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APPROVED 5-12-88
WASHINGTON TOWNSHIP ASSESSOR
BY: [Signature] Real Estate Depu.

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

10

This Thirteenth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Thirteenth Amendment and Supplement"), made as of the 29th day of April, 1988, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

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

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

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

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

[Signature]
MARION COUNTY AUDITOR
MAY 12 1988 01 21 48

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SETH D. ASHLEY
MARION COUNTY RECORDER

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

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

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

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

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

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

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

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

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

M. Declarant on the 29th day of August, 1987, executed a certain Twelfth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 10th day of November, 1987, as Instrument No. 87-129384.

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

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

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

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

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

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"Tract XIII Plans" as used herein means the floor and building on Additional Tract XIII, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of April 25, 1988, and a site plan of Additional Tract XIII and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of April 25, 1988, all of which are incorporated herein by reference.

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

3. Description of Building. There is one (1) Building containing two (2) Condominium Units on Additional Tract XIII as shown on the Tract XIII Plans. The Building is identified and referred to in the Tract XIII Plans and in this Thirteenth Amendment and Supplement as Building K. A description of the Building located on Additional Tract XIII and the Condominium Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Thirteenth Amendment and Supplement, The Holcomb Estate now consists of seventeen (17) Buildings containing forty (42) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Thirteenth Amendment and Supplement, shall be 2.38095%. The Condominium Units on Additional Tract XIII are identified on the Tract XIII Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such

Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract XIII Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

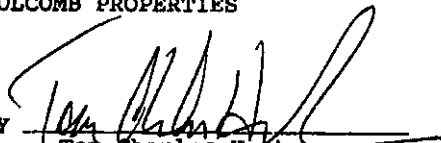
5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Condominium Unit shall constitute an agreement by the Owner thereof and all those claiming by, through or under him that the provisions of this Thirteenth Amendment and Supplement, the Declaration, all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

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

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

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

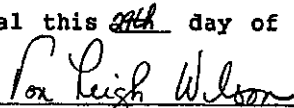
HOLCOMB PROPERTIES

By 
Tom Charles Huston
Assistant General Manager

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 24th day of April, 1988.


Notary Public Residing in
Greene County

Von Leigh Wilson
(printed signature)

My Commission Expires:

August 13, 1990

6858n

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

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CONSENT OF MORTGAGEE

THE UNDERSIGNED, being the holder of an existing mortgage on the Tract, as defined in the above and foregoing Declaration, which mortgage was dated the 29th day of June, 1984, and recorded in the Office of the Recorder of Marion County, Indiana, on the 2nd day of July, 1984, as Instrument No. 84-49.72, hereby consents to the recording of the above and foregoing Thirteenth Amendment and Supplement to Declaration and the submission of the Additional Tract XIII to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that its mortgage shall be subject to the provisions of the Act and the Declaration of Horizontal Property Regime for The Holcomb Estate as supplemented and amended by the foregoing Thirteenth Amendment and Supplement. This instrument shall in no way be construed or considered as a release of the mortgage as to the real estate described in said mortgage, but such mortgage shall remain in full force and effect as to said real estate therein described, and as further described in the Declaration of Horizontal Property Ownership, as amended and supplemented.

EXECUTED this 28th day of April, 1988.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 28th day of April, 1988.

Patricia A. Nuebler
Notary Public Residing in
Marion County

Patricia A. Nuebler
(printed signature)

My Commission Expires:
7-8-88

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

CONSENT OF MORTGAGEE

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

EXECUTED this 4TH day of ^{MAY} ~~April~~, 1988.

IWC RESOURCES CORPORATION

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 4TH day of ^{MAY} ~~April~~, 1988.

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

Earlene Stanley
Notary Public Residing in
Marion County

My Commission Expires:

(printed signature)

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

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT XIII

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

Commencing at the Northwest corner of said Quarter Section; thence along the North line thereof South 89 degrees 23 minutes 52 seconds East (assumed bearing) 818.12 feet to the Northwest corner of Ayrshire, the plat of which was recorded in Plat Book 18, page 144 in the Office of the Recorder of Marion County, Indiana; thence along the West line of said Ayrshire South 00 degrees 35 minutes 14 seconds West 1034.80 feet to the Southwest corner of said Ayrshire, which is the Point of Beginning; thence along the center line of Cold Spring Road North 64 degrees 06 minutes 31 seconds East 218.41 feet; thence South 25 degrees 53 minutes 29 seconds East 119.30 feet to a point on the Westerly line of a 22.00 feet wide ingress and egress easement recorded in Instrument 84-93098 in said Recorder's Office, which point is on a curve having a radius of 122.77 feet, the radius point of which bears South 75 degrees 50 minutes 51 seconds West; thence Southerly along said Westerly line and said curve 103.53 feet to a point which bears South 55 degrees 50 minutes 09 seconds East from said radius point; thence along said Westerly line South 34 degrees 09 minutes 51 West 28.47 feet to the Northeastly corner of the 0.832 acre parcel of Additional Tract XI as described in Exhibit A of the Eleventh Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3, all recorded August 27, 1987 as Instrument 87-99291 in said Recorder's Office; thence along the Northerly line of said 0.832 acre parcel of Additional Tract XI North 57 degrees 59 minutes 32 seconds West 259.70 feet to the Point of Beginning, containing 0.883 acres, more or less.

Together with the nonexclusive easements for ingress and egress recorded October 11, 1984 as Instrument 84-79773 and November 28, 1984 as Instrument 84-93098 in the Office of the Recorder of Marion County, Indiana.

