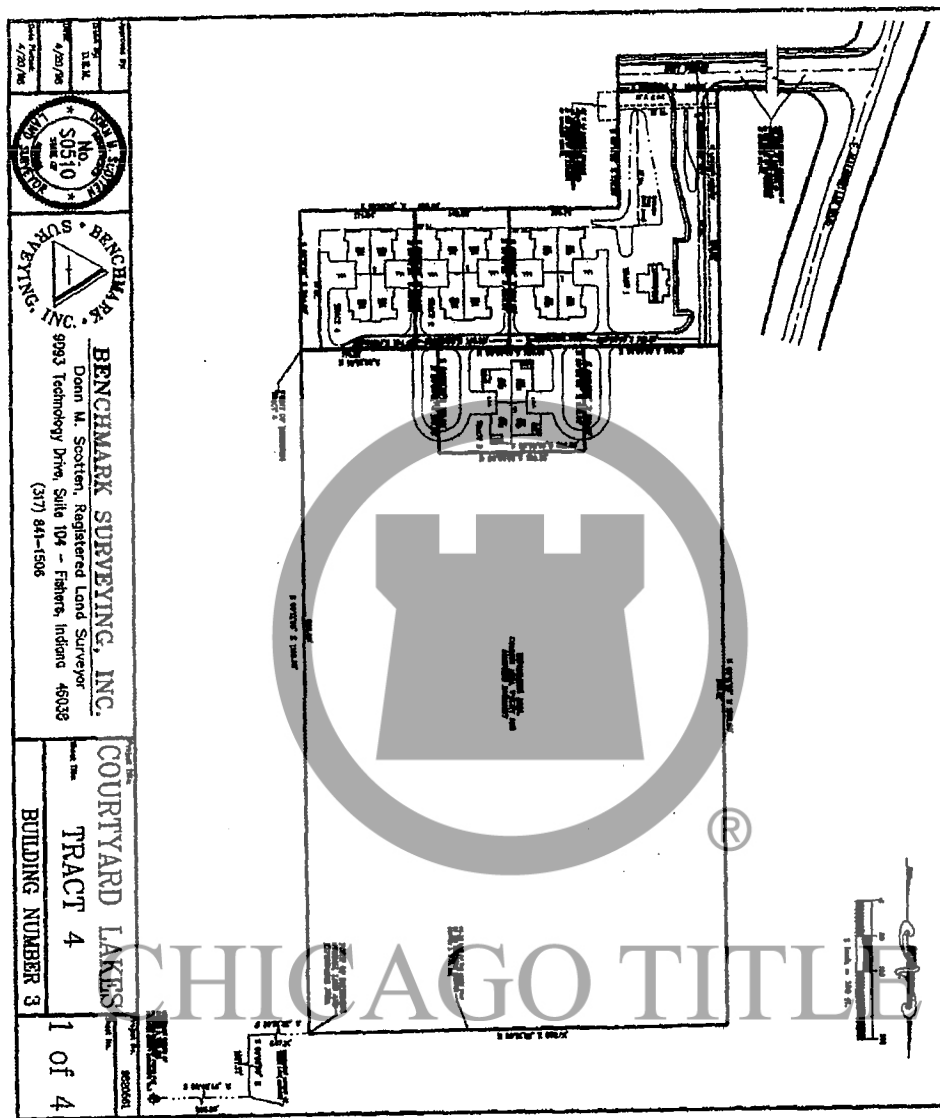
Commencing at the Northeast Corner of said section, marked with a Harrison Monument; Thence South 89 degrees 43 minutes 44 seconds West (assumed bearing) along the North Line of said section 805.86 feet to the Northwest Corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, Page 149 in the Office of the Recorder of Hamilton County, Indiana; Thence South 00 degrees 00 minutes 00 seconds East 1527.17 feet along the West Line of said Timber Lane Estates and the West Line of Whitmire Glen as per plat thereof recorded in Plat Cabinet 1, Slide 42 in the Office of the Recorder of said county to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, Pages 149-150, in the Office of the Recorder of said county, said point being on the North Line of the South Half of the Northeast Quarter of said section; Thence South 89 degrees 31 minutes 32 seconds West along said North Line thereof 547.11 feet; Thence South 00 degrees 11 minutes 58 seconds East 995.03 feet to the POINT OF BEGINNING; Thence continuing South 00 degrees 11 minutes 58 seconds East 204.00 feet; Thence South 89 degrees 55 minutes 56 seconds West 174.84 feet; Thence North 00 degrees 00 minutes 00 seconds East 204.37 feet; Thence South 90 degrees 00 minutes 00 seconds East 174.13 feet to the POINT OF BEGINNING, containing 0.818 acres, more or less. Subject to any legal easements, highways and rights-of-way of record.

CHICAGO TITLE

EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 4" as certified
by project Engineer)



CHICAGO TITLE



BENCHMARK SURVEYING, INC.
 Donn M. Scottem, Registered Land Surveyor
 9093 Technology Drive, Suite 104 - Fishers, Indiana 46038
 (317) 841-1506

BENCHMARK SURVEYING, INC.
 No. 50510
 ILL. LAND SURVEYOR

COURT YARD LAKES
 TRACT 4
 BUILDING NUMBER 3

1 of 4

STRUCTURE DATA TABLE

BUILDING NO.	UNIT NO.	ADDRESS	STREET ADDRESS	FLOOR SQ. FT.	BRIMS	BATHS
3	7473	7473	WANTWAD DRIVE	1603	3	2
	7475	7475	WANTWAD DRIVE	1503	3	2
	7482	7482	WANTWAD DRIVE	1433	2	2
	7481	7481	WANTWAD DRIVE	1598	3	2
	7483	7483	WANTWAD DRIVE	1433	2	2
	7484	7484	WANTWAD DRIVE	1598	3	2

BUILDING NUMBER 3

State - Illinois
 City - Chicago
 Plat - 100
 Ord. No. - 82224

Michael D. Little, P.E.
 Registered Professional Engineer
 License Number 21232

State of Illinois
 County of Cook
 Michael D. Little, P.E.

BENCHMARK SURVEYING, INC.
 Don M. Scotten, Registered Land Surveyor
 9083 Technology Drive, Suite 104 - Fishers, Indiana 46038
 (317) 841-1506

COURTYARD LAKES TRACT 4
 BUILDING NUMBER 3

4 of 4

EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 6.25% as of the date of this Third Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 4, as defined in the above and foregoing Declaration, which mortgage was dated March 5, 1997, and recorded in the Office of the Recorder of Hamilton County, Indiana on March 18, 1997, as Instrument No. 97-09960 (the "Mortgage"), hereby consents to the recording of the above and foregoing Third Supplemental Declaration and the submission of Tract 4 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 26th day of April, 1998.

GENEVA LEASING ASSOCIATES, INC.

By: [Signature]
 Printed: Dmy F. Skde ®
 Title: [Signature]

PLEASE SEE ACKNOWLEDGMENT - NEXT PAGE

CHICAGO TITLE

STATE OF ILLINOIS)
) SS:
COUNTY OF Kane)

Before me, a Notary Public in and for said County and State,
personally appeared John F. Slade, known to me to be the
Vice President of Geneva Leasing Associates, Inc., and
acknowledged the execution of the foregoing for and on behalf of
said Bank.

Witness my hand and Notarial Seal, this 29th day of
April, 1998.

My County of Residence: Kane
Kathryn A. Dettke
Notary Public - Signature
Kathryn A. Dettke
Notary Public - Printed

My Commission Expires:
6-28-00



CHICAGO TITLE

39.00
(13)
1.00 on file

~~9809846675~~

9809846675
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 08-20-1998 At 11:37 a.m.
DEC COV RES 39.00

Cross Reference:
Instrument No. 9809803531; Instrument No. 9809807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851

**FIFTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES**

THIS FIFTH SUPPLEMENTAL DECLARATION, made this 17 day of August, 1998,
by CJB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 6 ("Tract 6") in Exhibit "A", attached hereto and incorporated herein

CHICAGO TITLE

and Tract 6 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Courtyard Lakes into Tract 6 have been met and Declarant, by execution of this Fifth Supplemental Declaration, desires to subject Tract 6 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Fifth Supplemental Declaration shall mean the following:

"Tract 6 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 6), as prepared and certified by Brian S. Tierney, a licensed professional engineer, under date of August 14, 1998, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 6 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 6 and all such Condominium Units, Buildings, Common Areas and Limited Areas

CHICAGO TITLE

located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There are three (3) Buildings containing four (4) Condominium Units each on Tract 6 as of the date hereof, as shown on the Tract 6 Plans (the "Tract 6 Plans"). Such Buildings are identified on the Tract 6 Plans as Building 6, Building 7 and Building 8. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 6 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 6 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Fifth Supplemental Declaration were recorded on the 20th day of August, 1998, in the Office of the Recorder of Hamilton County, Indiana as Document No. 9009846676 JR.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT:

CJB FISHERS, L.L.C. ®
BY: *[Signature]*
Charles J. Burdworth, Managing Member

PLEASE SEE ACKNOWLEDGEMENT - NEXT PAGE
CHICAGO TITLE

STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared **Charles J. Burnworth**, who being first duly sworn by me upon his oath, stated that he is the **Managing Member of CJB FISHERS, L.L.C.**, an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 17 day of AUGUST, 1998.

My Commission Expires:
12/8/1998


ROBERT WORDINGER, Notary Public

My County of Residence:
Delaware



This Instrument prepared by Ms. **Eryn Massey-Bibbee**, Director of Condominium Operations, CJB Enterprises, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.

CHICAGO TITLE

EXHIBIT "A"

(Perimeter Legal Description of "Tract 6" to consist of Buildings "6", "7" and "8")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northeast Corner of said section, marked with a Harrison Monument; Thence South 89 degrees 43 minutes 44 seconds West (assumed bearing) along the North Line of said section 805.86 feet to the Northwest Corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, Page 149 in the Office of the Recorder of Hamilton County, Indiana; Thence South 00 degrees 00 minutes 00 seconds East 1527.17 feet along the West Line of said Timber Lane Estates and the West Line of Whitmire Glen as per plat thereof recorded in Plat Cabinet 1, Slide 42 in the Office of the Recorder of said county to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, Pages 149-150, in the Office of the Recorder of said county, said point being on the North Line of the South Half of the Northeast Quarter of said section; Thence South 89 degrees 31 minutes 32 seconds West along said North Line thereof 547.11 feet; Thence South 00 degrees 11 minutes 58 seconds East 725.75 feet to the POINT OF BEGINNING; Thence continuing South 00 degrees 11 minutes 58 seconds East 269.28 feet; Thence North 90 degrees 00 minutes 00 seconds West 207.96 feet; Thence North 00 degrees 00 minutes 00 seconds West 150.00 feet; Thence North 90 degrees 00 minutes 00 seconds West 276.85 feet; Thence North 00 degrees 00 minutes 00 seconds East 105.28 feet; Thence North 90 degrees 00 minutes 00 seconds West 146.08 feet; Thence North 00 degrees 11 minutes 58 seconds West 14.00 feet; Thence North 90 degrees 00 minutes 00 seconds East 630.00 feet to the POINT OF BEGINNING, containing 2.088 acres, more or less. Subject to any legal easements, highways and rights-of-way of record.

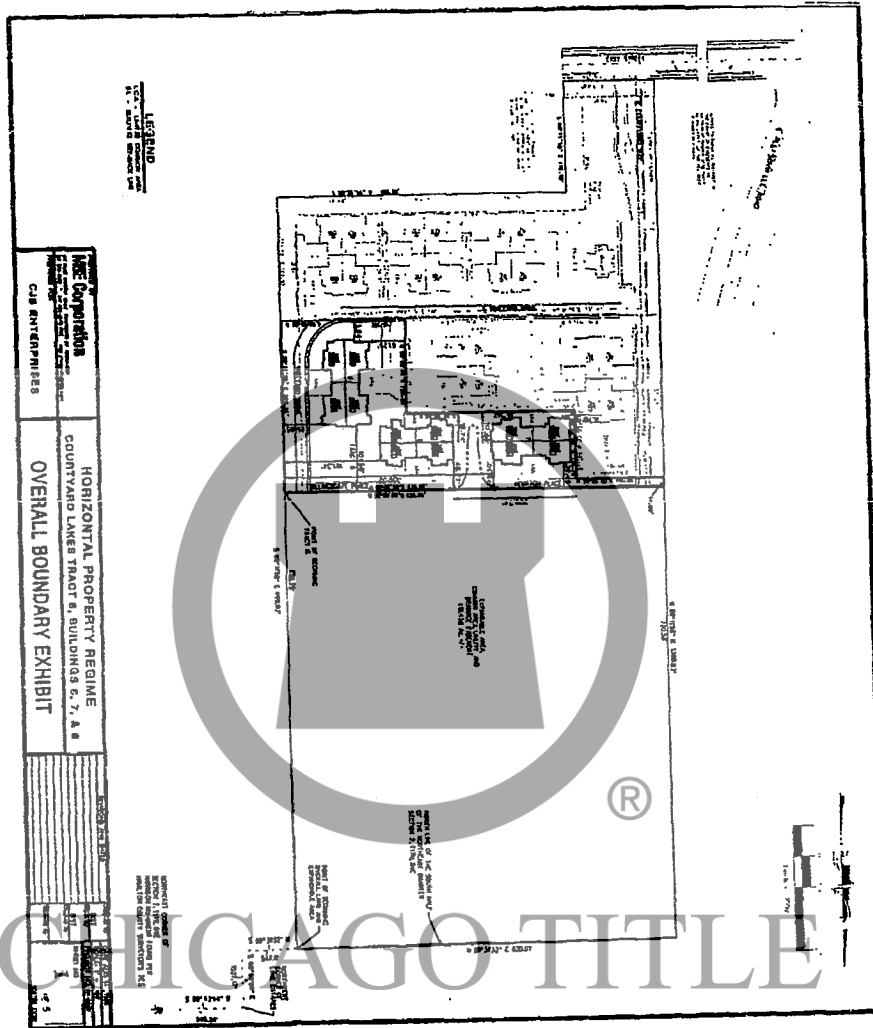


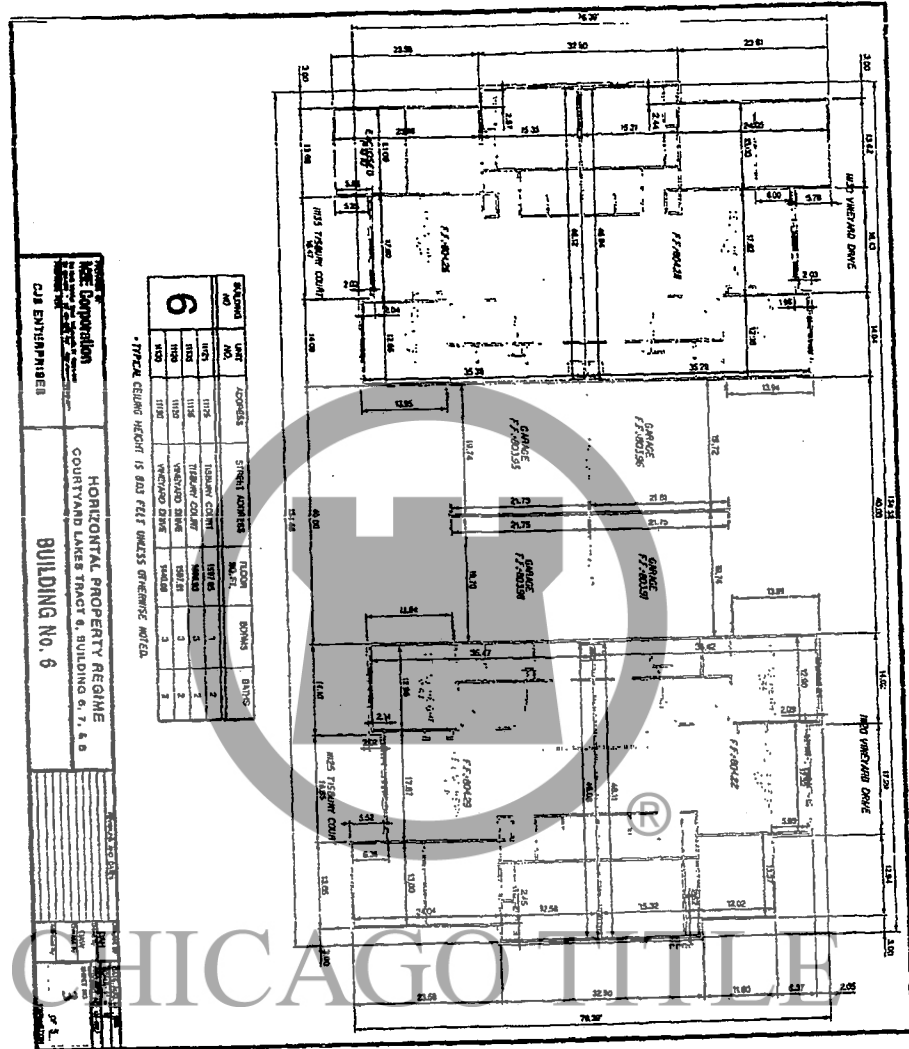
CHICAGO TITLE

EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 6" as certified by project Engineer)



