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**SUPPLEMENTAL DECLARATION OF  
WINDSLOW CROSSING  
HORIZONTAL PROPERTY REGIME**

THIS SUPPLEMENTAL DECLARATION made this 29 day of August, 2002, by HILLS COMMUNITIES, INC., an Ohio corporation ("Declarant"),

**WITNESSETH:**

WHEREAS, the following facts are true:

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

See legal description attached hereto, made a part hereof and marked Exhibit A.

(Hereinafter referred to as "Phase II")

B. On the 1st day of March, 2002, Declarant executed a Declaration of Horizontal Property Ownership for Windslow Crossing Horizontal Property Regime which was recorded in the Office of the Recorder of Marion County, Indiana on March 19, 2002, as Instrument No. 2002-0051503. A First Amendment to the Declaration was executed on April 29, 2002, and recorded on April 30, 2002 as Instrument No. 2002-0081131 (the Declaration and the First Amendment thereto shall be referenced to collectively herein as the "Declaration"). A Code of By-Laws of Windslow Crossing Horizontal Property Regime and of Windslow Crossing Homeowners Association, Inc. ("By-Laws") were adopted and made part of the Declaration and recorded with the Declaration. A First Amendment to the By-Laws was executed on April 29, 2002 (the By-Laws and the First Amendment thereto will be referred to herein collectively as the "By-Laws"). The Declaration and By-Laws are incorporated herein by reference and all of the terms and definitions as described therein are hereby adopted and shall have the same meaning in this Supplemental Declaration.

C. Phase II is part of the Real Estate described in paragraph A of the recitals of the Declaration. Paragraph 21 of the Declaration provides that all or part of the Real Estate may be annexed to Windslow Crossing Horizontal Property Regime, incorporated into the Declaration and the Owners thereof become members of Windslow Crossing Homeowners Association, Inc. in accordance with the conditions in paragraph 21 of the Declaration and the filing of the Supplemental Declaration by Declarant. All conditions relating to the annexation of Phase II to the Tract of Windslow Crossing Horizontal Property Regime have been met, and Declarant, by execution of this supplemental Declaration, hereby incorporates Phase II into Windslow Crossing Horizontal Property Regime.

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

1. Declaration. Declarant hereby expressly declares that Phase II and all appurtenant easements, Condominium Units, Buildings, improvements and property of every kind and nature

Supplemental Declaration of Winslow Crossing Horizontal Property Regime

Inst # 2002-0178616  
09/19/02 02:33PM MARINA MARTIN MARION COV RECORDER

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whatsoever, real, personal and mixed, located thereon is hereby annexed to and becomes a part of Winslow Crossing Horizontal Property Regime as if such originally had been included in the Declaration, and shall hereafter be held, transferred, sold conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Act, the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time. Phase II hereafter and for all purposes shall be included in the definition of "Tract" as defined in paragraph 1(w) of the Declaration.

2. Description of Buildings. There shall be one (1) Building containing twenty-four (24) condominium Units in Phase II as shown on the Supplemental Plans for Phase II. The Building is identified and referred to in the Supplemental Plans and in this Supplemental Declaration as Building 2. Winslow Crossing Horizontal Property Regime or the Tract now has two (2) Buildings containing fifty-two (52) Condominium Units.

3. Percentage Interest. The Percentage Interest of each Condominium Unit in the Tract (as now defined) is as set forth in Exhibit B attached hereto and made a part hereof. Exhibit B as attached hereto is the correct listing of the Buildings and Units in Country Fields Horizontal Property Regime, such Buildings being Buildings 1 and 2.

4. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the 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 each Owner, tenant and occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit or the Property as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

5. Supplemental Plans. The Supplemental Plans include floor and building plans and elevations of the Buildings and Condominium Units and a site plan of Phase II and the Buildings thereon prepared by Melton-Packard & Associates, certified by Evan J. Evans under date of August 26, 2002, all of which is incorporated herein by reference. The Supplemental Plans setting forth the layout, location, identification and dimension of the Condominium Units identified in this Supplemental Declaration 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 in Horizontal Property Plan File, as of 9/19/02, as Instrument No 2002-017805

EXECUTED the day and year first above written.

HILLS COMMUNITIES, INC.

By:   
Ian Guttman, Vice-President

STATE OF OHIO )  
 ) SS:  
COUNTY OF Hamilton )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS COMMUNITIES, INC., who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said corporation.

WITNESS my hand and Notarial Seal this 29 day of August, 2002.