Subject to and together with a water line easement recorded as Instrument 83-77974 in said Recorder's Office.

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

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

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EXHIBIT B
DESCRIPTION OF BUILDINGS
AND CONDOMINIUM UNITS

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

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

Unit K-1

1 Story	
Living Area	2270 square feet
Basement Area	1078 square feet
Garage Area	425 square feet
(2 bedrooms, 1 den and 2 baths)	

Unit K-2

1 Story	
Living Area	1879 square feet
Garage Area	484 square feet
(2 bedrooms, 1 den and 2 baths)	

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INITIALS

K.T.

\$ 16⁰⁰
③

HORIZONTAL PROPERTY REGIME

H.P.R. The Holcomb Estates
4401 Cold Spring Road

LEGAL _____

CROSS REFERENCE

84-79773

84-79773

DMD/VOID STAMP
LAND SURVEYOR
TOWNSHIP
AUDITOR
NOTARY

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BETH O. LANGRISH
MARION COUNTY RECORDER

TOWNSHIP

Washington

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Paul Crife

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CROSS REFERENCE

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

This Fourteenth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Fourteenth Amendment and Supplement"), made as of the 10th day of August, 1988, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

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

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

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

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

CHIEF CLERK
MARION COUNTY RECORDS
AUG 23 1988 2 48 PM '88
DUTY STATION
SUBJECT TO THE TERMS
HEREOF

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BETH D. LAUGHLIN
MARION COUNTY RECORDER

APPROVED 8/23/88
WASHINGTON TOWNSHIP ASSESSOR
BY: [Signature] Real Estate Deputy

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

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

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

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

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

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

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

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

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

M. Declarant on the 29th day of August, 1987, executed a certain Twelfth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 10th day of November, 1987, as Instrument No. 87-129384.

N. Declarant on the 29th day of April, 1988, executed a certain Thirteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 12th day of May, 1988, as Instrument No. 88-44460.

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

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

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

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

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

"Tract XIV Plans" as used herein means the floor and building on Additional Tract XIV, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of July 18, 1988, and a site plan of Additional Tract XIV and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of July 18, 1988, all of which are incorporated herein by reference.

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

3. Description of Building. There is one (1) Building containing one (1) Condominium Unit on Additional Tract XIV as shown on the Tract XIV Plans. The Building is identified and referred to in the Tract XIV Plans and in this Fourteenth Amendment and Supplement as Building HH. A description of the Building located on Additional Tract XIV and the Condominium Unit contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Fourteenth Amendment and Supplement, The Holcomb Estate now consists of eighteen (18) Buildings containing forty-three (43) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as

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now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Fourteenth Amendment and Supplement, shall be 2.3256%. The Condominium Unit on Additional Tract XIV is identified on the Tract XIV Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract XIV Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

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

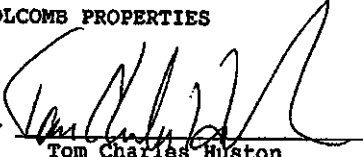
6. Floor Plans. The Tract XIV Plans setting forth the layout, location, identification numbers and dimensions of the Condominium Unit and Property identified in this Fourteenth Amendment and Supplement are incorporated into the Declaration, added to the Plans filed with the Declaration, and have been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

7. Exculpation. This instrument is executed and delivered on the express condition that anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements herein made on the part of Declarant ("Representations"), while in form purporting to be the Representations of Declarant, are nevertheless each and every one of them, made and intended not as personal Representations by Declarant or for the purpose or with the intention of binding Declarant personally, but are made and intended for the purpose of binding only the Tract; and no personal liability or personal responsibility is assumed by nor shall at any time be asserted or enforceable against Declarant personally or

any of its partners or agents, on account of this instrument or on account of, in connection with or arising out of any Representations of Declarant in this instrument contained, either express or implied, all such personal liability, if any, being expressly waived and released by each Person who acquires any interest in a Condominium Unit as a condition to the acquisition thereof.

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

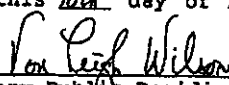
HOLCOMB PROPERTIES

By 
Tom Charles Huston
Assistant General Manager

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 10th day of August, 1988.


Notary Public Residing in
Greene County

Von Leigh Wilson
(printed signature)

My Commission Expires:
August 13, 1990

8220g

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

EXHIBIT B

DESCRIPTION OF BUILDINGS
AND CONDOMINIUM UNITS

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

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

Unit HH-1

1 Story	
Living Area	2271 square feet
Basement Area	1088 square feet
Garage Area	420 square feet
(2 bedrooms, den and 2 baths)	