CHICAGO TITLE

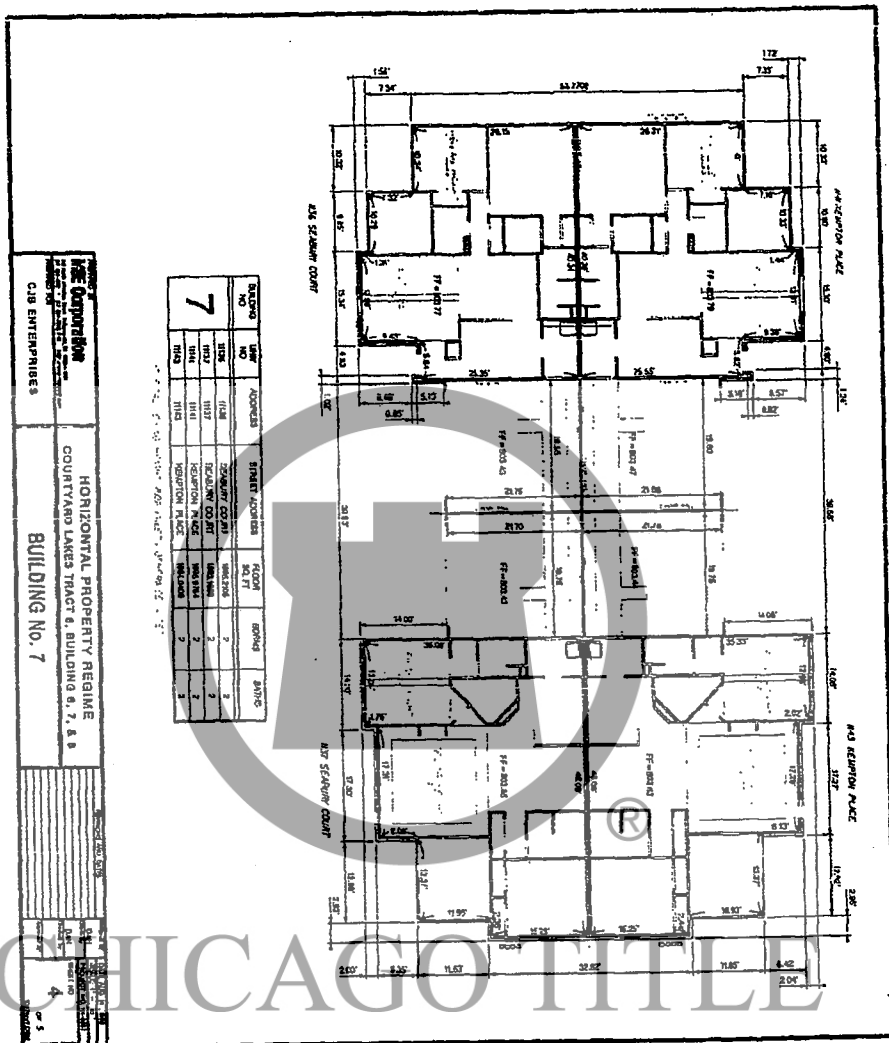




6

Horizontal Property Regime
 Courtyard Lakes Tract 8, Building 6, 7, 8 & 9

CHICAGO TITLE



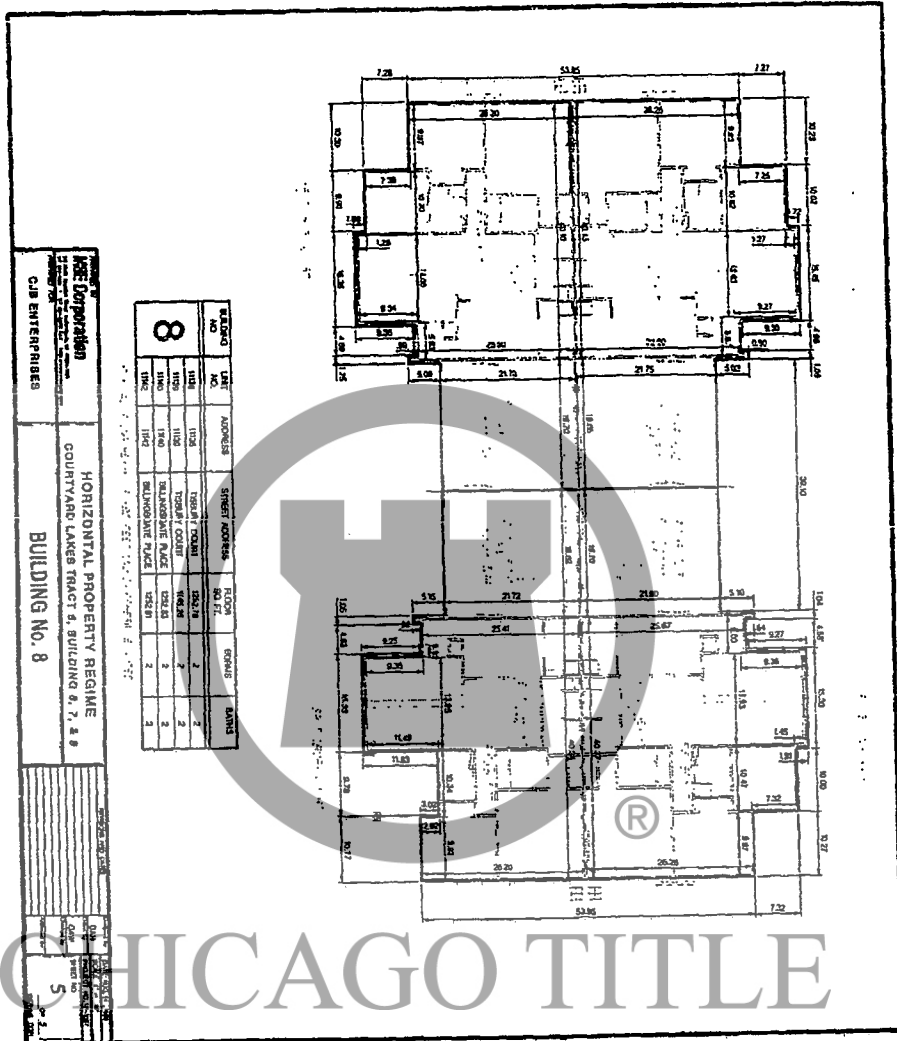


EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 2.75% as of the date of this Fifth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

31.00
(11)

Instrument 980971789
9809871789 Filed for Record in
HAMILTON COUNTY, INDIANA
HENRY L CLARK
On 12-14-1998 At 11:47 am.
DEC COV RES 31.00

Cross Reference:
Instrument No. 9809803531; Instrument No. 9809807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;
Instrument No. 9809866227;

SEVENTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES

THIS SEVENTH SUPPLEMENTAL DECLARATION, made this 7 day of December,
1998, by CWB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

- A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership

of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws").

- H Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime.
- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 2 ("Tract 2") in Exhibit "A", attached hereto and incorporated herein and Tract 8 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 8 have been met and Declarant, by execution of this Seventh Supplemental Declaration, desires to subject Tract 8 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Seventh Supplemental Declaration shall mean the following:

"Tract 8 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 8), as prepared and certified by Brian S. Tierney, a licensed professional engineer, under date of December 3, 1998, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and

amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration)

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 8 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 8 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units each on Tract 8 as of the date hereof, as shown on the Tract 8 Plans (the "Tract 8 Plans"). Such Building is identified on the Tract 8 Plans as Building 11. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 8 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

EXHIBIT "A"**(Perimeter Legal Description of "Tract 8" to consisting of Building "11")**

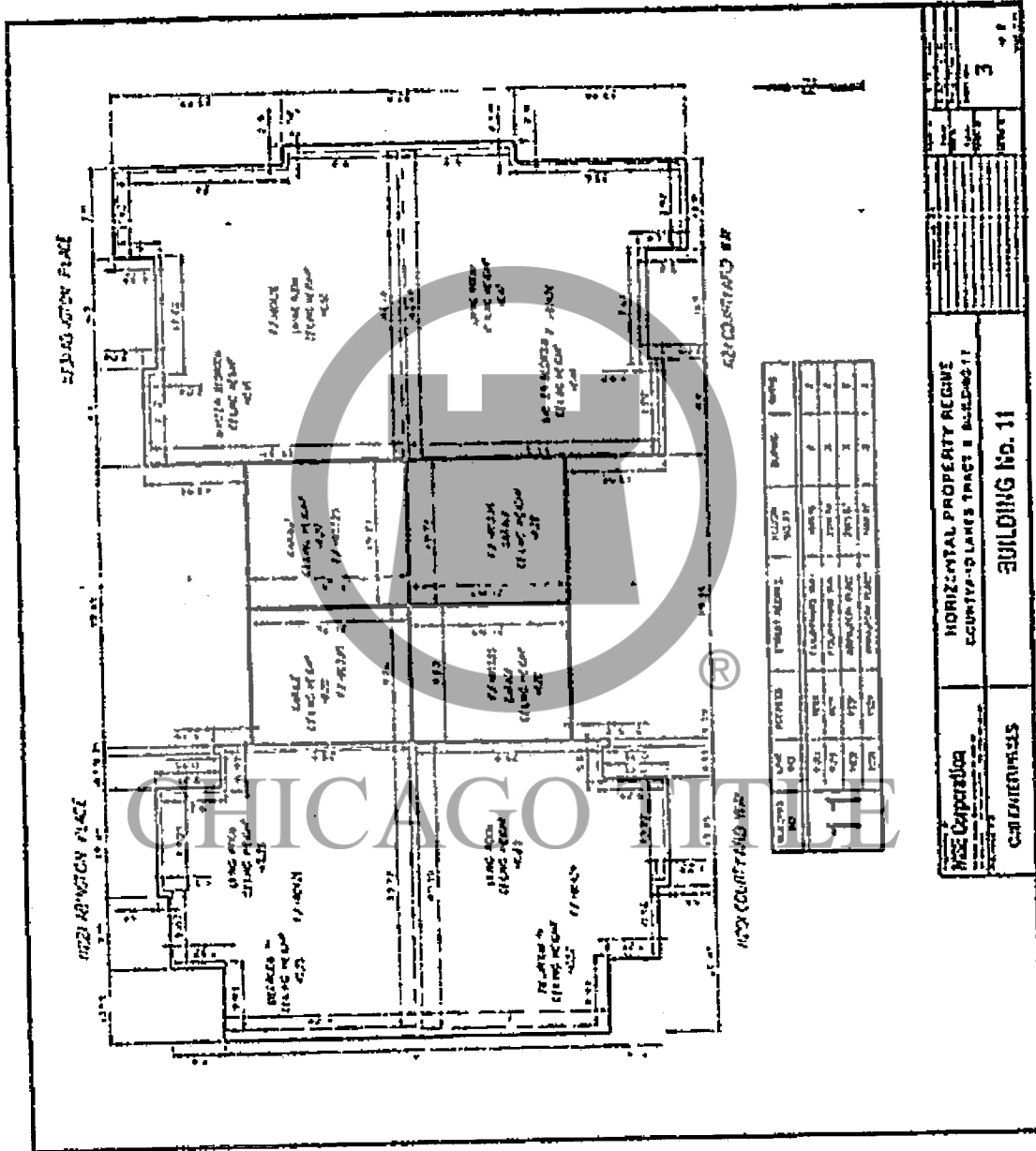
A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northeast Corner of said section, marked with a Harrison Monument; Thence South 89 degrees 43 minutes 44 seconds West (assumed bearing) along the North Line of said section 805.86 feet to the Northwest Corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, Page 149 in the Office of the Recorder of Hamilton County, Indiana; Thence South 00 degrees 00 minutes 00 seconds East 1527.17 feet along the West Line of said Timber Lane Estates and the West Line of Whitmire Glen as per plat thereof recorded in Plat Cabinet 1, Slide 42 in the Office of the Recorder of said County to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, Pages 149-150 in the Office of the Recorder of said County, said point being on the North Line of the South Half of the Northeast Quarter of said section; Thence South 89 degrees 31 minutes 32 seconds West along said North Line thereof 547.11 feet; Thence South 00 degrees 11 minutes 58 seconds East 725.75 feet; Thence North 90 degrees 00 minutes 00 seconds West 314.54 feet; thence North 00 degrees 11 minutes 58 seconds west 130.69 feet; thence North 90 degrees 00 minutes 00 seconds West 71.20 feet to the POINT OF BEGINNING; Thence continuing North 90 degrees 00 minutes 00 seconds West 244.25 feet; thence North 00 degrees 11 minutes 58 seconds West 131.50 feet; Thence South 90 degrees 00 minutes 00 seconds East 244.25 feet; Thence South 00 degrees 11 minutes 58 seconds East 131.50 feet to the POINT OF BEGINNING, containing 0.737 acres, more or less, subject to any legal easements, highway and rights-of-way of record.

EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 6" as certified by project Engineer)



CHICAGO TITLE



12/10/1998 15192 17692064023

CJM ENTERPRISES

PAGE 02/02

EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 2.20% as of the date of this Seventh Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

12/10/1998 15:50

17652064023

CJB EN15071526

PAGE 02/02

CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 8, as defined in the above and foregoing Declaration, which mortgage was dated March 5, 1997, and recorded in the Office of the Recorder of Hamilton County, Indiana on March 19, 1997, as Instrument No 97-09960 (the "Mortgage"), hereby consents to the recording of the above and foregoing Seventh Supplemental Declaration and the submission of Tract 8 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expendable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 10th day of December, 1998.

GENEVA LEASING ASSOCIATES, INC.

By: [Signature]
 Printed: John F. Slade ®
 Title: V.P.

STATE OF ILLINOIS)
) SS:
 COUNTY OF Kane)

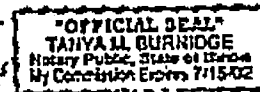
Before me, a Notary Public in and for said County and State, personally appeared John F. Slade, known to me to be the Vice President of Geneva Leasing Associates, Inc., and acknowledged the execution of the foregoing for and on behalf of said Bank.

Witness my hand and Notarial Seal, this 11th day of December, 1998.

My County of Residence: Kane

My Commission Expires: 12-15-02

[Signature]
 Notary Public - Signature
Tanya H. Burnidge
 Notary Public - Printed



38.00
①④

Instrument
9809818475

9809818475
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 04-13-1998 At 09:55 az.
DEC COV RES 38.00

Cross Reference: Instrument No. 9809803531; Instrument No. 9809807599

**SECOND SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES**

THIS SECOND SUPPLEMENTAL DECLARATION, made this 30th day of March, 1998, by CJB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 3

CHICAGO TITLE

("Tract 3") in Exhibit "A", attached hereto and incorporated herein and Tract 3 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Courtyard Lakes into Tract 3 have been met and Declarant, by execution of this Second Supplemental Declaration, desires to subject Tract 3 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Second Supplemental Declaration shall mean the following:

"Tract 3 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Building and Condominium Units located on Tract 3), as prepared and certified by Michael D. Little, a licensed professional engineer, under date of March 18, 1998, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

CHICAGO TITLE

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 3 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 3 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units on Tract 3 as of the date hereof, as shown on the Tract 3 Plans (the "Tract 3 Plans"). Such Building is identified on the Tract 3 Plans as Building 5. A description of the Building and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 3 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "B" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

CHICAGO TITLE

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 3 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Second Supplemental Declaration were recorded on the 13TH day of April, 1998, in the Office of the Recorder of Hamilton County, Indiana as Document No. 9809818474.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT:

CJB FISHERS, L.L.C.

BY: [Signature]
Charles J. Burnworth, Managing Member

PLEASE SEE ACKNOWLEDGMENT - NEXT PAGE [®]

CHICAGO TITLE

STATE OF INDIANA)
)ss:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared **Charles J. Burnworth**, who being first duly sworn by me upon his oath, stated that he is the **Managing Member of CJB FISHERS, L.L.C.**, an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 30th day of MARCH, 1998.

My Commission Expires: 8/19/2000

Cynthia L. Osborn
CYNTHIA L. OSBORN, Notary Public
My County of Residence: Delaware

This Instrument prepared by Ms. Bryn Massey-Bibbee, Director of Condominium Operations, CJB Enterprises, 3417 West Bethel Avenue, Suite "B", Muncie, Indiana 47304, (765) 286-4444.