*Wendy S. Bassman*

Notary Public  
Wendy S. Bassman

(Printed Signature)

My Commission Expires:

June 19, 2005

My County of Residence:

Hamilton County, Ohio



WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

CHICAGO TITLE

65  
WENDY S. BASSMAN  
139074 ST 198  
SUBJECT TO TRANSFER  
FOR TRANSFER

This instrument prepared by: Tammy K. Haney, Attorney at Law, Bose McKinney & Evans, LLC, 600 East 96<sup>th</sup> Street, Suite 500, Indianapolis, IN 46240

CONSENT OF MORTGAGEE

The undersigned, the Fifth Third Bank, being the holder of existing mortgages and other security on the real estate described in the above and foregoing Supplemental Declaration as follows:

See Exhibit A to Supplemental Declaration

hereby consents to the recording of the above and foregoing Supplemental Declaration of Winslow Crossing Horizontal Property Regime and the submission of the real estate described therein to the provisions of the Horizontal Property Law of the State of Indiana, and further agrees that its mortgage and other security with respect to the Tract shall be subject to the provisions of the Act and the above and foregoing Supplemental Declaration and Exhibits attached thereto and the documents incorporated therein; provided, however, except and to the extent that the mortgage and other security are modified by this Consent, such mortgage and other security shall remain in full force and effect.

EXECUTED this 3 day of SEPTEMBER, 2002.

THE FIFTH THIRD BANK

By: 

Printed: \_\_\_\_\_

MARK A. CASIN

Title: \_\_\_\_\_

VICY PRESIDENT



CHICAGO TITLE

STATE OF OHIO )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

Before me, a Notary Public in and for said County and State, personally appeared Mark A. Caesar, by me known and by me known to be the VICE PRESIDENT of THE FIFTH THIRD BANK, who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.

WITNESS my hand and Notarial Seal this 3 day of SEPTEMBER, 2002.

Donna M. Betsch  
Notary Public

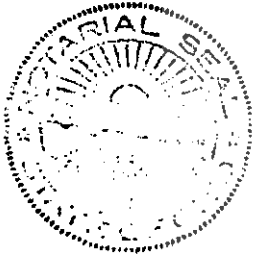
DONNA M. BETSCH  
(Printed Signature)

My Commission Expires:

My County of Residence:

\_\_\_\_\_

HAMILTON



DONNA M. BETSCH  
Notary Public, State of Ohio  
Commission Expires Dec. 12, 2004



CHICAGO TITLE

CONSENT OF MORTGAGEE

The undersigned, the HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP, being the holder of existing mortgages and other security on the real estate described in the above and foregoing Supplemental Declaration as follows:

See Exhibit A to Supplemental Declaration

hereby consents to the recording of the above and foregoing Supplemental Declaration of Windslow Crossing Horizontal Property Regime and the submission of the real estate described therein to the provisions of the Horizontal Property Law of the State of Indiana, and further agrees that its mortgage and other security with respect to the Tract shall be subject to the provisions of the Act and the above and foregoing Supplemental Declaration and Exhibits attached thereto and the documents incorporated therein; provided, however, except and to the extent that the mortgage and other security are modified by this Consent, such mortgage and other security shall remain in full force and effect.

EXECUTED this 29 day of August, 2002.

HILLS FINANCIAL GROUP, A LIMITED  
PARTNERSHIP

By: Hills Developers, Inc., general partner

By:  \_\_\_\_\_

Ian Guttman, Vice-President

CHICAGO TITLE

STATE OF OHIO )  
 ) SS:  
COUNTY OF Hamilton )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS DEVELOPERS, INC., the general partner of HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.

WITNESS my hand and Notarial Seal this 29 day of August, 2002.

Wendy S. Bassman  
Notary Public

Wendy S. Bassman  
(Printed Signature)

My Commission Expires:

June 19, 2005

My County of Residence:

Hamilton County, Ohio

WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005



CHICAGO TITLE





**Land Description (Windslow Crossing Phase Two)**

Part of the East Half of the Southeast Quarter of Section 9, Township 14 North, Range 4 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:

Commencing at the northeast corner of said Half Quarter section; thence South  $00^{\circ}07'55''$  East along the east line of said Half Quarter section a distance of 2.50 feet to the southeast corner of a land tract recorded as Instrument Number 72-21386 in the Office of the Recorder of Marion County, Indiana; thence South  $88^{\circ}41'31''$  West along the south line of said land tract a distance of 209.93 feet to the north line of said Half Quarter section, marked by a 5/8 inch rebar with yellow cap stamped "Schneider Firm #0001"; thence South  $88^{\circ}00'36''$  West along the north line of said Half Quarter section a distance of 88.45 feet; thence South  $00^{\circ}07'35''$  East a distance of 555.53 feet; thence North  $84^{\circ}07'35''$  West a distance of 194.86 feet to the point of curvature of a tangent curve concave Southerly having a central angle of  $6^{\circ}05'21''$  and a radius of 727.00 feet; thence Westerly along the arc of said curve a distance of 77.26 feet (said arc being subtended by a chord having a bearing of North  $87^{\circ}10'16''$  West and a length of 77.23 feet); thence North  $00^{\circ}07'35''$  West a distance of 522.37 feet to the north line of said East Half Quarter section; thence North  $88^{\circ}00'36''$  East along said north line a distance of 271.06 feet to the Point of Beginning, containing 3.34 acres, more or less.