880085827

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT XIV

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

Beginning at the Northwest corner of the 0.50 acre parcel of Additional Tract V as described in Exhibit A of the Fifth Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3, all recorded May 29, 1988 as Instrument 86-45460 in the Office of the Recorder of Marion County, Indiana, which point is also on the East line of a 22.00 feet wide ingress and egress easement recorded in Instrument 84-93098 in said Recorder's Office; thence along the Easterly and Southerly lines of said easement the following six courses: (1) North 01 degrees 11 minutes 29 seconds West 58.22 feet to a curve having a radius of 114.51 feet, the radius point of which bears North 88 degrees 48 minutes 31 seconds East; (2) Northerly along said curve 70.88 feet to a point which bears North 55 degrees 50 minutes 09 seconds West from said radius point; (3) North 34 degrees 09 minutes 51 seconds East 15.50 feet to a curve having a radius of 10.00 feet, the radius point of which bears South 55 degrees 50 minutes 09 seconds East; (4) Northeasterly and Easterly along said curve 15.71 feet to a point which bears North 34 degrees 09 minutes 51 seconds East from said radius point; (5) South 55 degrees 50 minutes 09 seconds East 38.98 feet to a curve having a radius of 76.42 feet, the radius point of which bears North 34 degrees 09 minutes 51 seconds East; (6) Easterly along said curve 24.18 feet to a point which bears South 18 degrees 02 minutes 49 seconds West from said radius point; thence South 00 degrees 00 minutes 00 seconds 107.45 feet to the Northeast corner of said 0.50 acre parcel of Additional Tract V; thence along the North line thereof South 88 degrees 48 minutes 31 seconds West 83.53 feet to the Point of Beginning, containing 0.284 acres, more or less.

Together with the nonexclusive easements for ingress and egress recorded October 11, 1984 as Instrument 84-79773 and November 28, 1984 as Instrument 84-93098 in the Office of the Recorder of Marion County, Indiana.

880085827

CONSENT OF MORTGAGEE

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

EXECUTED this 25th day of July, 1988.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 25th day of July, 1988.

Karen R. Wright
Notary Public Residing in
Marion County

880085827 Karen R. Wright
(printed signature)

My Commission Expires:
6-12-92

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

CONSENT OF MORTGAGEE

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

EXECUTED this 4th day of August, 1988.

IWC RESOURCES CORPORATION

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 4th day of AUG., 1988.

Earlene Stanley
Notary Public Residing in
Marion County

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

(printed signature)

My Commission Expires:

880085827

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

CROSS REFERENCE
880098079

APPROVED 9/26/88
WASHINGTON TOWNSHIP ASSESSOR
BY: Theresa Paris Real Estate Deputy

Handwritten initials/signature

CURTIS L. COJN309
MARION COUNTY RECORDER

SEP 26 1988 20621

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

CROSS REFERENCE

ACCEPTANCE

This Fifteenth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Fifteenth Amendment and Supplement"), made as of the 11th day of September, 1988, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

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

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

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

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

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

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BETH O'LAUGHLIN
MARION COUNTY RECORDER

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

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

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

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

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

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

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

L. Declarant on the 15th day of August, 1987, executed a certain Eleventh Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 27th day of August, 1987, as Instrument No. 87-99291.

M. Declarant on the 29th day of August, 1987, executed a certain Twelfth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 10th day of November, 1987, as Instrument No. 87-129384.

N. Declarant on the 29th day of April, 1988, executed a certain Thirteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 12th day of May, 1988, as Instrument No. 88-4460.

O. Declarant on the 10th day of August, 1988, executed a certain Fourteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 23rd day of August, 1988, as Instrument No. 88-85827.

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

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

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

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

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

"Tract XV Plans" as used herein means the floor and building on Additional Tract XV, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of August 29, 1988, and a site plan of Additional Tract XV and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of August 29, 1988, all of which are incorporated herein by reference.

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

3. Description of Building. There is one (1) Building containing one (1) Condominium Unit on Additional Tract XV as shown on the Tract XV Plans. The Building is identified and referred to in the Tract XV Plans and in this Fifteenth Amendment and Supplement as Building N-1. A description of the Building located on Additional Tract XV and the Condominium Unit contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Fifteenth Amendment and Supplement, The Holcomb Estate now consists of nineteen (19) Buildings containing forty-four (44) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb

Estate and the Condominium Units added to The Holcomb Estate by this Fifteenth Amendment and Supplement, shall be 2.27272%. The Condominium Unit on Additional Tract XV is identified on the Tract XV Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract XV Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

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

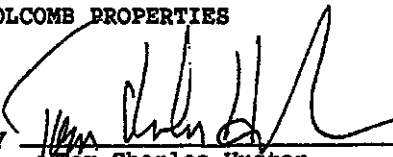
6. Floor Plans. The Tract XV Plans setting forth the layout, location, identification numbers and dimensions of the Condominium Unit and Property identified in this Fifteenth Amendment and Supplement are incorporated into the Declaration, added to the Plans filed with the Declaration, and have been filed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

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

expressly waived and released by each Person who acquires any interest in a Condominium Unit as a condition to the acquisition thereof.

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

HOLCOMB PROPERTIES

By 
Tom Charles Huston
Assistant General Manager

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 22nd day of September, 1988.


Notary Public Residing in
Greene County

Von Leigh Wilson
(printed signature)

My Commission Expires:
August 13, 1990

40581

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

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT XV

Part of the Northwest Quarter of Section 16, Township 18 North, Range 3 East in Marion County, Indiana, more particularly described as follows:

Beginning at the Northwesterly corner of the 0.295 acre parcel of Additional Tract IX as described in Exhibit A of the Ninth Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3, all recorded April 24, 1987 as Instrument 87-45208 in the Office of the Recorder of Marion County, Indiana, which point is on the Southerly line of a 22.00 foot wide ingress and egress easement described in Exhibit A of Instrument 84-93098 recorded November 28, 1984 in said Recorder's Office; thence along the Westerly line of said 0.295 acre parcel of Additional Tract IX South 13 degrees 34 minutes 32 seconds West 127.25 feet to the Southwesterly corner thereof, which point is on the Northerly line of a cul-de-sac in said ingress and egress easement having a radius of 30.00 feet, the radius point of which bears South 13 degrees 34 minutes 32 seconds West; thence Westerly and Southwesterly along said cul-de-sac 37.59 feet to a point which bears North 58 degrees 13 minutes 12 seconds West from said radius point; thence North 09 degrees 00 minutes 00 seconds West 130.58 feet to a point on the Southerly line of said ingress and egress easement, which point is on a curve having a radius of 82.30 feet, the radius point of which bears South 10 degrees 07 minutes 10 seconds East; thence along the Southerly line of said ingress and egress easement the following three courses: (1) Easterly along said curve 20.44 feet to a point which bears North 04 degrees 06 minutes 31 seconds East from said radius point; (2) South 85 degrees 53 minutes 29 seconds East 19.00 feet to a curve having a radius of 85.64 feet, the radius point of which bears North 04 degrees 06 minutes 31 seconds East; (3) Easterly and Northeasterly along said curve 44.84 feet to the Point of Beginning (which bears South 25 degrees 53 minutes 29 seconds East from said radius point), containing 0.158 acres, more or less.

Together with the nonexclusive easements for ingress and egress recorded October 11, 1984 in Instrument 84-79773 and November 28, 1984 in Instrument 84-93098 in the Office of the Recorder of Marion County, Indiana.

Subject to and together with a 20.00 foot wide sewer easement recorded as Instrument 84-52812 in said Recorder's Office.

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EXHIBIT B

DESCRIPTION OF BUILDINGS
AND CONDOMINIUM UNITS

The building on Additional Tract XV as of the date of this Supplemental Declaration is identified and referred to in the Plans as Building N-1. Building N-1 is a one story structure and is constructed of wood frame. The building is more particularly described as follows:

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

Unit N-1

1 Story	
Living Area	2030 square feet
Basement Area	1190 square feet
Garage Area	438 square feet
(2 bedrooms, den and 2 1/2 baths)	

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CONSENT OF MORTGAGEE

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

EXECUTED this 16th day of September, 1988.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

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

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

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

WITNESS my hand and Notarial Seal this 16th day of September, 1988.

Miriam E. Sherman
Notary Public Residing in
Hamilton County

Miriam E. Sherman
(printed signature)

My Commission Expires:
November 9, 1990

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

CONSENT OF MORTGAGE

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

EXECUTED this 16th day of September, 1988.

IWC RESOURCES CORPORATION

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 16th day of September, 1988.

Earlene Stanley
Notary Public Residing in
Marion County

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

My Commission Expires:

(printed signature)

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

880098079

INITIALS

K.T.

\$ 16⁰⁰
(3)

HORIZONTAL PROPERTY REGIME

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

LEGAL _____

CROSS REFERENCE

84-79773

DMD/VOID STAMP
LAND SURVEYOR
TOWNSHIP
AUDITOR
NOTARY

✓
APPY

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BETH O'LAUGHLIN
HARBOUR COUNTY RECORDER

TOWNSHIP

Washington

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Paul Chypé
842-6777

INITIALS

W/S

880109652

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(13)

HORIZONTAL PROPERTY REGIME

H.P.R. The Holcomb Estates HPR

LEGAL Building "A" of The Holcomb Estates

CROSS REFERENCE

34-79773

DMD/VOID STAMP
LAND SURVEYOR
TOWNSHIP
AUDITOR
NOTARY

W/S
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BETH O'LAUGHLIN
HARRISON COUNTY RECORDER

TOWNSHIP

Washington

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Paul Onpe
842-6777
Don

APPROVED 10/27/84
WASHINGTON TOWNSHIP ASSESSOR
BY: Mrs. Paris Real Estate Deputy

CURTIS L. COONROD
MARION COUNTY CLERK

OCT 27 88 03 2338

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

Plot + 10,000

JULY ENTERED FOR
TAXATION
SUBJECT TO
ACCEPTANCE FOR TRANSFER

This Sixteenth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Sixteenth Amendment and Supplement"), made as of the 17th day of October, 1988, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

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

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

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

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

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

880109652

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

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

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

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

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

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

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

L. Declarant on the 15th day of August, 1987, executed a certain Eleventh Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 27th day of August, 1987, as Instrument No. 87-99291.

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M. Declarant on the 29th day of August, 1987, executed a certain Twelfth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 10th day of November, 1987, as Instrument No. 87-129384.

N. Declarant on the 29th day of April, 1988, executed a certain Thirteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 12th day of May, 1988, as Instrument No. 88-44460.

O. Declarant on the 10th day of August, 1988, executed a certain Fourteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 23rd day of August, 1988, as Instrument No. 88-85827.

P. Declarant on the 16th day of September, 1988, executed a certain Fifteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 26th day of September, 1988, as Instrument No. 88-98079.

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

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

S. All conditions relating to the expansion of The Holcomb Estate to include Additional Tract XVI and to the inclusion of Additional Tract XVI in The Holcomb Estate have been met and

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satisfied and Declarant, by this Sixteenth Amendment and Supplement, desires to and hereby does expand The Holcomb Estate to include Additional Tract XVI and to incorporate Additional Tract XVI in The Holcomb Estate.

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

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

"Tract XVI Plans" as used herein means the floor and building on Additional Tract XVI, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of October __, 1988, and a site plan of Additional Tract XVI and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of October __, 1988, all of which are incorporated herein by reference.