CHICAGO TITLE

EXHIBIT "A"

(Perimeter Legal Description of "Tract 3" to consist of Building "5")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

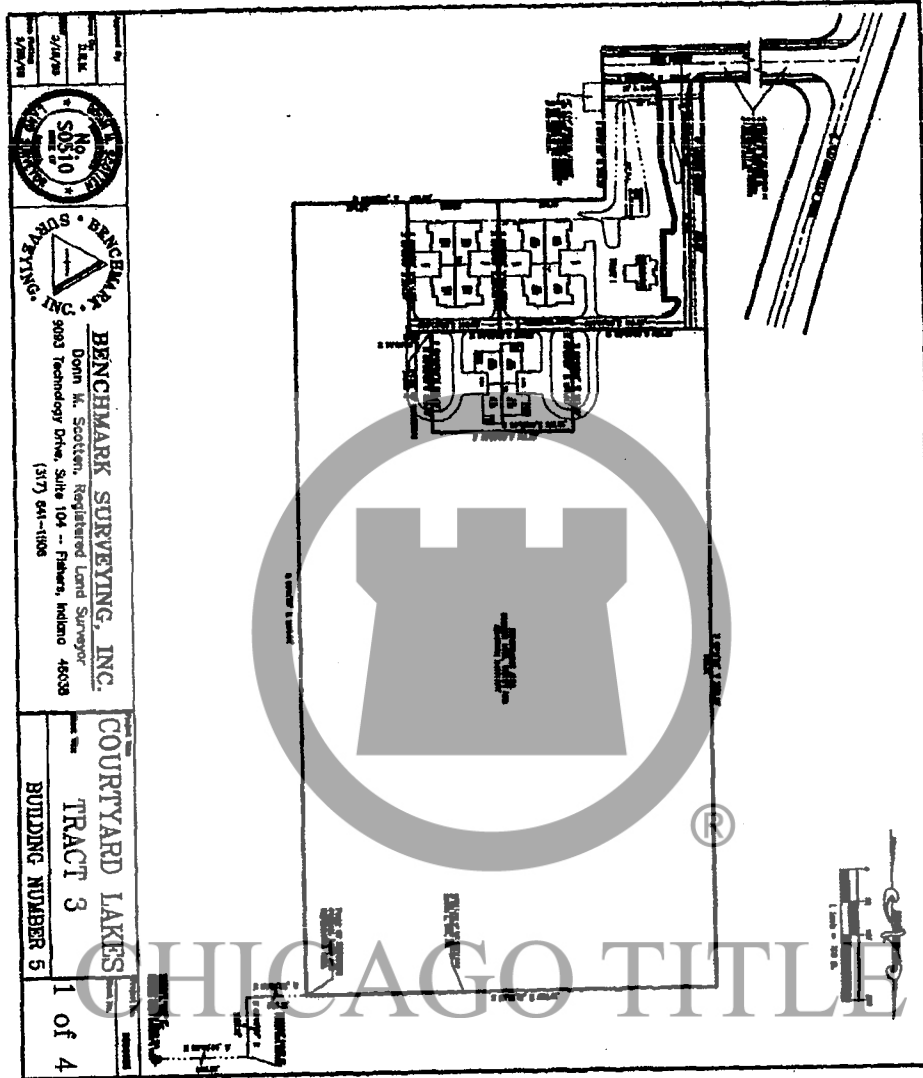
Commencing at the Northeast Corner of said section, marked with a Harrison Monument; Thence South 89 degrees 43 minutes 44 seconds West (assumed bearing) along the North Line of said section 805.86 feet to the Northwest Corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, Page 149 in the Office of the Recorder of Hamilton County, Indiana; Thence South 00 degrees 00 minutes 00 seconds East 1527.17 feet along the West Line of said Timber Lane Estates and the West Line of Whitire Glen as per plat thereof recorded in Plat Cabinet 1, Slide 42 in the Office of the Recorder of said county to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, Pages 149-150, in the Office of the Recorder of said county, said point being on the North Line of the South Half of the Northeast Quarter of said section; Thence South 89 degrees 31 minutes 32 seconds West along said North Line thereof 547.11 feet; Thence South 00 degrees 11 minutes 58 seconds East 1199.03 feet; Thence South 89 degrees 55 minutes 56 seconds West 174.84 feet; Thence North 00 degrees 00 minutes 00 seconds East 204.37 feet; Thence North 90 degrees 00 minutes 00 seconds West 33.83 feet to the POINT OF BEGINNING; Thence continuing North 90 degrees 00 minutes 00 seconds West 216.85 feet; Thence North 00 degrees 00 minutes 00 seconds East 150.00 feet; Thence South 90 degrees 00 minutes 00 seconds East 216.85 feet; Thence South 00 degrees 00 minutes 00 seconds East 150.00 feet to the POINT OF BEGINNING, containing 0.747 acres, more or less. Subject to any legal easements, highways and rights-of-way of record.

CHICAGO TITLE

EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 3" as certified
by project Engineer)

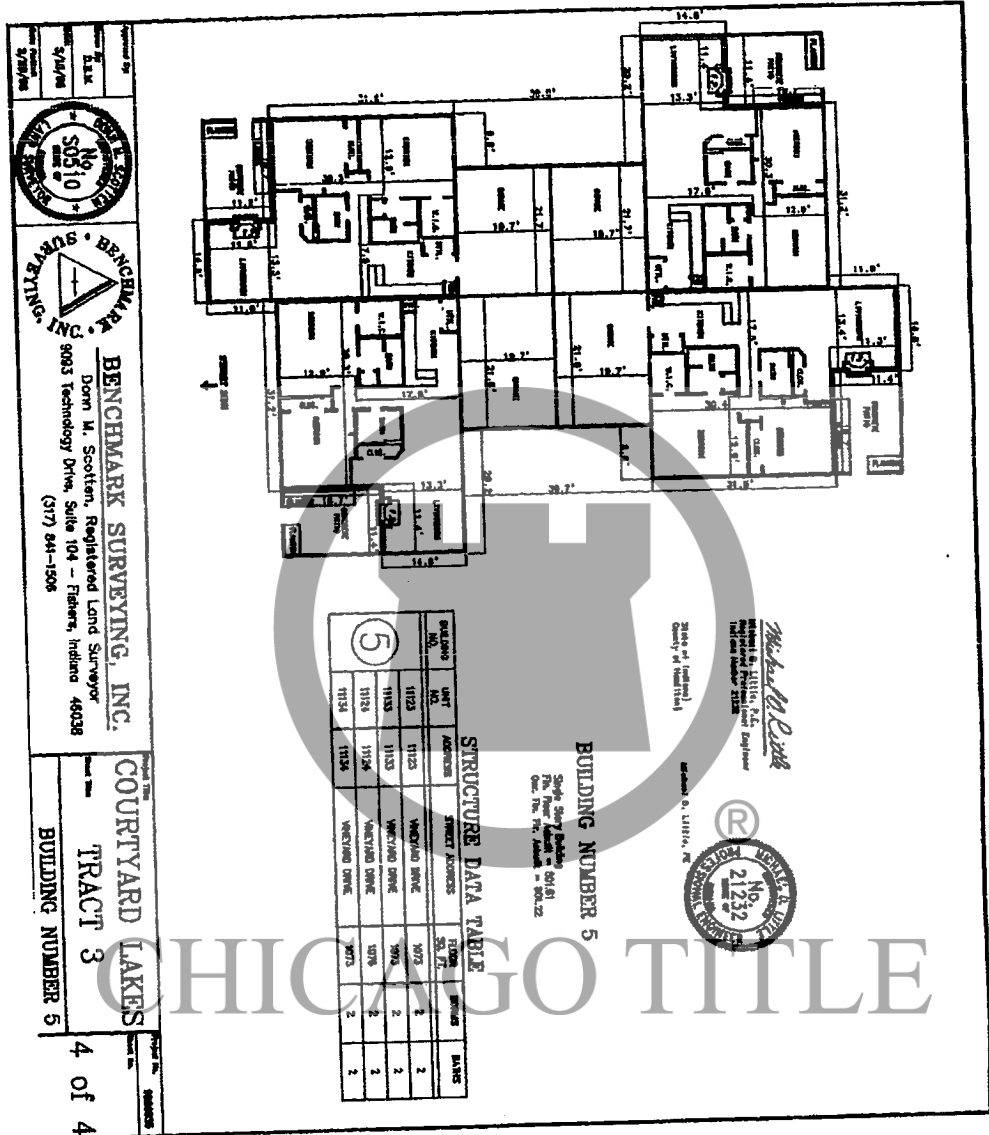


CHICAGO TITLE



No. 50510
 BENCHMARK SURVEYING, INC.
 Doreen K. Scadden, Registered Land Surveyor
 3083 Technology Drive, Suite 104 - Fishers, Indiana 46038
 (317) 841-1100
 COURTYARD LAKES TRACT 3
 BUILDING NUMBER 5
 1 of 4

BEST POSSIBLE IMAGE
ALL PAGES



5

BUILDING NO.	UNIT NO.	ADDRESS	STREET ADDRESS	FLOOR	STORY	BANK
1123	1123	WINDYBROOK DRIVE	WINDYBROOK DRIVE	2ND	2	2
1123	1123	WINDYBROOK DRIVE	WINDYBROOK DRIVE	2ND	2	2
1123	1123	WINDYBROOK DRIVE	WINDYBROOK DRIVE	2ND	2	2
1123	1123	WINDYBROOK DRIVE	WINDYBROOK DRIVE	2ND	2	2

BUILDING NUMBER 5
 Single Story Building
 Scale: 1/8" = 1'-0"
 Date: 11/11/08

Michael M. Pyle
 Registered Professional Engineer
 License Number 21232
 State of Indiana
 County of Hamilton



BENCHMARK SURVEYING, INC.
 Dawn M. Scotten, Registered Land Surveyor
 8903 Technology Drive, Suite 104 - Fishers, Indiana 46038
 (317) 841-1008

COURTYARD LAKES
 TRACT 3
 BUILDING NUMBER 5

4 of 4

EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is **0.333%** as of the date of this Second Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.





CHICAGO TITLE

CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 3, as defined in the above and foregoing Declaration, which mortgage was dated March 5, 1997, and recorded in the Office of the Recorder of Hamilton County, Indiana on March 18, 1997, as Instrument No. 97-09960 (the "Mortgage"), hereby consents to the recording of the above and foregoing First Supplemental Declaration and the submission of Tract 3 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 10th day of April, 1998.

GENEVA LEASING ASSOCIATES, INC.

By: 
 Printed: John F. Slide
 Title: J.P. 

PLEASE SEE ACKNOWLEDGEMENT - NEXT PAGE

CHICAGO TITLE

STATE OF ILLINOIS)
) SS:
COUNTY OF Kane)

Before me, a Notary Public in and for said County and State,
personally appeared John F. Slade, known to me to be the
Vice President of Geneva Leasing Associates, Inc., and
acknowledged the execution of the foregoing for and on behalf of
said Bank.

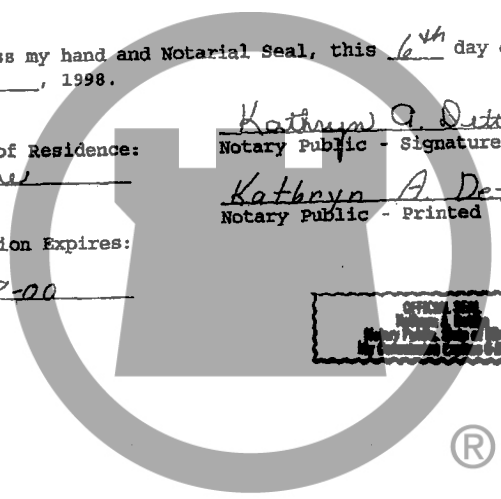
Witness my hand and Notarial Seal, this 6th day of
April, 1998.

My County of Residence:
Kane

Kathryn A. Dettke
Notary Public - Signature

My Commission Expires:
6-28-00

Kathryn A. Dettke
Notary Public - Printed



CHICAGO TITLE

500
19

1. 199909957257
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 09-30-1999 At 10:04 aa.
DEC COV RES 32.00

Cross Reference:

Instrument No. 9809803531; Instrument No. 9809807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;
Instrument No. 9809866217; Instrument No. 9809871789; Instrument No. 9809906395;
Instrument No. 9809928932; Instrument No. 9809933789;

**ELEVENTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES**

THIS ELEVENTH SUPPLEMENTAL DECLARATION, made this 22nd day of
SEPTEMBER, 1999, by CJB FISHERS, L.L.C., an Indiana limited liability company (the
"Declarant"),

RECITALS

A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by that certain Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on

CHICAGO TITLE

December 14, 1998 as Instrument No. 9809871789; as further supplemented by that certain Eighth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 1, 1999 as Instrument No. 9909906385; as further supplemented by that certain Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; and further supplemented by that certain Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909933789; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

- B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;
- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 12 ("Tract 12") in Exhibit "A", attached hereto and incorporated herein and Tract 12 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 12 have been met and Declarant, by execution of this Eleventh Supplemental Declaration, desires to subject Tract 12 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Eleventh Supplemental Declaration shall mean the following:

"Tract 12 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 12), as prepared and certified by Greg Snelling, a licensed

professional engineer, under date of September 20, 1999, copies of which are attached as Exhibit "B", which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominiums.** Declarant hereby expressly declares that Tract 12 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is hereby expanded to include Tract 12 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units each on Tract 12 as of the date hereof, as shown on the Tract 12 Plans (the "Tract 12 Plans"). Such Building is identified on the Tract 12 Plans as Building 18. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 12 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 12 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Eleventh Supplemental Declaration were recorded on the 22nd day of SEPTEMBER 1999, in the Office of the Recorder of Hamilton County, Indiana as Document No. 9957256.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB FISHERS, L.L.C., an Indiana Limited Liability Company

BY: Charles J. Burnworth
Charles J. Burnworth, Managing Member

STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared Charles J. Burnworth, who being first duly sworn by me upon his oath, stated that he is the Managing Member of CJB FISHERS, L.L.C., an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 22nd day of SEPTEMBER, 1999.

My Commission Expires:
12/3/2006

Robert Wordinger
ROBERT WORDINGER, Notary Public
My County of Residence:
Delaware



This Instrument prepared by Ms. Eryn P. Massey, Director of Condominium Operations, CJB Enterprises, Inc., Agent for CJB Fishers, LLC, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.

EXHIBIT "A"

(Perimeter Legal Description of "Tract 12" to consisting of Building "18")

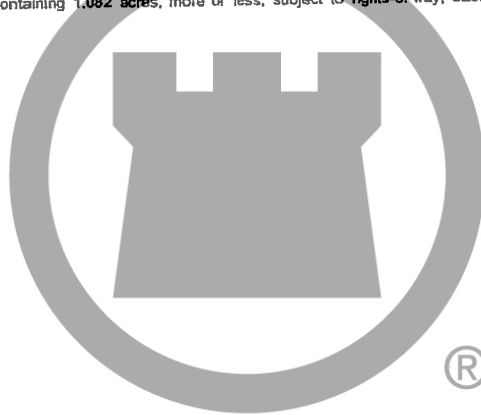


CHICAGO⁵ TITLE

LAND DESCRIPTION FOR TRACT 12, BUILDING 18

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the North Line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the West Line of said Timber Lane Estates and the West Line of Whitmire Glen as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 00 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northeast quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 547.11 feet; thence South 00 degrees 11 minutes 58 seconds East 198.62 feet to the POINT OF BEGINNING; thence continuing South 00 degrees 11 minutes 58 seconds East 263.83 feet to the northeast corner of Horizontal Property Regime, Courtyard Lakes Tract 10, Building 13, the plat of which is not yet recorded, thence along the north line thereof, South 90 degrees 00 minutes 00 seconds West 147.01 feet; thence North 00 degrees 00 minutes 00 seconds West 92.10 feet; thence North 41 degrees 33 minutes 39 seconds West 94.40 feet; thence North 00 degrees 00 minutes 00 seconds West 100.38 feet to the northwest corner of this tract; thence North 89 degrees 48 minutes 02 seconds East 208.72 feet to the POINT OF BEGINNING; containing 1.082 acres, more or less; subject to rights-of-way, easements, and restrictions.



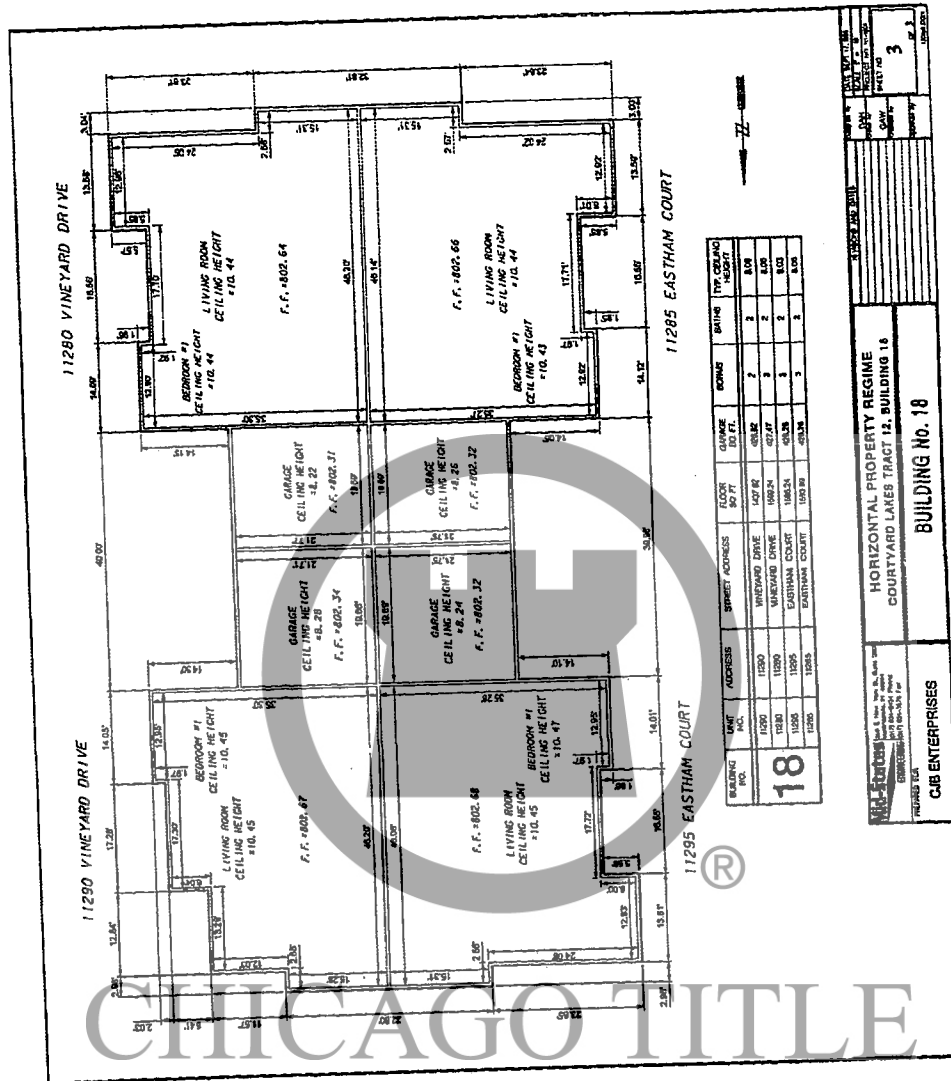
CHICAGO TITLE

EXHIBIT "B"

(Site Plan and Floor Plans of Building on "Tract 12" as certified by project Engineer)



CHICAGO⁶ TITLE



CHICAGO TITLE

11290 VINEYARD DRIVE
11295 EASTHAM COURT
11285 EASTHAM COURT

HORIZONTAL PROPERTY REGIME
COURTYARD LAKES TRACT 12, BUILDING 18
BUILDING No. 18

CIB ENTERPRISES

DATE: 5/25/2011
TIME: 1:53:38 PM
PAGE: 3

EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 1.7857% as of the date of this Eleventh Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO⁷ TITLE

37.0
①

CROSS REFERENCE 9928932

Instrument 9909928932
9909928932
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 05-12-1999 At 03:43:44 pm.
REC EDV RES 30.00

Cross Reference:
Instrument No. 9809803531; Instrument No. 98099807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;
Instrument No. 9809866217; Instrument No. 9809971789; Instrument No. 9809906385;

**NINTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES**

THIS NINTH SUPPLEMENTAL DECLARATION, made this 6th day of May, 1999, by
CTB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by that certain Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on

CHICAGO TITLE

December 14, 1998 as Instrument No. 9809871789; and as further supplemented by that certain Eighth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 1, 1999 as Instrument No. 9909906385; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

- B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;
- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 10 ("Tract 10") in Exhibit "A", attached hereto and incorporated herein and Tract 10 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 10 have been met and Declarant, by execution of this Ninth Supplemental Declaration, desires to subject Tract 10 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Ninth Supplemental Declaration shall mean the following:

"Tract 10 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 10), as prepared and certified by David B. Huffman, a licensed professional engineer, under date of April 5, 1999, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as

contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 10 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 10 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units each on Tract 10 as of the date hereof, as shown on the Tract 10 Plans (the "Tract 10 Plans"). Such Building is identified on the Tract 10 Plans as Building 13. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 10 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

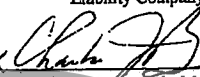

6. **Tract 10 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the

CHICAGO TITLE

buildings affected by this Ninth Supplemental Declaration were recorded on the 12th day of MAY, 1999, in the Office of the Recorder of Hamilton County, Indiana as Document No. 940417693

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB FISHERS, L.L.C., an Indiana Limited Liability Company

BY: Charles J. Burnworth  
Charles J. Burnworth, Managing Member

STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared Charles J. Burnworth, who being first duly sworn by me upon his oath, stated that he is the Managing Member of CJB FISHERS, L.L.C., an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 6 day of MAY, 1999.

My Commission Expires:
12/8/2006

Robert Wordinger
ROBERT WORDINGER, Notary Public
My County of Residence:
Delaware

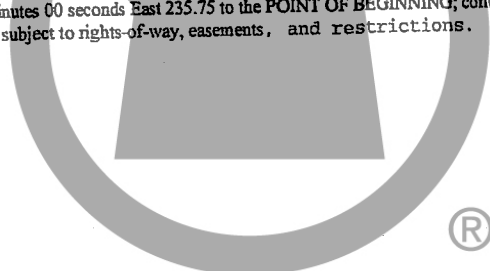
CHICAGO TITLE
This Instrument prepared by Ms. Eryn P. Massey, Director of Condominium Operations, CJB Enterprises, Inc., Agent for CJB Fishers, LLC, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.

EXHIBIT "A"

(Perimeter Legal Description of "Tract 10" to consisting of Building "13")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the North Line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the West Line of said Timber Lane Estates and the West Line of Whitmire Glen as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 00 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northeast quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 547.11 feet; thence South 00 degrees 11 minutes 58 seconds East 462.45 feet to the POINT OF BEGINNING; thence continuing South 00 degrees 11 minutes 58 seconds East 148.50 feet; thence South 90 degrees 00 minutes 00 seconds West 236.25 feet; thence North 00 degrees 00 minutes 00 seconds East 15.00 feet to the southeast corner of Horizontal Property Regime, Courtyard Lakes Tract 9, Building 12, the plat of which is recorded in Plat Cabinet 2, slide 222 in the office of the Recorder of said county; thence along the east line thereof, continuing North 00 degrees 00 minutes 00 seconds East 130.50 feet thence North 90 degrees 00 minutes 00 seconds East 235.75 to the POINT OF BEGINNING; containing 0.788 acres, more or less; subject to rights-of-way, easements, and restrictions.

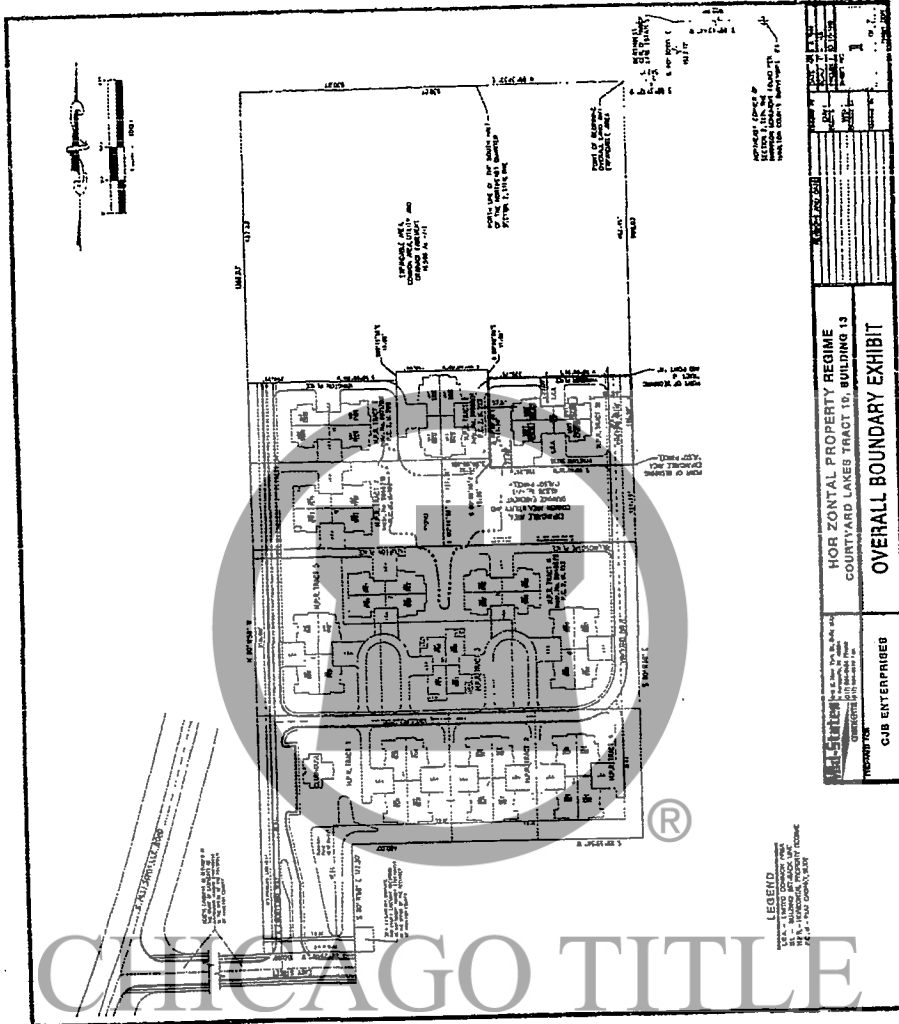


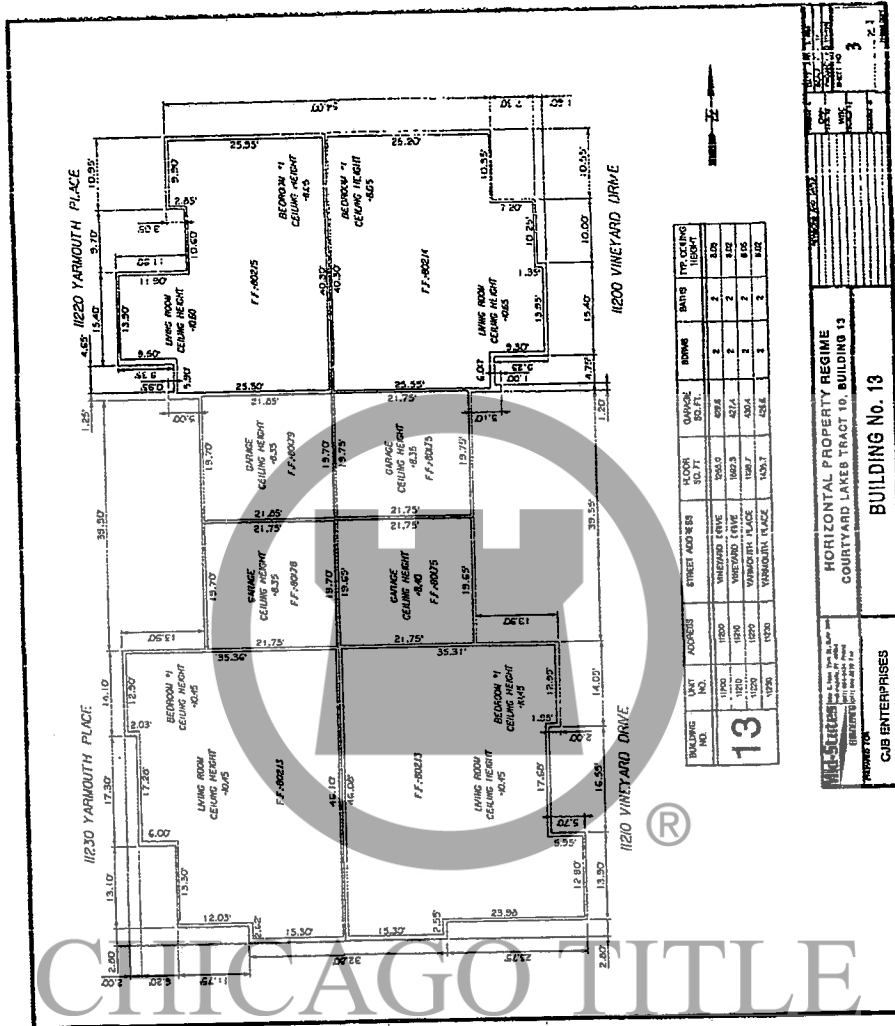
CHICAGO⁵ TITLE

EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 10" as certified by project Engineer)



CHICAGO TITLE





HORIZONTAL PROPERTY REGIME COURTYARD LAKES TRACT 10, BUILDING 13	
BUILDING No. 13 CUB ENTERPRISES	3

EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 2.00% as of the date of this Ninth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

4200
11

199909966304
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 11-12-1999 at 01:41 pm.
DEC COV RES 4P.00

Cross Referenced:

Instrument No. 9809803531; Instrument No. 98099807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;
Instrument No. 9809866217; Instrument No. 9809871789; Instrument No. 9809966385;
Instrument No. 9909928932; Instrument No. 9909933789; Instrument No. 9909957257;

TWELFTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES

THIS TWELFTH SUPPLEMENTAL DECLARATION, made this 8th day of NOVEMBER, 1999, by CJB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

- A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by that certain Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on December 14, 1998 as Instrument No. 9809871789; as further supplemented by that certain Eighth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 1, 1999 as Instrument No. 9909906385; as further

supplemented by that certain Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; further supplemented by that certain Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909933789; and further amended by that certain Eleventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated September 22, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on September 30, 1999 as Instrument No. 9909957257; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

- B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;
- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 13 ("Tract 13") in Exhibit "A", attached hereto and incorporated herein and Tract 13 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 13 have been met and Declarant, by execution of this Twelfth Supplemental Declaration, desires to subject Tract 13 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Twelfth Supplemental Declaration shall mean the following:

"Tract 13 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 13), as prepared and certified by Greg Snelling, a licensed professional engineer, under date of October 26, 1999, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and

amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 13 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 13 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units each on Tract 13 as of the date hereof, as shown on the Tract 13 Plans (the "Tract 13 Plans"). Such Building is identified on the Tract 13 Plans as Building 15. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 13 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 13 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Twelfth Supplemental Declaration were recorded on the 18th day of January, 1999, in the Office of the Recorder of Hamilton County, Indiana as Document No. 09161233.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB FISHERS, L.L.C., an Indiana Limited Liability Company

BY: *[Signature]*
Charles J. Burnworth, Managing Member

STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared Charles J. Burnworth, who being first duly sworn by me upon his oath, stated that he is the Managing Member of CJB FISHERS, L.L.C., an Indiana limited liability company; that he is duly authorized to execute the foregoing on its behalf; that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 8th day of NOVEMBER, 1999.

My Commission Expires:
~~12/8/2006~~
3-25-2010

[Signature]
ROBERT WORDINGER, Notary Public
My County of Residence:
Delaware



This Instrument prepared by Ms. Eryn P. Massey, Director of Condominium Operations, CJB Enterprises, Inc., Agent for CJB Fishers, LLC, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444. ®

CHICAGO TITLE

EXHIBIT "A"

(Perimeter Legal Description of "Tract 13" to consisting of Building "15")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the North Line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the West Line of said Timber Lane Estates and the West Line of Whitfire Glen as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 00 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northeast quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 547.11 feet; thence South 00 degrees 11 minutes 58 seconds East 198.62 feet; thence South 89 degrees 48 minutes 02 seconds West 208.72 feet to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 00 seconds East 100.38 feet; thence South 41 degrees 33 minutes 39 seconds East 94.40 feet; thence South 00 degrees 00 minutes 00 seconds East 92.10 feet; thence North 90 degrees 00 minutes 00 seconds West 88.74 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 15.00 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 80.08 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 57.53 feet; thence North 45 degrees 00 minutes 00 seconds East a distance of 90.08 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 126.75 feet; thence North 89 degrees 48 minutes 02 seconds East a distance of 42.50 feet to the POINT OF BEGINNING; containing 0.565 acres, more or less; subject to rights-of-way, easements, and restrictions.