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

3. Description of Building. There is one (1) Building containing four (4) Condominium Units on Additional Tract XVI as shown on the Tract XVI Plans. The Building is identified and referred to in the Tract XVI Plans and in this Sixteenth Amendment and Supplement as Building Q. A description of the Building located on Additional Tract XVI and the Condominium

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Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Sixteenth Amendment and Supplement, The Holcomb Estate now consists of twenty (20) Buildings containing forty-eight (48) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Sixteenth Amendment and Supplement, shall be 2.0833%. The Condominium Units on Additional Tract XVI are identified on the Tract XVI Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract XVI Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

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

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

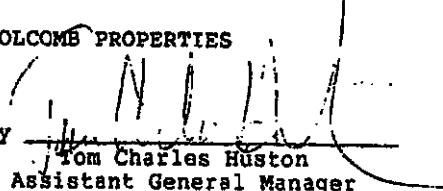
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7. **Exculpation.** This instrument is executed and delivered on the express condition that anything herein to the contrary notwithstanding, each and all of the representations, covenants, undertakings and agreements herein made on the part of Declarant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

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

HOLCOMB PROPERTIES

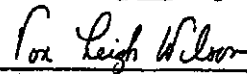
By


Tom Charles Huston
Assistant General Manager

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 14th day of October, 1988.



Von Leigh Wilson, Notary Public
Residing in Greene County

My Commission Expires:
August 13, 1990

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

CONSENT OF MORTGAGEE

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

EXECUTED this 5th day of October, 1988.

IWC RESOURCES CORPORATION

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 5th day of October, 1988.

Notary Public Residing in
Marion County

(printed signature)

NOTARY PUBLIC IN MARION COUNTY
MY COMMISSION EXPIRES MARCH 25, 1989
EARLENE STANLEY

My Commission Expires: _____

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

CONSENT OF MORTGAGEE

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

EXECUTED this 11 day of October, 1988.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

By Michael W. Richard
Senior Vice President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 4th day of October, 1988.

Miriam E. Sherman
Notary Public Residing in
Hamilton ~~Marion~~ County

Miriam E. Sherman
(printed signature)

My Commission Expires:
November 9, 1990

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

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT XVI

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

Beginning at the Northwesterly corner of the 0.59 acre parcel described in Exhibit B of the Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3, all recorded October 11, 1984 as Instrument 84-79773 in the Office of the Recorder of Marion County, Indiana; thence along the Westerly line of said 0.59 acre parcel and the prolongation thereof South 15 degrees 15 minutes 14 seconds East 160.06 feet to the Northwesterly line of a nonexclusive easement for ingress and egress described on page 7 of Exhibit A of the First Amendment and Supplement to said Declaration and shown on the As Built Site Plan, Sheet 2 of 9, all recorded November 28, 1984 as Instrument 84-93096 in said Recorder's Office (the following six courses are along the Northwesterly and Northerly lines of said nonexclusive easement for ingress and egress); (1) thence South 37 degrees 30 minutes 00 seconds West 106.44 feet to a curve having a radius of 25.00 feet, the radius point of which bears North 52 degrees 30 minutes 00 seconds West; (2) thence Southwesterly along said curve 15.89 feet to a point which bears South 16 degrees 04 minutes 45 seconds East from said radius point; (3) thence South 73 degrees 55 minutes 15 seconds West 12.97 feet to a curve having a radius of 25.00 feet, the radius point of which bears North 16 degrees 04 minutes 45 seconds West; (4) thence Westerly along said curve 19.35 feet to a point which bears South 28 degrees 15 minutes 25 seconds West from said radius point; (5) thence North 61 degrees 44 minutes 35 seconds West 19.89 feet to a curve having a radius of 25.00 feet, the radius point of which bears South 28 degrees 15 minutes 25 seconds West; (6) thence Westerly, Southwesterly, and Southerly along said curve 58.62 feet to a point on the Northerly line of the 0.50 acre parcel of Additional Tract III as described in Exhibit A of the Third Amendment and Supplement to said Declaration and shown on the As Built Site Plan, Sheet 2 of 3, all recorded July 11, 1985 as Instrument 85-67287 in said Recorder's Office, which point bears South 73 degrees 55 minutes 15 seconds West from said radius point; thence along the Northerly line of said 0.50 acre parcel of Additional Tract III South 73 degrees 55 minutes 15 seconds West 32.20 feet to the Northwesterly corner thereof; thence North 21 degrees 12 minutes 53 seconds East 283.88 feet to a point which bears South 74 degrees 44 minutes 46 seconds West 50.00 feet from the point of beginning; thence North 74 degrees 44 minutes 46 seconds East 50.00 feet to the Point of Beginning, containing 0.609 acres, more or less.

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

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

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EXHIBIT B

DESCRIPTION OF BUILDINGS
AND CONDOMINIUM UNITS

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

Building Q contains a total of four (4) separate Condominium Units, which consists of the following:

Unit Q-1

1 Story	
Living Area	1993 square feet
Basement Area	1235 square feet
Garage Area	477 square feet
(2 bedrooms, den and 2 baths)	

Unit Q-2

2 Story	
Living Area, First Floor	1832 square feet
Second Floor	1001 square feet
Basement Area	1680 square feet
Garage Area	465 square feet
(3 bedrooms, den and 2 1/2 baths)	

Unit Q-3

2 Story	
Living Area, First Floor	1713 square feet
Second Floor	1070 square feet
Basement Area	1859 square feet
Garage Area	517 square feet
(5 bedrooms, den and 4 1/2 baths)	