CHICAGO⁵ TITLE

EXHIBIT "B"

(Site Plan and Floor Plans of Building on "Tract 13" as certified by project Engineer)



CHICAGO TITLE

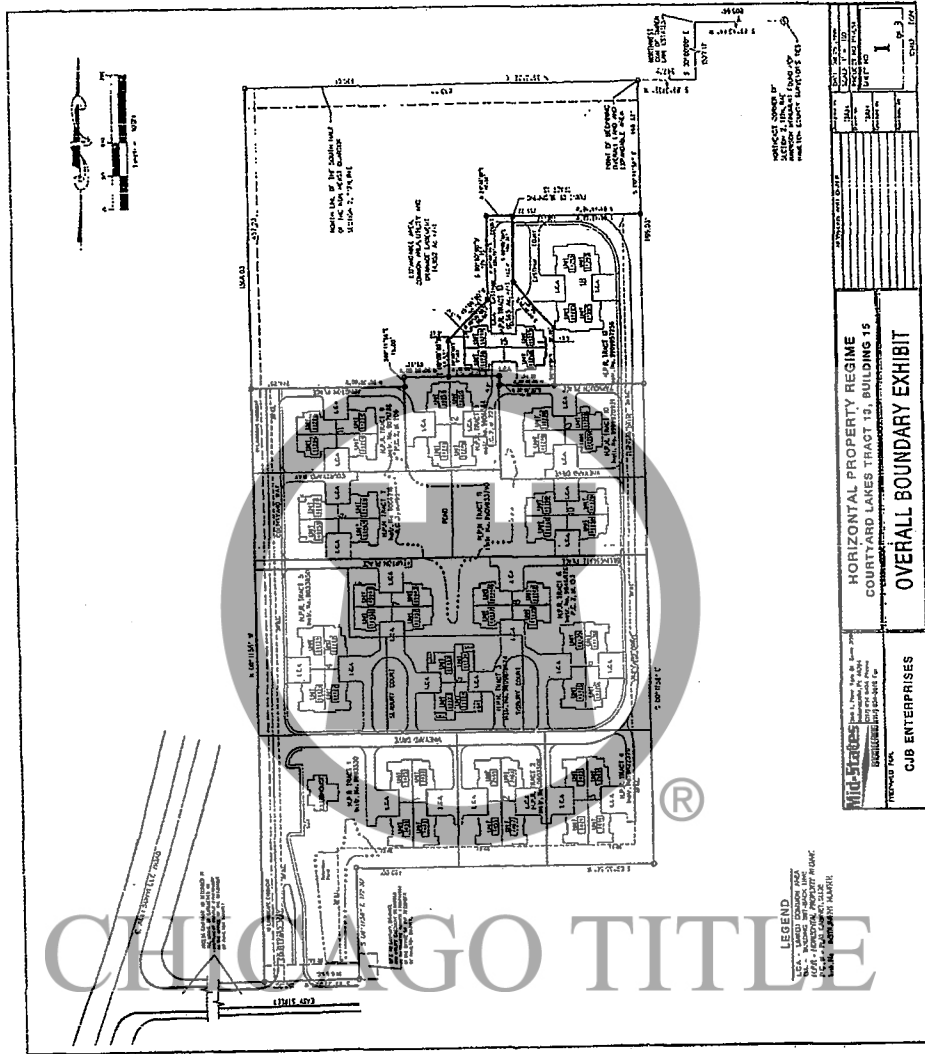


EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 1.6666% as of the date of this Twelvth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 13, as defined in the above and foregoing Declaration, which mortgage was dated March 5, 1997, and recorded in the Office of the Recorder of Hamilton County, Indiana on March 18, 1997, as Instrument No. 97-09960 (the "Mortgage"), hereby consents to the recording of the above and foregoing Twelfth Supplemental Declaration and the submission of Tract 13 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 5th day of November, 1999.

GENEVA LEASING ASSOCIATES, INC.

By: [Signature]
Printed: John F. Slade
Title: Senior Vice President

STATE OF ILLINOIS)
) SS:
COUNTY OF KANE)

Before me, a Notary Public in and for said County and State, personally appeared John F. Slade, known to me to be the Senior Vice President of Geneva Leasing Associates, Inc., and acknowledged the execution of the foregoing for and on behalf of said Bank.

Witness my hand and Notarial Seal, this 5th day of November, 1999.

My County of Residence: Kane

[Signature]
Notary Public - Signature
Tanya M. Burnidge
Notary Public - Printed

My Commission Expires: 7-15-02

CHICAGO TITLE

33.00
12

200000059839
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 12-01-2000 At 10:05 am.
DEC COV RES 33.00

Cross Reference:
Instrument No. 9809803531; Instrument No. 98099807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;
Instrument No. 9809866217; Instrument No. 9809871789; Instrument No. 9909906385;
Instrument No. 9909928932; Instrument No. 9909933789; Instrument No. 9909957257;
Instrument No. 9909966304; Instrument No. 200000002763; Instrument No. 2000000014097;
Instrument No. 2000000056055

**SIXTEENTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES**

THIS SIXTEENTH SUPPLEMENTAL DECLARATION, made this 28th day of November, 2000, by CJB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant").

RECITALS

- A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by that certain Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on December 14, 1998 as Instrument No. 9809871789; as further supplemented by that certain Eighth Supplemental Declaration of Condominium Ownership of Courtyard Lakes

dated January 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 1, 1999 as Instrument No. 9909906385; as further supplemented by that certain Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; further supplemented by that certain Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909933789; further amended by that certain Eleventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated September 22, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on September 30, 1999 as Instrument No. 9909957257; further amended by that certain Twelveth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 8, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 12, 1999 as Instrument No. 9909966304; further amended by that certain Thirteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 7, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on January 18, 2000 as Instrument No. 20000002763, as further amended by that certain Fourteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 20, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on Marh 29, 2000 as Instrument No. 200000014097; as further amended by that certain Fifteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 7, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 9, 2000 as Instrument No. 200000056055; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

- B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;
- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 17 ("Tract 17") in Exhibit "A", attached hereto and incorporated herein and Tract 17 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 17 have been met and Declarant, by execution of this Sixteenth Supplemental Declaration, desires to subject Tract 17 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Sixteenth Supplemental Declaration shall mean the following:

"Tract 17 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 17), as prepared and certified by Jonathan P. Moen, a licensed professional engineer, under date of November 17, 2000, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 17 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 17 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units each on Tract 17 as of the date hereof, as shown on the Tract 17 Plans (the "Tract 17 Plans"). Such Buildings are identified on the Tract 17 Plans as Building 20. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 17 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 17 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Sixteenth Supplemental Declaration were recorded on the 15th day of Dec., 2000, in the Office of the Recorder of Hamilton County, Indiana as Document No. 20000054838

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT:

CJB FISHERS, L.L.C., an Indiana Limited Liability Company

BY:

Charles J. Burdworth
Charles J. Burdworth, Managing Member

PLEASE SEE ACKNOWLEDGEMENT NEXT PAGE



CHICAGO TITLE

STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared **Charles J. Burnworth**, who being first duly sworn by me upon his oath, stated that he is the **Managing Member of CJB FISHERS, L.L.C.**, an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 28th day of November, 2000.

My Commission Expires:
12/8/2008

Robert Wordinger
Robert Wordinger, Notary Public
My County of Residence:
Delaware



This Instrument prepared by Ms. Fryn P. Massey, Director of Condominium Operations, CJB Enterprises, Inc., Agent for CJB Fishers, I.J.C. 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.



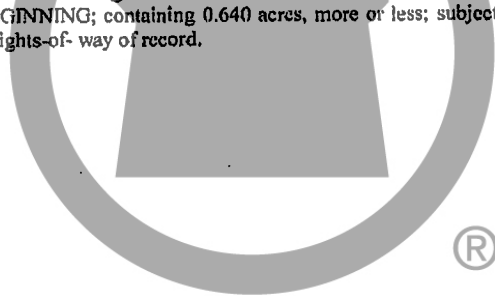
CHICAGO TITLE

EXHIBIT "A"

(Perimeter Legal Description of "Tract 17" to
consisting of Building "20")

LAND DESCRIPTION FOR TRACT 17, BUILDING 20

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows: Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the north line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates, as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the west line of said Timber Lane Estates and the west line of Whitmire Glen, as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 00 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the west line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northeast quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 865.24 feet to the POINT OF BEGINNING; thence South 00 degrees 11 minutes 58 seconds East 197.09 feet; thence South 89 degrees 48 minutes 02 seconds West 142.09 feet; North 00 degrees 00 minutes 00 seconds West 196.41 feet to the north line of the south half of the northeast quarter of said section; thence North 89 degrees 31 minutes 32 seconds East 141.41 feet along said line to the POINT OF BEGINNING; containing 0.640 acres, more or less; subject to any legal easements, highways and rights-of-way of record.



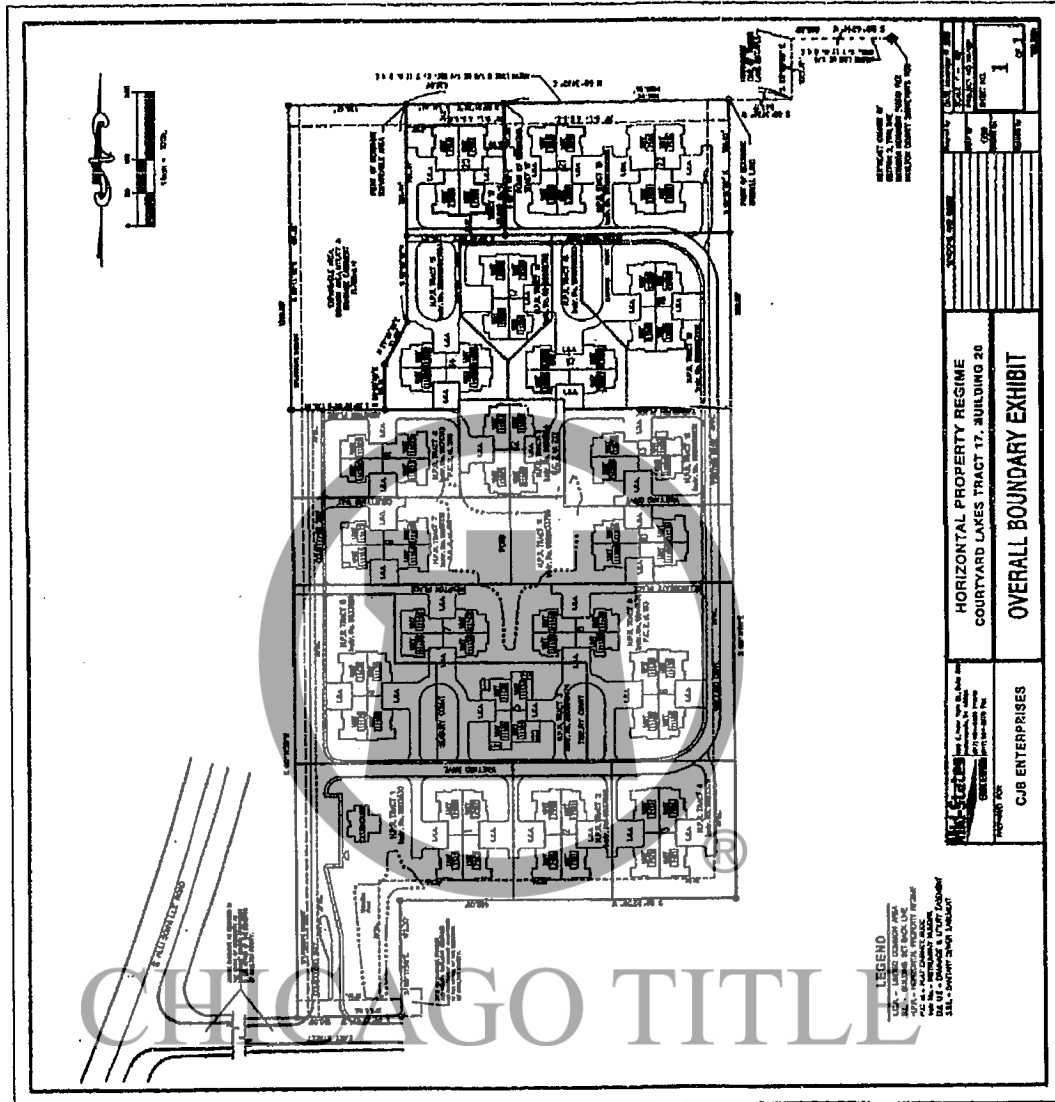
CHICAGO TITLE

EXHIBIT "B"

(Site Plan and Floor Plans of Building on "Tract 17" as certified by project Engineer)



CHICAGO TITLE



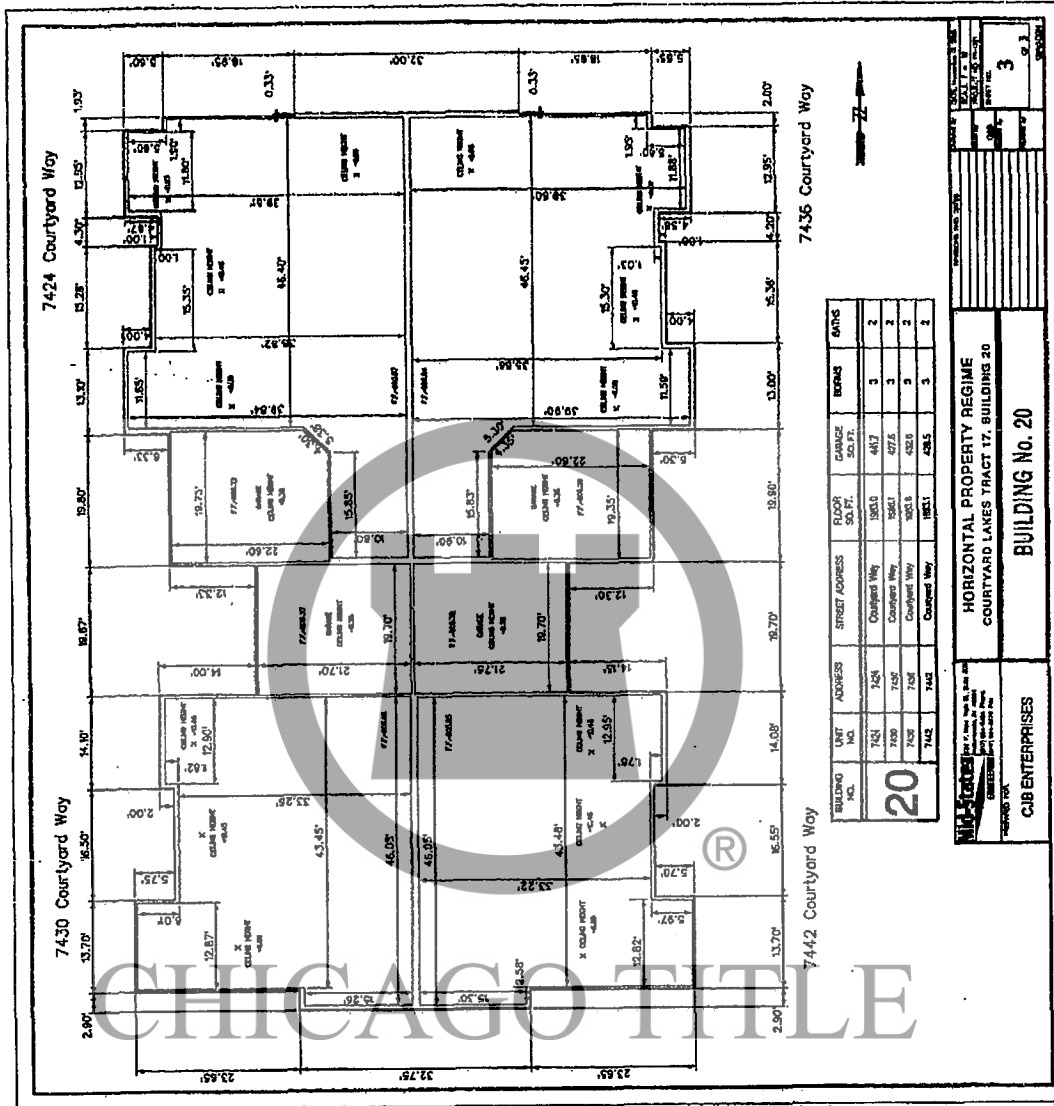


EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is **1.25%** as of the date of this Sixteenth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

413.00
①

20000002763
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 01-18-2000 At 10:15 am.
DEC COV RES 43.00

Cross Reference:

Instrument No. 9809803531; Instrument No. 9809807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;
Instrument No. 9809866217; Instrument No. 9809871789; Instrument No. 9909906385;
Instrument No. 9909928932; Instrument No. 9909933789; Instrument No. 9909957257;
Instrument No. 9909966304;

**THIRTEENTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES**

THIS THIRTEENTH SUPPLEMENTAL DECLARATION, made this 7th day of
JANUARY, 2000, by CJB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant").

RECITALS

- A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by that certain Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on December 14, 1998 as Instrument No. 9809871789; as further supplemented by that certain Eighth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 26, 1999 and recorded of record in the Office of the Recorder of Hamilton

County, Indiana on February 1, 1999 as Instrument No. 9909906385; as further supplemented by that certain Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; further supplemented by that certain Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909933789; further amended by that certain Eleventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated September 22, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on September 30, 1999 as Instrument No. 9909957257; further amended by that certain Twelfth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 8, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 12, 1999 as Instrument No. 9909966304. (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

- B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;
- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 14 ("Tract 14") in Exhibit "A", attached hereto and incorporated herein and Tract 14 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 14 have been met and Declarant, by execution of this Thirteenth Supplemental Declaration, desires to subject Tract 14 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Thirteenth Supplemental Declaration shall mean the following:

"Tract 14 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium

Units located on Tract 14), as prepared and certified by Robert W. Tyler, Sr., a licensed professional engineer, under date of December 31, 1999, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. Expansion of Courtyard Lakes Condominium. Declarant hereby expressly declares that Tract 14 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 14 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. Description of Buildings. There is one (1) Building containing four (4) Condominium Units each on Tract 14 as of the date hereof, as shown on the Tract 14 Plans (the "Tract 14 Plans"). Such Building is identified on the Tract 14 Plans as Building 17. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 14 Plans shall be deemed part of the Plans as defined in the Declaration.

4. Percentage Interest. The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. Tract 14 Floor Plans. Pursuant to Indiana Code 32-1-6-12, the floor plans of the

buildings affected by this Thirteenth Supplemental Declaration were recorded on the 18TH day of JANUARY, 2000, in the Office of the Recorder of Hamilton County, Indiana as Document No. 200000000762

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB FISHERS, L.L.C., an Indiana Limited Liability Company

BY: Charles J. Burnworth
Charles J. Burnworth, Managing Member

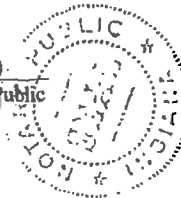
STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared **Charles J. Burnworth**, who being first duly sworn by me upon his oath, stated that he is the **Managing Member of CJB FISHERS, L.L.C.**, an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 7th day of JANUARY, 2000.

My Commission Expires:
12/8/2006

Robert Wordinger
ROBERT WORDINGER, Notary Public
My County of Residence:
Delaware



This instrument prepared by Ms. Bryn P. Massey, Director of Condominium Operations, CJB Enterprises, Inc., Agent for CJB Fishers, LLC, 3417 West Bethel Avenue, Suite "B", Muncie, Indiana 47304, (765) 286-4444.

EXHIBIT "A"

(Perimeter Legal Description of "Tract 14" consisting of Building "17")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the North Line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the West Line of said Timber Lane Estates and the West Line of Whitmire Glen as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 00 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the West Line of Hickory Woods Phase I, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northeast quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 547.11 feet; thence South 00 degrees 11 minutes 58 seconds East 198.62 feet; thence South 89 degrees 48 minutes 02 seconds West 251.22 feet to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 00 seconds East 126.75 feet; thence South 45 degrees 00 minutes 00 seconds West 90.08 feet; thence North 44 degrees 08 minutes 49 seconds East 96.64 feet; thence North 00 degrees 00 minutes 00 seconds East 120.63 feet; thence North 89 degrees 48 minutes 02 seconds East a distance of 131.00 feet to the POINT OF BEGINNING; containing 0.472 acres, more or less; subject to rights-of-way, easements, and restrictions.



CHICAGO TITLE

EXHIBIT "B"

(Site Plan and Floor Plans of Building on "Tract 14" as certified by project Engineer)



CHICAGO TITLE

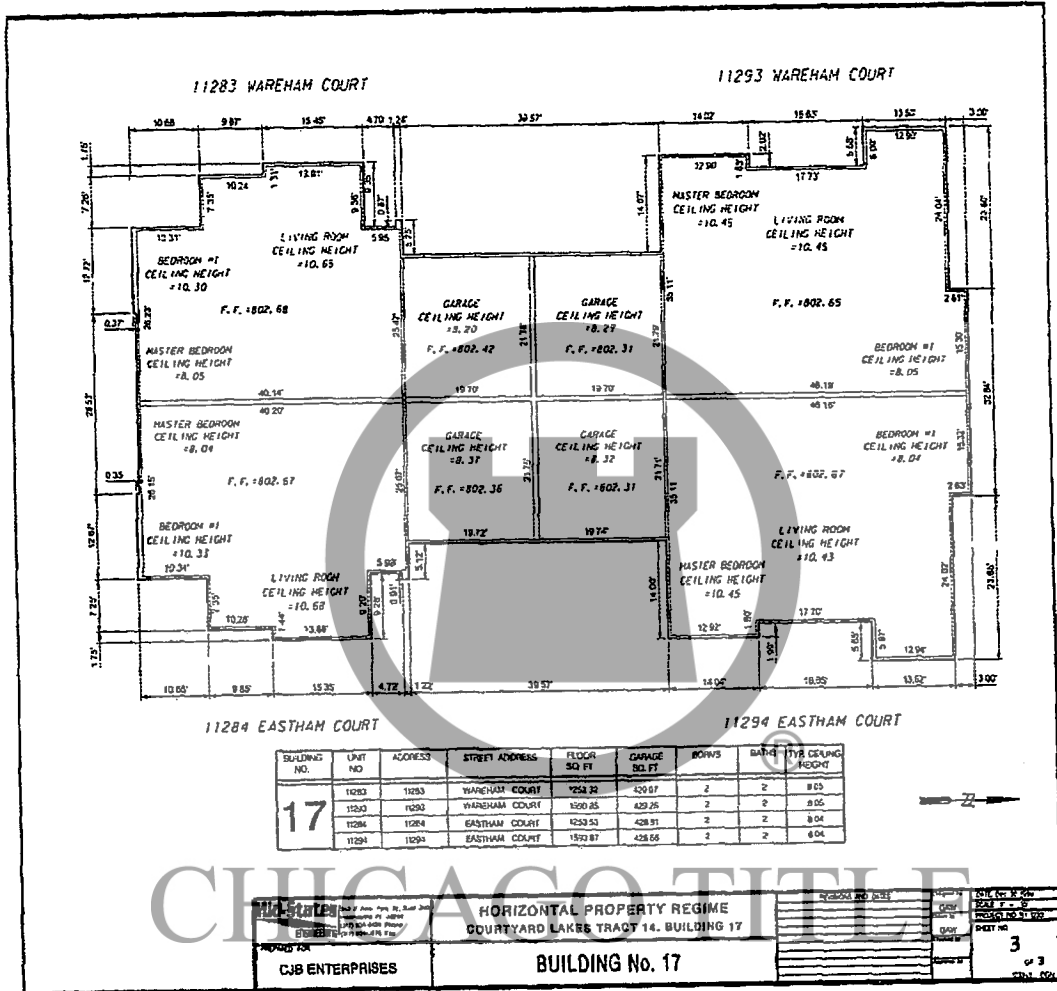


EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 1.5625% as of the date of this Thirteenth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is **1.5625%** as of the date of this Thirteenth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is **1.5625%** as of the date of this Thirteenth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 14, as defined in the above and foregoing Declaration, which mortgage was dated March 5, 1997, and recorded in the Office of the Recorder of Hamilton County, Indiana on March 18, 1997, as Instrument No. 97-09960 (the "Mortgage"), hereby consents to the recording of the above and foregoing Thirteenth Supplemental Declaration and the submission of Tract 13 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 6th day of January, 2000.

GENEVA LEASING ASSOCIATES, INC.

By: [Signature]
Printed: John F. Slack
Title: SUP

STATE OF ILLINOIS)
) SS:
COUNTY OF KANE)

Before me, a Notary Public in and for said County and State, personally appeared John F. Slack, known to me to be the Senior Vice President of Geneva Leasing Associates, Inc., and acknowledged the execution of the foregoing for and on behalf of said Bank.

Witness my hand and Notarial Seal, this 6th day of January, 2000.

My County of Residence: KANE

[Signature]
Notary Public - Signature
Tanya M. Burnidge
Notary Public - Printed



My Commission Expires: 7-15-02

30,000
①
1.00 100 100

200000014097
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L. CLARK
On 03-25-2000 At 09:53 am.
DEC EDV RES 30.00

Cross Reference:

Instrument No. 9809803531; Instrument No. 98099807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;
Instrument No. 9809866217; Instrument No. 9809871789; Instrument No. 9909906385;
Instrument No. 9909928932; Instrument No. 9909933789; Instrument No. 9909957257;
Instrument No. 9909966304; Instrument No. 200000002763;

FOURTEENTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES

THIS FOURTEENTH SUPPLEMENTAL DECLARATION, made this 20th day of
MARCH, 2000, by CJR FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

- A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by that certain Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on December 14, 1998 as Instrument No. 9809871789; as further supplemented by that certain Eighth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 26, 1999 and recorded of record in the Office of the Recorder of Hamilton

County, Indiana on February 1, 1999 as Instrument No. 9909906385; as further supplemented by that certain Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; further supplemented by that certain Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909933789; further amended by that certain Eleventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated September 22, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on September 30, 1999 as Instrument No. 9909957257; further amended by that certain Twelfth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 8, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 12, 1999 as Instrument No. 9909966304; further amended by that certain Thirteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 7, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on January 18, 2000 as Instrument No. 200000002763, (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

- B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;
- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 15 ("Tract 15") in Exhibit "A", attached hereto and incorporated herein and Tract 15 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 15 have been met and Declarant, by execution of this Fourteenth Supplemental Declaration, desires to subject Tract 15 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

CHICAGO TITLE DECLARATION

1. **Certain Definitions.** The following terms, as used in this Fourteenth Supplemental Declaration shall mean the following:

"Tract 15 Plans" means the site plan (depicting the general plan of development, the

property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 15), as prepared and certified by Robert W. Tyler, Sr., a licensed professional engineer, under date of March 15, 2000, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 15 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 15 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There are two (2) Buildings containing four (4) Condominium Units each on Tract 15 as of the date hereof, as shown on the Tract 15 Plans (the "Tract 15 Plans"). Such Buildings are identified on the Tract 15 Plans as Building 21 and Building 22. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 15 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or

lease thereof.

6. **Tract 15 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Fourteenth Supplemental Declaration were recorded on the _____ day of _____, 2000, in the Office of the Recorder of Hamilton County, Indiana as Document No. _____.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: **CJB FISHERS, L.L.C., an Indiana Limited Liability Company**

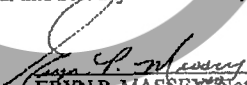
BY: 
Charles J. Burnworth, Managing Member

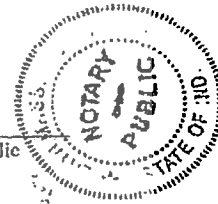
STATE OF INDIANA)
) *MADISON Co*) SS:
COUNTY OF ~~DELAWARE~~)

Before me, a Notary Public in and for said county and state, personally appeared **Charles J. Burnworth**, who being first duly sworn by me upon his oath, stated that he is the **Managing Member of CJB FISHERS, L.L.C., an Indiana limited liability company**, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 21st day of MARCH, 2000.

My Commission Expires:
3/25/2008


BRYN P. MASSEY, Notary Public
My County of Residence:
Fountain



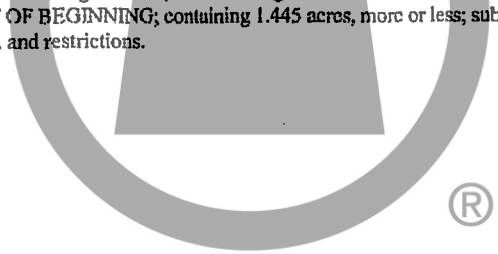
CHICAGO TITLE
This instrument prepared by Ms. Bryn P. Massey, Director of Condominium Operations, CJB Enterprises, Inc., Agent for CJB Fishers, LLC, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.

EXHIBIT "A"

(Perimeter Legal Description of "Tract 15" to
consisting of Building "21" and Building "22")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the north line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates, as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the west line of said Timber Lane Estates and the west line of Whitmire Glen, as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 00 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the west line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northeast quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 547.11 feet to the POINT OF BEGINNING; thence South 00 degrees 11 minutes 58 seconds East 198.61 feet; thence South 89 degrees 48 minutes 02 seconds West 318.13 feet; thence North 00 degrees 11 minutes 58 seconds West 197.09 feet to the said north line of the south half of the northeast quarter of said section; thence along said line, North 89 degrees 31 minutes 32 seconds East 318.13 feet to the POINT OF BEGINNING; containing 1.445 acres, more or less; subject to rights-of-way, easements, and restrictions.



CHICAGO TITLE

EXHIBIT "B"

(Site Plan and Floor Plans of Building on "Tract 15" as certified by project Engineer)



CHICAGO TITLE

6

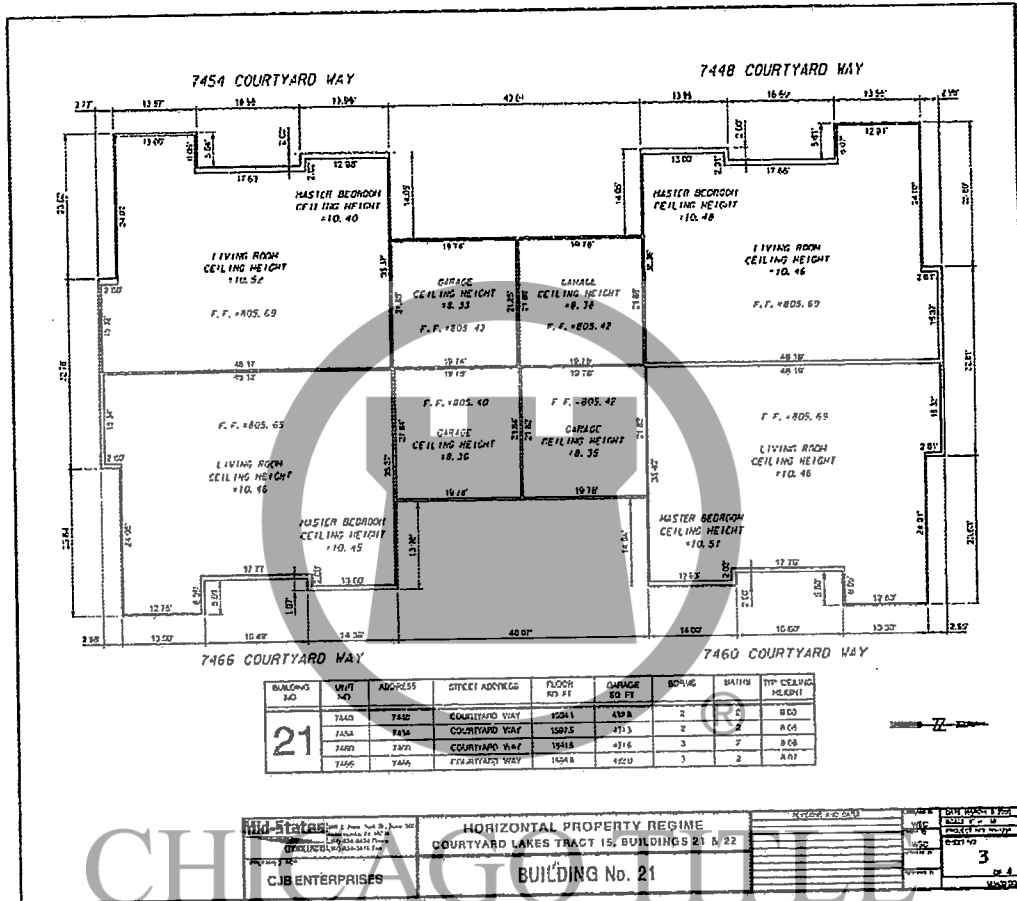


EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 1.3888% as of the date of this Fourteenth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

7

3900
(12)

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer
26th day of Jan., 2001
Robin Mills Auditor of Hamilton County
Parcel # _____

Cross References:
Instrument No. 980983531; Instrument No. 9809807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833881; Instrument No. 9809845575;
Instrument No. 9809863217; Instrument No. 9809871789; Instrument No. 9809883886;
Instrument No. 9809893322; Instrument No. 9809923788; Instrument No. 9809927237;
Instrument No. 9809946304; Instrument No. 98099603763; Instrument No. 98099694687;
Instrument No. 98099803531; Instrument No. 98099803531

200100004123
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L. CLARK
01-26-2001 02:59 pm
HPR DECLAR 33.00

SEVENTEENTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES

THIS SEVENTEENTH SUPPLEMENTAL DECLARATION, made this 23rd day of January, 2001, by CJB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

- A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as

Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by that certain Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on December 14, 1998 as Instrument No. 9809871789; as further supplemented by that certain Eighth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 1, 1999 as Instrument No. 9909906385; as further supplemented by that certain Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; further supplemented by that certain Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909933789; further amended by that certain Eleventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated September 22, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on September 30, 1999 as Instrument No. 9909957257; further amended by that certain Twelfth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 8, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 12, 1999 as Instrument No. 9909966304; further amended by that certain Thirteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 7, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on January 18, 2000 as Instrument No. 20000002763, as further amended by that certain Fourteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 20, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on March 29, 2000 as Instrument No. 20000014097; as further amended by that certain Fifteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 7, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 9, 2000 as Instrument No. 20000056055; as further amended by that certain Sixteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 28, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on December 1, 2000 as Instrument No. 200000059839; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

- B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;

- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 18 ("Tract 18") in Exhibit "A", attached hereto and incorporated herein and Tract 18 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 18 have been met and Declarant, by execution of this Seventeenth Supplemental Declaration, desires to subject Tract 18 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Seventeenth Supplemental Declaration shall mean the following:

"Tract 18 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 18), as prepared and certified by Jonathan P. Moez, a licensed professional engineer, under date of January 5, 2001, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended. (R)

2. **Expansion of Courtyard Lakes Condominiums.** Declarant hereby expressly declares that Tract 18 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 18 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units each on Tract 18 as of the date hereof, as shown on the Tract 18 Plans (the "Tract 18 Plans"). Such Buildings are identified on the Tract 18 Plans as Building 16. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 18 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.