Unit Q-4

1 Story	
Living Area	1968 square feet
Basement Area	1078 square feet
Garage Area	497 square feet
(2 bedrooms, den and 2 baths)	

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INITIALS

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HPR
~~SUBDIVISION~~ The Holcomb Estates HPR

LEGAL Block "J" of Holcomb Estates

CROSS REFERENCE

84-79773

DECLARATION

DMD/VOID STAMP
LAND SURVEYOR
TOWNSHIP
AUDITOR
NOTARY

—
—
—
—
—

RECEIVED FOR RECORD

88 DEC -1 PM 12:58

BETH O'LAUGHLIN
MARION COUNTY RECORDER

TOWNSHIP

Washington

RETURN TO:

Paul Cripe
842-6777
w/declarations

CURTIS L. COOMBS
MARION COUNTY CLERK

Dec 188035951

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

APPROVED 12-1-88

WASHINGTON TOWNSHIP ASSESSOR
BY: [Signature]

11/2

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This Seventeenth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Seventeenth Amendment and Supplement"), made as of the 21st day of November, 1988, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

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

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

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

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

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

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

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

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

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

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

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

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

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

M. Declarant on the 29th day of August, 1987, executed a certain Twelfth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 10th day of November, 1987, as Instrument No. 87-129384.

N. Declarant on the 29th day of April, 1988, executed a certain Thirteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 12th day of May, 1988, as Instrument No. 88-4460.

O. Declarant on the 10th day of August, 1988, executed a certain Fourteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 23rd day of August, 1988, as Instrument No. 88-85827.

P. Declarant on the 16th day of September, 1988, executed a certain Fifteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 26th day of September, 1988, as Instrument No. 88-98079.

Q. Declarant on the 17th day of September, 1988, executed a certain Sixteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 27th day of October, 1988, as Instrument No. 88-109652.

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

S. Additional Tract XVII constitutes a portion of the Real Estate (as defined in the Declaration) and constitutes the sixteenth phase of the general plan of development of the Real

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

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

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

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

"Tract XVII Plans" as used herein means the floor and building on Additional Tract XVII, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of November 15, 1988, and a site plan of Additional Tract XVII and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of November 15, 1988, all of which are incorporated herein by reference.

2. Declaration. Declarant hereby expressly declares that Additional Tract XVII and all appurtenant easements, Condominium Units, Buildings, garages, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon shall be annexed to and become part of The Holcomb Estate, and The Holcomb Estate is hereby expanded to include Additional Tract XVII, all as if the same had originally been included in the Declaration, and the same shall hereafter be held, transferred, sold, conveyed, used and occupied subject to all of the covenants, conditions, restrictions, terms and provisions of the Declaration, this Seventeenth Amendment and Supplement, the Act, and the By-Laws, and the

rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, the Declaration being incorporated herein and made a part hereof by reference.

3. Description of Building. There is one (1) Building containing two (2) Condominium Units on Additional Tract XVII as shown on the Tract XVII Plans. The Building is identified and referred to in the Tract XVII Plans and in this Seventeenth Amendment and Supplement as Building J. A description of the Building located on Additional Tract XVII and the Condominium Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Seventeenth Amendment and Supplement, The Holcomb Estate now consists of twenty-one (21) Buildings containing fifty (50) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Seventeenth Amendment and Supplement, shall be 2.0%. The Condominium Units on Additional Tract XVII are identified on the Tract XVII Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract XVII Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

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

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

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

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

HOLCOMB PROPERTIES

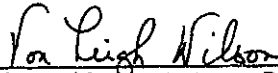
By 

Tom Charles Huston
Assistant General Manager

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 21st day of November, 1988.



Von Leigh Wilson, Notary Public
Residing in Greene County

My Commission Expires:
August 13, 1990

40581

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

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT XVII

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

Beginning at the Southwest corner of the 0.158 acre parcel of Additional Tract XV as described in Exhibit A of the Fifteenth Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3, all recorded September 26, 1988 as Instrument 88-98079 in the Office of the Recorder of Marion County, Indiana; thence South 78 degrees 00 minutes 00 seconds West 136.28 feet to a point on the Easterly line of a 22.00 foot wide nonexclusive easement for ingress and egress described on pages 4 through 6 of Exhibit A of the First Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 9, all recorded November 28, 1984 as Instrument 84-93096 in said Recorder's Office, and which point is on a curve having a radius of 144.77 feet, the radius point of which bears North 89 degrees 12 minutes 29 seconds West (the following nine courses are along said nonexclusive easement for ingress and egress); (1) thence Southerly and Southwesterly along said curve 78.36 feet to a point which bears South 58 degrees 59 minutes 03 seconds East from said radius point, and which point is on a reverse curve having a radius of 10.00 feet, the radius point of which bears South 58 degrees 59 minutes 03 seconds East; (2) thence Southerly and Southeasterly along said curve 15.16 feet to a point which bears South 34 degrees 09 minutes 51 seconds West from said radius point; (3) thence South 55 degrees 50 minutes 09 seconds East 37.21 feet to a curve having a radius of 54.42 feet, the radius point of which bears North 34 degrees 09 minutes 51 seconds East; (4) thence Easterly along said curve 32.29 feet to a point which bears South 00 degrees 09 minutes 51 seconds West from said radius point; (5) thence South 89 degrees 50 minutes 09 seconds East 28.28 feet to a curve having a radius of 58.33 feet, the radius point of which bears North 00 degrees 09 minutes 51 seconds East; (6) thence Northeasterly along said curve 67.16 feet to a point which bears South 65 degrees 48 minutes 34 seconds East from said radius point; (7) thence North 24 degrees 11 minutes 26 seconds East 44.18 feet to a curve having a radius of 30.00 feet, the radius point of which bears North 65 degrees 48 minutes 34 seconds West; (8) thence Northerly and Northwesterly along said curve 35.86 feet to a point which bears North 45 degrees 42 minutes 03 seconds East from said radius point, and which point is on a reverse curve having a radius of 30.00 feet, the radius point of which bears North 45 degrees 42 minutes 03 seconds East; (9) thence Northerly along said curve 39.83 feet to a point which bears North 58 degrees 13 minutes 12 seconds West from said radius point, and which point is the Point of Beginning, containing 0.402 acres, more or less.

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

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

880121366

EXHIBIT B

DESCRIPTION OF BUILDINGS
AND CONDOMINIUM UNITS

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

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

Unit J-1

1 Story	
Living Area	1997 square feet
Basement Area	1220 square feet
Garage Area	404 square feet
(2 bedrooms, den and 2 baths)	

Unit J-2

1 Story	
Living Area	1971 square feet
Basement Area	1210 square feet
Garage Area	406 square feet
(2 bedrooms, den and 2 baths)	

880121366

CONSENT OF MORTGAGEE

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

EXECUTED this 19th day of November, 1988.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 14th day of November, 1988.

Miriam E. Sherman
Notary Public Residing in
Hamilton County

Miriam E. Sherman
(printed signature)

My Commission Expires:
November 9, 1990

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

830121366

CONSENT OF MORTGAGEE

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

EXECUTED this 14TH day of November, 1988.

IWC RESOURCES CORPORATION

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 14th day of November, 1988.

NOTARY RESIDES IN MARION COUNTY
MY COMMISSION EXPIRES MARCH 29, 1990
EARLENE STANLEY

Earlene Stanley
Notary Public Residing in
Marion County

(printed signature)

My Commission Expires:

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

830121366

CROSS REFERENCE

INITIALS
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H.P.R. The Holcomb Estates
SUBDIVISION

LEGAL _____

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84-79773, 84-52812 88-13244 VOID STAMP
LAND SURVEYOR
TOWNSHIP
AUDITOR
NOTARY

DECLARATION
Some Number

RECEIVED FOR RECORD
89 MAR 13 AM 10:41
DEPT. OF AGRICULTURE
HARSH COUNTY RECORDER

MMN

TOWNSHIP
Washington

RETURN TO:
Paul Crisp
842-6777

CROSS REFERENCE

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

This Eighteenth Amendment And Supplement To Declaration of Horizontal Property Ownership For The Holcomb Estate Horizontal Property Regime ("Eighteenth Amendment and Supplement"), made as of the 7th day of December, 1988, by HOLCOMB PROPERTIES, an Indiana general partnership (the "Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

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

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

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

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

CHRTIS L. COONROD
MARION COUNTY RECORDER
DULY EMPLOYED FOR
TAXATION
SUBJECT TO THE
ACCEPTANCE FOR TRANSFER
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RETURNED FOR RECORDER
MARION COUNTY RECORDER

APPROVED 3-13-89
WASHINGTON TOWNSHIP ASSESSOR
BY: Allen J. Fair Real Estate Deputy

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

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

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

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

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

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

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

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

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

M. Declarant on the 29th day of August, 1987, executed a certain Twelfth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 10th day of November, 1987, as Instrument No. 87-129384.

N. Declarant on the 29th day of April, 1988, executed a certain Thirteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 12th day of May, 1988, as Instrument No. 88-44460.

O. Declarant on the 10th day of August, 1988, executed a certain Fourteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 23rd day of August, 1988, as Instrument No. 88-85827.

P. Declarant on the 16th day of September, 1988, executed a certain Fifteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 26th day of September, 1988, as Instrument No. 88-98079.

Q. Declarant on the 17th day of September, 1988, executed a certain Sixteenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 27th day of October, 1988, as Instrument No. 88-109652.

R. Declarant on the 21st day of November, 1988, executed a certain Seventeenth Amendment and Supplement to the Declaration, which was recorded in the office of the aforesaid Recorder on the 1st day of December, 1988, as Instrument No. 88-121366.

S. Declarant is the sole owner of the fee simple title to that certain parcel of real estate located in Marion County, Indiana, which is more particularly described in Exhibit "A" attached hereto and hereby made a part hereof by

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this reference (hereinafter referred to as "Additional Tract XVIII").

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

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

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

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

"Tract XVIII Plans" as used herein means the floor and building on Additional Tract XVIII, prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a licensed professional engineer under date of November 26, 1988, and a site plan of Additional Tract XVIII and the Building thereon prepared by Paul I. Cripe, Inc., certified by James E. Dankert, a registered land surveyor, under date of November 26, 1988, all of which are incorporated herein by reference.

2. Declaration. Declarant hereby expressly declares that Additional Tract XVIII and all appurtenant easements, Condominium Units, Buildings, garages, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon shall be annexed to and become part of The

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Holcomb Estate, and The Holcomb Estate is hereby expanded to include Additional Tract XVIII, all as if the same had originally been included in the Declaration, and the same shall hereafter be held, transferred, sold, conveyed, used and occupied subject to all of the covenants, conditions, restrictions, terms and provisions of the Declaration, this Eighteenth Amendment and Supplement, the Act, and the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, the Declaration being incorporated herein and made a part hereof by reference.