CHICAGO TITLE

1A

EXHIBIT "A"

**(Perimeter Legal Description of "Tract 18" to
consisting of Building "16")**

LAND DESCRIPTION FOR TRACT 18, BUILDING 16

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows: Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the north line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates, as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the west line of said Timber Lane Estates and the west line of Whitewine Glen, as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 80 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the west line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northwest quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 1005.85 feet; thence South 00 degrees 00 minutes 00 seconds East 196.41 feet to the POINT OF BEGINNING; thence continuing South 00 degrees 00 minutes 00 seconds East 130.00 feet; thence South 27 degrees 25 minutes 20 seconds West 71.80 feet; thence South 00 degrees 00 minutes 00 seconds East 68.71 feet; thence South 90 degrees 00 minutes 00 seconds West 135.84 feet; thence North 00 degrees 11 minutes 55 seconds West 262.23 feet; thence North 90 degrees 00 minutes 00 seconds East 169.78 feet to the POINT OF BEGINNING; containing 0.843 acres, more or less; subject to any legal easements, highways and rights-of-way record.



CHICAGO TITLE

EXHIBIT "B"

(Site Plan and Floor Plans of Building on "Tract 18" as certified by project Engineer)



CHICAGO TITLE

7

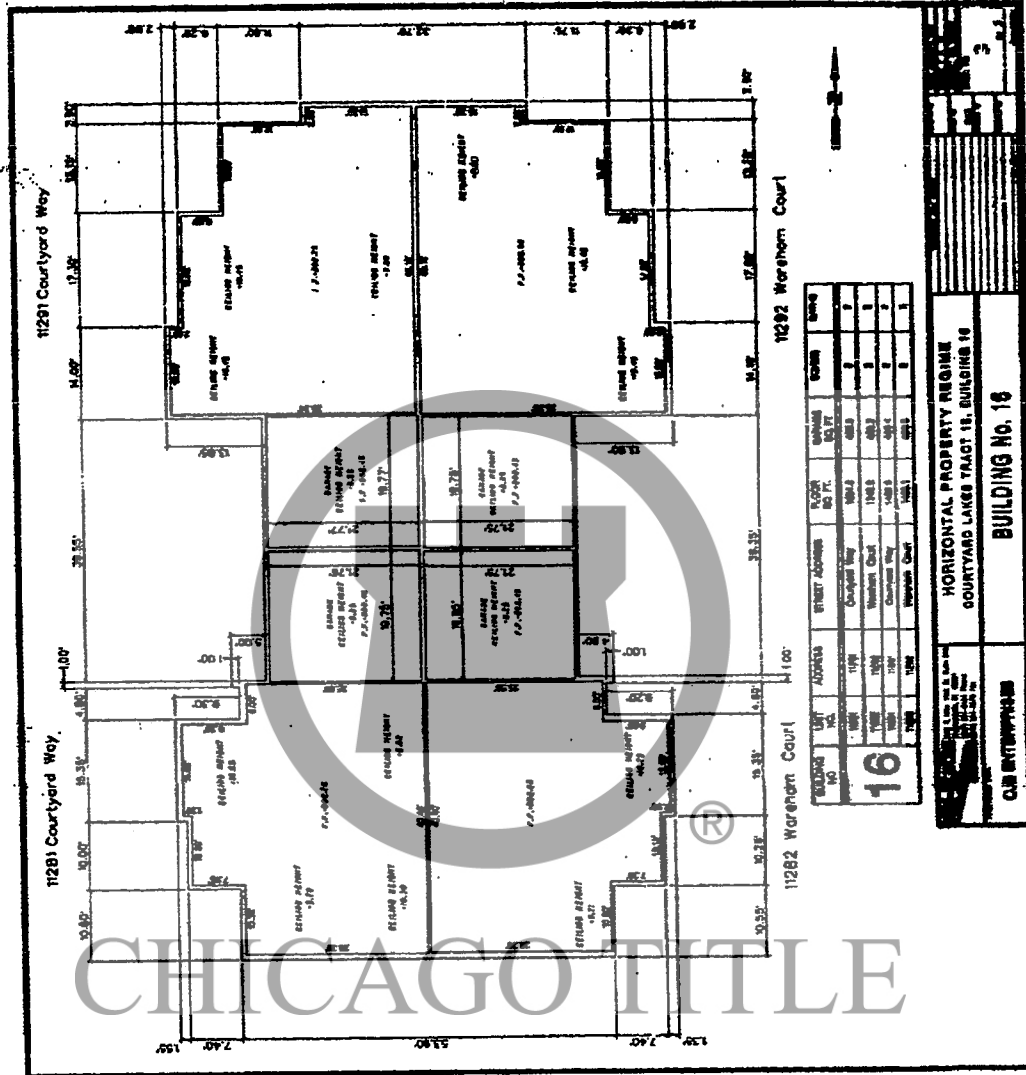


EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 1.19% as of the date of this Seventeenth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Limited as provided in the Declaration.



CHICAGO TITLE

8

330
(12)

200100011615
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L. CLARK
03-08-2001 02:56 pm.
LMB PER:AO 22 AM

DULY ENTERED FOR TAXATION
Subject to final acceptance for transfer
3rd day of March, 2001
C. L. Fisher Avenue of Hamilton County
Parcel # _____

Cross Reference:
Instrument No. 9809803531; Instrument No. 98099807599; Instrument No. 9809818475;
Instrument No. 9809822380; Instrument No. 9809833851; Instrument No. 9809846675;
Instrument No. 9809866217; Instrument No. 9809871789; Instrument No. 9909906385;
Instrument No. 9909928932; Instrument No. 9909933789; Instrument No. 9909957257;
Instrument No. 9909966304; Instrument No. 200000002763; Instrument No. 200000014097;
Instrument No. 200000056055; Instrument No. 200000059839; Instrument No. 200100004123;

**EIGHTEENTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES**

THIS EIGHTEENTH SUPPLEMENTAL DECLARATION, made this 2nd day of March, 2001, by CJB FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

- A. As of January 5, 1998, Declarant executed a certain Declaration of Condominium Ownership of Courtyard Lakes, filed of record in the Office of the Recorder of Hamilton County, Indiana on January 23, 1998 as Instrument No. 9809803531; as amended by that certain First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by that certain Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by that Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by that certain Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded of record in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 9809833851; as further amended by that certain Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded of record in the Office of the Recorder of Hamilton County on August 20, 1998 as

Instrument No. 9809846675; as further amended by that certain Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by that certain Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on December 14, 1998 as Instrument No. 9809871789; as further supplemented by that certain Eighth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on February 1, 1999 as Instrument No. 9909906385; as further supplemented by that certain Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; further supplemented by that certain Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909933789; further amended by that certain Eleventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated September 22, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on September 30, 1999 as Instrument No. 9909957257; further amended by that certain Twelfth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 8, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 12, 1999 as Instrument No. 9909966304; further amended by that certain Thirteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 7, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on January 18, 2000 as Instrument No. 200000002763, as further amended by that certain Fourteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 20, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on March 29, 2000 as Instrument No. 200000014097; as further amended by that certain Fifteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 7, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on November 9, 2000 as Instrument No. 200000056055; as further amended by that certain Sixteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 28, 2000 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on December 1, 2000 as Instrument No. 200000059839; as further amended by that certain Seventeenth Supplemental Declaration of Condominium Ownership dated January 23, 2001 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on January 26, 2001 as Instrument No. 200100004123; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

- B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime:
- C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 19 ("Tract 19") in Exhibit "A", attached hereto and incorporated herein and Tract 19 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;
- D. All conditions relating to the expansion of Courtyard Lakes into Tract 19 have been met and Declarant, by execution of this Eighteenth Supplemental Declaration, desires to subject Tract 19 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. **Certain Definitions.** The following terms, as used in this Eighteenth Supplemental Declaration shall mean the following:

"Tract 19 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 19), as prepared and certified by Jonathan P. Moen, a licensed professional engineer, under date of March 1, 2001, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

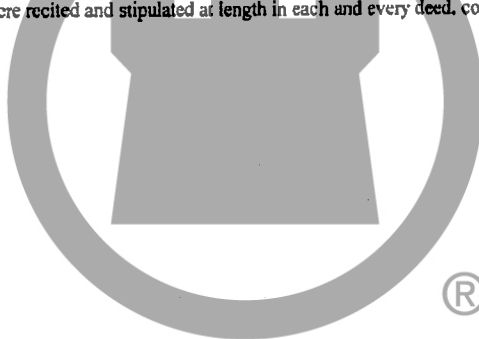
2. **Expansion of Courtyard Lakes Condominium.** Declarant hereby expressly declares that Tract 19 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include

Tract 19 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units each on Tract 19 as of the date hereof, as shown on the Tract 19 Plans (the "Tract 19 Plans"). Such Buildings are identified on the Tract 19 Plans as Building 19. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 19 Plans shall be deemed part of the Plans as defined in the Declaration.

4. **Percentage Interest.** The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 each Owner, tenant or 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 Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.



CHICAGO TITLE

6. **Tract 19 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Eighteenth Supplemental Declaration were recorded on the 8th day of March, 2001, in the Office of the Recorder of Hamilton County, Indiana as Document No. 200100011614

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB FISHERS, L.L.C., an Indiana Limited Liability Company

BY Charles J. Burnworth
Charles J. Burnworth, Managing Member

STATE OF INDIANA)
)SS:
COUNTY OF DELAWARE)

Before me, a Notary Public in and for said county and state, personally appeared **Charles J. Burnworth**, who being first duly sworn by me upon his oath, stated that he is the **Managing Member of CJB FISHERS, L.L.C., an Indiana limited liability company**, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 2nd day of March, 2001.

My Commission Expires: OCTOBER 8, 2007
My County of Residence: RANDOLPH

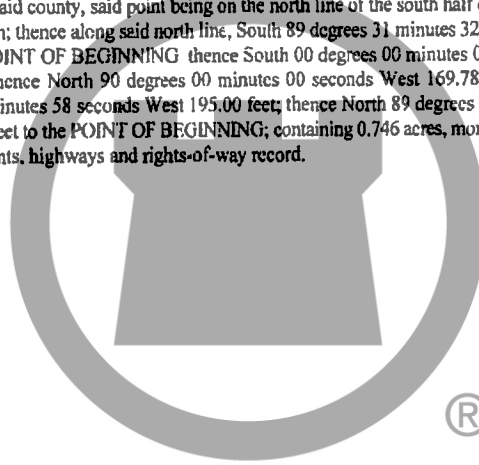
JANA E. MANN
JANA E. MANN, Notary Public

This Instrument prepared by Ms. Eryn P. Massey, Director of Condominium Operations, CJB Enterprises, Inc., Agent for CJB Fishers, LLC, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.

EXHIBIT "A"

(Perimeter Legal Description of "Tract 19" to
consisting of Building "19")

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows: Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the north line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates, as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the west line of said Timber Lane Estates and the west line of Whitmire Glen, as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 00 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the west line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northeast quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 1006.65 feet to the POINT OF BEGINNING thence South 00 degrees 00 minutes 00 seconds East 196.41 feet to the; thence North 90 degrees 00 minutes 00 seconds West 169.78 feet; thence North 00 degrees 11 minutes 58 seconds West 195.00 feet; thence North 89 degrees 31 minutes 32 seconds East 170.47 feet to the POINT OF BEGINNING; containing 0.746 acres, more or less; subject to any legal easements, highways and rights-of-way record.



CHICAGO TITLE

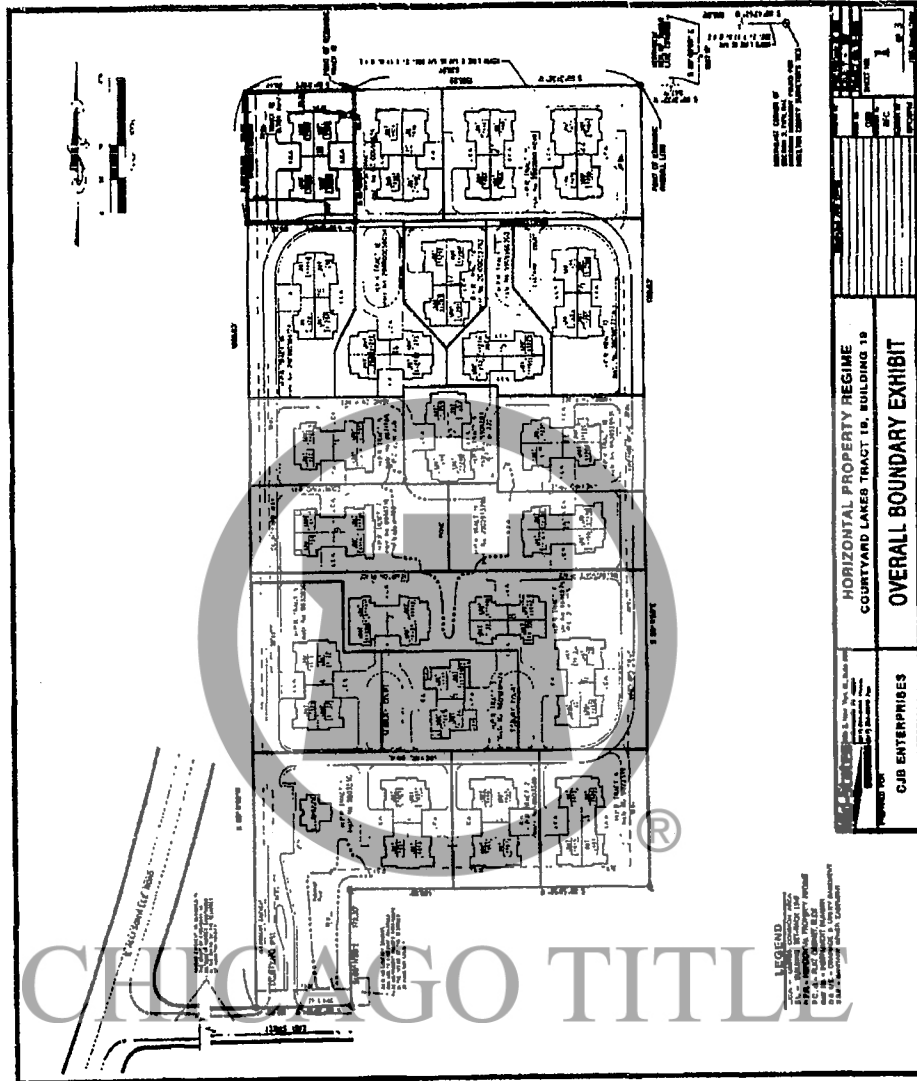
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EXHIBIT "B"

(Site Plan and Floor Plans of Building on "Tract 19" as certified by project Engineer)