3. Description of Building. There is one (1) Building containing two (2) Condominium Units on Additional Tract XVIII as shown on the Tract XVIII Plans. The Building is identified and referred to in the Tract XVIII Plans and in this Eighteenth Amendment and Supplement as Building M. A description of the Building located on Additional Tract XVIII and the Condominium Units contained therein is set forth in Exhibit "B" attached hereto and hereby made a part hereof by this reference. As of the date of this Eighteenth Amendment and Supplement, The Holcomb Estate now consists of twenty-two (22) Buildings containing fifty-two (52) Condominium Units.

4. Percentage Interest and Legal Description. Pursuant to the Declaration and the Act, Declarant hereby reallocates the Percentage Interests included in the Condominium Units in accordance with the following provisions. The Percentage Interest in the Common Areas and Limited Areas on the Tract (as now defined) of each Owner of a Condominium Unit, including both the Condominium Units heretofore included in The Holcomb Estate and the Condominium Units added to The Holcomb Estate by this Eighteenth Amendment and Supplement, shall be 1.923%. The Condominium Units on Additional Tract XVIII are identified on the Tract XVIII Plans by a letter which identifies the Building in which the Condominium Unit is located followed by a single digit arabic number. The legal description for such Condominium Unit shall consist of the identifying letter and number for such Condominium Unit as shown on the Tract XVIII Plans, and shall be stated as "Condominium Unit (with identifying letter and number) in The Holcomb Estate Horizontal Property Regime".

5. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any Condominium Unit shall constitute an agreement by the Owner thereof and all those claiming by, through or under him that the provisions of this Eighteenth Amendment and Supplement, the Declaration, all previous amendments of and supplements to the Declaration, the Act, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by such Owner or occupant and those claiming by,

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through or under him, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit or the Property as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage, lease thereof or other instrument or document relating thereto.

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

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

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

HOLCOMB PROPERTIES

By 


Tom Charles Huston
Assistant General Manager

890022503

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 22nd day of December, 1988.



Von Leigh Wilson, Notary Public
Residing in Greene County

My Commission Expires:
August 13, 1990

40581

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

890022503

CONSENT OF MORTGAGEE

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

EXECUTED this 21 day of December, 1988.

MERCHANTS NATIONAL BANK &
TRUST COMPANY OF INDIANAPOLIS

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 21st day of December, 1988.

890022508

Nancy J. Garfield
Notary Public Residing in
Marion County

Nancy J. Garfield
(printed signature)

My Commission Expires:
November 3, 1992

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

CONSENT OF MORTGAGEE

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

EXECUTED this 22ND day of December, 1988.

IWC RESOURCES CORPORATION

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

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

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

WITNESS my hand and Notarial Seal this 22 day of December, 1988.

89C022503

Jane G. Ryan
Notary Public Residing in
Marion County
JANE G. RYAN
(printed signature)

My Commission Expires:
4-17-90

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

EXHIBIT A

LEGAL DESCRIPTION OF
ADDITIONAL TRACT XVIII

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

Beginning at the Southwest corner of the 0.158 acre parcel of Additional Tract XV as described in Exhibit A of the Fifteenth Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 3, all recorded September 28, 1988 as Instrument 88-98079 in the Office of the Recorder of Marion County, Indiana; thence South 78 degrees 00 minutes 00 seconds West 136.28 feet to a point on the Easterly line of a 22.00 foot wide nonexclusive easement for ingress and egress described on pages 4 through 6 of Exhibit A of the First Amendment and Supplement to Declaration of Horizontal Property Ownership for the Holcomb Estate Horizontal Property Regime and shown on the As Built Site Plan, Sheet 2 of 9, all recorded November 28, 1984 as Instrument 84-93096 in said Recorder's Office, and which point is on a curve having a radius of 144.77 feet, the radius point of which bears North 89 degrees 12 minutes 29 seconds West (the following four courses are along said nonexclusive easement for ingress and egress); (1) thence Northerly along said curve 37.76 feet to a point which bears North 75 degrees 50 minutes 51 seconds East from said radius point, and which point is on a reverse curve having a radius of 75.04 feet, the radius point of which bears North 76 degrees 50 minutes 51 seconds East; (2) thence Northerly and Northeasterly along said curve 102.50 feet to a point which bears North 25 degrees 53 minutes 29 seconds West from said radius point; (3) thence North 84 degrees 06 minutes 31 seconds East 82.00 feet to a curve having a radius of 82.30 feet, the radius point of which bears South 25 degrees 53 minutes 29 seconds East; (4) thence Northeasterly along said curve 22.66 feet to the Northwest corner of said 0.158 acre parcel of Additional Tract XV, which point bears North 10 degrees 07 minutes 10 seconds West from said radius point; thence along the West line of said 0.158 acre parcel of Additional Tract XV South 09 degrees 00 minutes 00 seconds East 130.58 feet to the Point of Beginning, containing 0.348 acres, more or less.

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

Subject to and together with a 20.00 foot wide sewer easement recorded as Instrument 84-52812 in said Recorder's Office.

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EXHIBIT B

DESCRIPTION OF BUILDINGS
AND CONDOMINIUM UNITS

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

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

Unit M-1

1 Story	
Living Area	1874 square feet
Garage Area	445 square feet
(2 bedrooms, den and 2 baths)	

Unit M-2

1 Story	
Living Area	1806 square feet
Basement Area	900 square feet
Garage Area	443 square feet
(2 bedrooms, den and 2 baths)	

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