CHICAGO TITLE



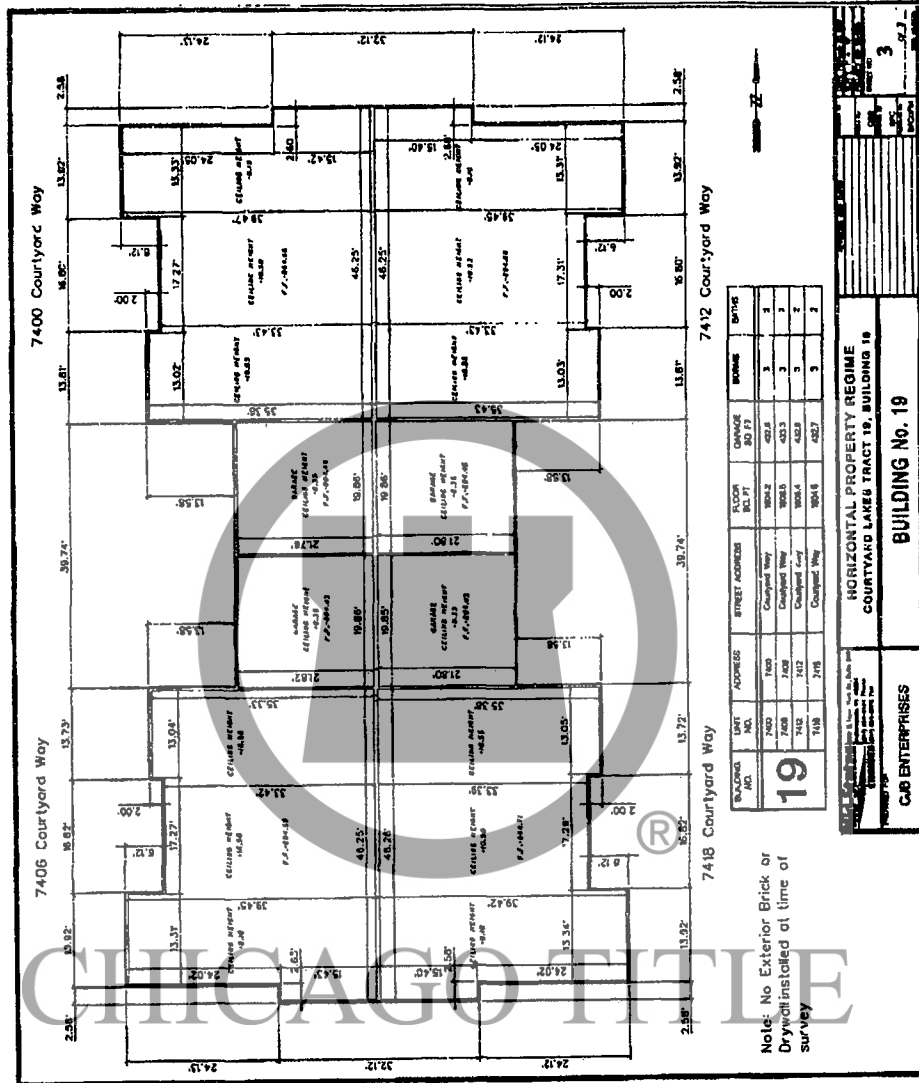


EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 1.00% as of the date of this Eighteenth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.



CHICAGO TITLE

CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 19, as defined in the above and foregoing Declaration, which mortgage was dated March 5, 1997, and recorded in the Office of the Recorder of Hamilton County, Indiana on March 18, 1997, as Instrument No. 97-09960 (the "Mortgage"), hereby consents to the recording of the above and foregoing Eighteenth Supplemental Declaration and the submission of Tract 19 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 11 day of March, 2001.

GENEVA LEASING ASSOCIATES, INC.

By: [Signature]
John F. Slade
Its: Senior Vice President

STATE OF ILLINOIS)
) SS:
COUNTY OF DUPAGE)

Before me, a Notary Public in and for said County and State, personally appeared John F. Slade, known to me to be the Senior Vice President of Geneva Leasing Associates, Inc., and acknowledged the execution of the foregoing for and on behalf of said Bank.

Witness my hand and Notarial Seal, this 11 day of March, 2001.



[Signature]
Tanya M. Burnidge, Notary Public

My Commission Expires: 7/15/02

My County of Residence: Kane

CHICAGO TITLE

200300050229
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
05-27-2003 At 09:44 am
AMENDMENT 20.00

2000
@
2000
None

**NINETEENTH AMENDMENT
TO THE CODE OF BY-LAWS OF COURTYARD LAKES
AND COURTYARD LAKES OWNERS ASSOCIATION, INC.**

THIS AMENDMENT TO THE CODE OF BY-LAWS OF COURTYARD LAKES AND COURTYARD LAKES OWNERS ASSOCIATION, INC. is made and entered into by the Courtyard Lakes Owners Association, Inc. an Indiana Not-For-Profit Corporation ("Association") on behalf of the Owners of Condominium Units in Courtyard Lakes,

WITNESSETH

WHEREAS, there heretofore has been executed the Declaration of Condominium Ownership of Courtyard Lakes, dated January 5, 1998 and recorded on January 23, 1998 in the Office of the Recorder of Hamilton County, Indiana as Instrument No. 9809803531; as amended by the First Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated February 9, 1998 and recorded in the Office of the Recorder of Hamilton County, Indiana on February 18, 1998 as Instrument No. 9809807599; as further amended by the Second Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 30, 1998 and recorded in the Office of the Recorder of Hamilton County, Indiana on April 13, 1998 as Instrument No. 9809818475; as further amended by the Third Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated April 28, 1998 and recorded in the Office of the Recorder of Hamilton County, Indiana on April 30, 1998 as Instrument No. 98-09822380; as further amended by the Fourth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated June 12, 1998 and recorded in the Office of the Recorder of Hamilton County on June 24, 1998 as Instrument No. 980833851; as further amended by the Fifth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated August 17, 1998 and recorded in the Office of the Recorder of Hamilton County on August 20, 1998 as Instrument No. 9809846675; as further amended by the Sixth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 13, 1998 and recorded in the Office of the Recorder of Hamilton County, Indiana on November 18, 1998 as Instrument No. 9809866217; as further supplemented by the Seventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated December 7, 1998 and recorded in the Office of the Recorder of Hamilton County, Indiana on December 14, 1998 as Instrument No. 9809871789; as further supplemented by the Eight Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 26, 1999 and recorded in the Office of the Recorder of Hamilton County, Indiana on February 1, 1999 as Instrument No. 9909906385; as further supplemented by the Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; further supplemented by the Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909933789; further amended by the Eleventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated September 22, 1999 and recorded in the Office of the Recorder of Hamilton County, Indiana on September 30, 1999 as Instrument No. 9909957257; further amended by the Twelfth Supplemental Declaration of Condominium

Ownership of Courtyard Lakes dated November 8, 1999 and recorded in the Office of the Recorder of Hamilton County, Indiana on November 12, 1999 as Instrument No. 9909966304; further amended by the Thirteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated January 7, 2000 and reordered in the Office of the Recorder of Hamilton County, Indiana on January 18, 2000 as Instrument No. 200000002763, as further amended by the Fourteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 20, 2000 and recorded in the Office of the Recorder of Hamilton County, Indiana on March 29, 2000 as Instrument No. 200000014097; as further amended by the Fifteenth Supplemental declaration of Condominium Ownership of Courtyard Lakes dated November 7, 2000 and recorded in the Office of the Recorder of Hamilton County, Indiana on November 9, 2000 as Instrument No. 200000056055; as further amended by the Sixteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated November 28, 2000 and recorded in the Office of the Recorder of Hamilton County, Indiana on December 1, 2000 as Instrument No. 20000059839; as further amended by the Seventeenth Supplemental Declaration of Condominium Ownership dated January 23, 2001 and recorded in the Office of the Recorder of Hamilton County, Indiana on January 26, 2001 as Instrument No. 200100004123; as further amended by the Eighteenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated March 2, 2001 and recorded in the Office of the Recorder of Hamilton County, Indiana on March 8, 2001 as Instrument No. 200100011615; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles" and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-laws".) and,

WHEREAS, after receiving the consent of a Constitutional Majority and the approval of a Majority of the Mortgagees, as provided in Section 14(A)(ii) of the Declaration, it is desired that the By-Laws be amended as set forth herein,

NOW THEREFORE, the By-Laws are amended as follows:

Article VII. Section 7.01 of the by-Laws is amended by adding a new Subsection (p) to read as follows:

(p) The following restriction shall apply to the lease to rental of any Condominium Unit:

(1) Limit on Number of Leased Condominium Units. In order to insure that the residents within the Property share the same proprietary interest in and respect for the Condominium Units and the Common Areas, no more than four (4) Condominium Units, at any given time, may be leased or rented for exclusive occupancy by one or more non-owner tenants. For purposes of this Section 7.01(p)(1), a Condominium Unit is exclusively occupied by one or more non-owner tenants, if the Condominium Unit Owner of the Unit does not also correspondingly occupy the Condominium Unit as his/her principal place of residence. Prior to the execution of any lease, and in addition to the requirements set forth in this Section 7.01(p)(1), the Condominium Unit Owner must notify the Board or the Board's agent as to the Condominium Unit Owner's intent to lease his/her Condominium Unit. After receiving such notice, the Board or the Board's agent shall advise the Condominium Unit Owner if the Condominium Unit may be leased or

whether the maximum number of Condominium Units within the Regime is currently being leased. If the maximum number of Condominium Units is already being leased, the Board or the Board's agent shall place the Condominium Unit Owner on the waiting list in priority order based on the date of notice from the Condominium Unit Owner, and shall notify the Condominium Unit Owner of that Condominium Unit Owner's position on the waiting list. When an existing non-owner occupant vacates a Condominium Unit, the Condominium Unit Owner of that Condominium Unit shall immediately notify the Board or the Board's agent of such fact and that Condominium Unit cannot be re-rented or leased until all prior Condominium Unit Owners on the waiting list, if any, have had a chance to rent or lease their Condominium Units. A Condominium Unit Owner on the waiting list who obtains the opportunity to rent or lease his/her Condominium Unit, must present an executed lease to the Board or to the Board's agent, within sixty (60) days of the date of notice that he/she may rent or lease the Condominium Unit, or that Condominium Unit Owner will forfeit his/her position on the waiting list. The Board may, in its discretion, grant an exception, for not more than one (1) year at a time, to the limit provided in this paragraph, to a Condominium Unit Owner that the Board determines is actively and in good faith trying to sell his/her Condominium Unit.

(2) General Lease Conditions. All leases, including renewals, shall be in writing, and no lease shall be entered into for a term of less than one (1) year without the prior written approval of the Board. No portion of any Condominium Unit other than the entire Condominium Unit may be leased for any period. No subleasing is permitted. No Condominium Unit Owner will be permitted to lease or rent his/her Condominium Unit, if the Condominium Unit Owner is delinquent in paying any assessments or other charges due to the Association at the time the lease is entered. All leases shall be made expressly subject and subordinate in all respects to the terms of the Declaration, By-Laws and any rules and regulations promulgated by the Board, as amended, to the same extent as if the tenant were a Condominium Unit Owner and a member of the Association; and shall provide for direct action by the Association and/or any Condominium Unit Owner against the tenant with or without joinder of the Condominium Unit Owner of such Condominium Unit. The Condominium Unit Owner shall supply copies of the Declaration, By-Laws and rules and regulations to the tenant prior to the effective date of the lease. In addition, the Board shall have the power to promulgate such additional rules and regulations as, in its discretion, may be necessary or appropriate concerning leasing.

(3) Six Month Waiting Period. In addition to all other provisions, for a period of at least six (6) months after a Condominium Unit Owner's acquisition of a Condominium Unit, the Condominium Unit Owner cannot rent or lease that Unit for exclusive occupancy by one or more non-owner tenants. After such time, said Condominium Unit will be eligible to be leased if all other conditions are satisfied. In the case of the transfer of ownership of a Condominium Unit which was properly leased under these rules by the previous Condominium Unit Owner, the new Condominium Unit Owner can continue with such lease only to finish the then current term of not more than one (1) year. When that term ends, the Condominium Unit Owner, if he/she wants to lease his/her Condominium Unit, must meet all requirements the same as other Condominium Unit

Owners who are not exempted.

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

(5) Approval of Form of Lease. Any Condominium Unit Owner desiring to enter into a lease for his/her Condominium Unit shall submit the form of the proposed lease to the Board (which form need not include the identity of the tenant or the rental amount) for review for compliance with the requirements of this Section 7.01(p). The Board may employ an attorney in connection with any such review, and a reasonable fee may be charged to the applicant to offset the expense so incurred. In the event the Board fails to approve or disapprove the form of the lease within thirty (30) days after submission by the applicant, the form of the lease shall be deemed approved. A copy of each executed lease by a Condominium Unit Owner (which may have the rental amount deleted) shall be provided to the Board by the Condominium Unit Owner within thirty (30) days after execution.

(6) Violations. If any Condominium Unit Owner leases or rents his/her Condominium Unit in violation of the provisions of this Section 7.01(p), the Association may bring a legal action to enjoin the improper conduct and in addition, the Condominium Unit Owner will be assessed a penalty of \$50 for each day that the violation continues. The penalty, if not paid will be secured by a continuing lien upon the property against which the assessment is made and may be collected by the Association in the manner provided in the Declaration for the collection of other assessments or charges.

(7) Effective Date of Lease Conditions. These leasing restrictions shall not apply to any Condominium Unit of a Condominium Unit Owner who, at the time of recording this provision, is renting or leasing said Condominium Unit for exclusive occupancy by one or more non-owner tenants, so long as such Condominium Unit continues to be owned by the same Condominium Unit Owner and is not occupied as a residence by such Condominium Unit Owner. In order for this exception to apply, said Condominium Unit Owner must deliver a copy of the executed lease which is in effect at the time to the Board within thirty (30) days after the recording of this document and shall furnish a copy of any subsequent lease within thirty (30) days after its execution. Such copy may have the rental amount deleted. Failure of such a Condominium Unit Owner to timely deliver a copy of any such lease to the Board shall result in said Condominium Unit Owner's Condominium Unit being subject to these restrictions. However, in this latter circumstance, these restrictions shall not apply to any lease executed prior to the effective date of these restrictions or to any renewals thereof provided in such lease so long as the occupants remain the same. Any Condominium Unit which falls under the exception of

this paragraph shall, nevertheless, be counted as one of the four (4) maximum Condominium Units that may be rented at any given time even though such maximum does not apply to restrict such excepted Condominium Unit.

(8) Institutional Mortgages. The provisions set forth shall not apply to any institutional mortgage holder of any Condominium Unit which comes into possession of the mortgage holder by reason of any remedies provided by law or in equity or in such mortgage or as a result of a foreclosure sale or other judicial sale or as a result of any proceeding, arrangement or deed in lieu of foreclosure.

IN WITNESS WHEREOF, Courtyard Lakes Owners Association, Inc. has executed this Amendment as of this 20 day of May, 2003.

COURTYARD LAKES OWNERS ASSOCIATION, INC.

By: Margaret H. Hurst
Margaret Hurst, President

Attest:
Irene Tucker
Irene Tucker, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)



Before me, a Notary Public in and for said County and State, personally appeared Margaret Hurst, President of Courtyard Lakes Owners Association, Inc. and Irene Tucker, Secretary of Courtyard Lakes Owners Association, Inc. who acknowledged the execution of the foregoing Amendment to the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners association, Inc.

WITNESS my hand and notarial seal this 20th day of MAY, 2003.

My Commission Expires:

3-29-11

Carla Hoover
Notary Public

Carla Hoover
Printed

Residing in HAMILTON
County, Indiana

CHICAGO TITLE

AFFIDAVIT OF MAILING
NOTICE TO FIRST MORTGAGEES

STATE OF INDIANA)
)
COUNTY OF HAMILTON)

After being first duly sworn under oath, Irene Tucker, the Secretary of the Courtyard Lakes Owners Association, Inc., hereby deposes and says she has mailed a copy of the foregoing Amendment to the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners association, Inc. by certified United States mail to all holders of first mortgages of record entitled to such notice on this 20 day of May, 2003.

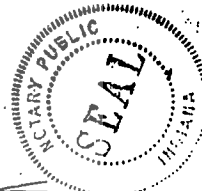
Irene Tucker
Irene Tucker, Secretary

Before me, a Notary Public for the above County and State, personally appeared Irene Tucker, the Secretary of the Courtyard Lakes Owners Association, Inc., and after being duly sworn under oath, acknowledged the execution of the foregoing Affidavit of Mailing Notice to First Mortgagees and stated the statements in said Affidavit are true.

Witness my hand and Notarial Seal this 20th day of MAY 2003.

I reside in HAMILTON
County, Indiana, and
My Commission Expires:
3-29-11

[Signature]
Notary Public (Signed)
Carla Hoover
Notary Public (Printed)



CHICAGO TITLE
This instrument prepared by Stephen R. Buschmann, Attorney at Law, THRASHER
BUSCHMANN GRIFFITH & VOELKEL, P.C., Market Square Center, Suite 1900, 151 North
Delaware Street, Indianapolis, Indiana 46204