*x:\server\documents\2003\2003hpr2*



CHICAGO TITLE

**EXHIBIT A**

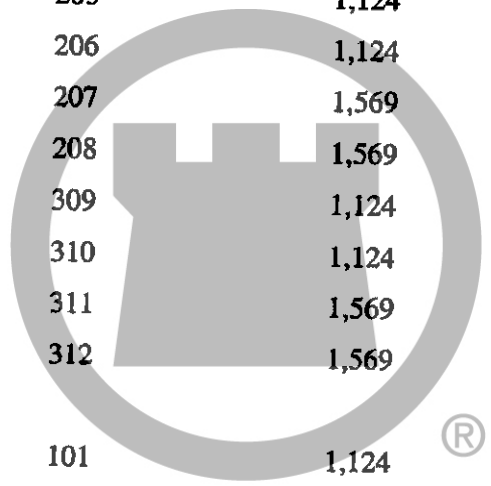
**EXHIBIT B**

**WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME**

<b><u>Building No.</u></b>	<b><u>Unit</u></b>	<b><u>Square Footage</u></b>	<b><u>Percentage Interest</u></b>
6511 Jade Stream Court	101	1,442	1.77
	102	1,442	1.77
	103	1,442	1.77
	104	1,442	1.77
	205	1,569	1.93
	206	1,569	1.93
	207	1,569	1.93
	208	1,569	1.93
	6519 Jade Stream Court	101	1,124
102		1,124	1.38
103		1,124	1.38
104		1,124	1.38
205		1,124	1.38
206		1,124	1.38
207		1,124	1.38
208		1,124	1.38
309		1,124	1.38
310		1,124	1.38
311		1,124	1.38
312		1,124	1.38
6527 Jade Stream Court		101	1,124
	102	1,124	1.38
	103	1,442	1.77
	104	1,442	1.77

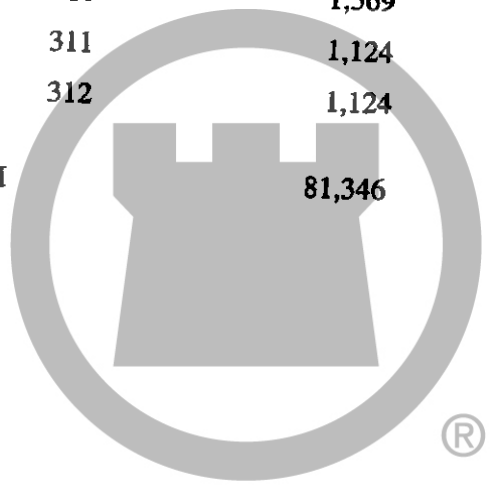
CHICAGO TITLE

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
	205	1,124	1.38
	206	1,124	1.38
	207	1,569	1.93
	208	1,569	1.93
6510 Jade Stream Court	101	1,124	1.38
	102	1,124	1.38
	103	1,442	1.77
	104	1,442	1.77
	205	1,124	1.38
	206	1,124	1.38
	207	1,569	1.93
	208	1,569	1.93
	309	1,124	1.38
	310	1,124	1.38
	311	1,569	1.93
	312	1,569	1.93
6518 Jade Stream Court	101	1,124	1.38
	102	1,124	1.38
	103	1,124	1.38
	104	1,124	1.38
	205	1,124	1.38
	206	1,124	1.38
	207	1,124	1.38
	208	1,124	1.38
	309	1,124	1.38
	310	1,124	1.38
	311	1,124	1.38
	312	1,124	1.38



CHICAGO TITLE

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
6526 Jade Stream Court	101	1,442	1.77
	102	1,442	1.77
	103	1,124	1.38
	104	1,124	1.38
	205	1,569	1.93
	206	1,569	1.93
	207	1,124	1.38
	208	1,124	1.38
	309	1,569	1.93
	310	1,569	1.93
	311	1,124	1.38
	312	1,124	1.38
Total Square Footage—Phase II		81,346	



CHICAGO TITLE

MARTHA A. WOMACKS  
MARION COUNTY, INDIANA

457433 FEB -3 2003

DULY ENTERED FOR TAXATION  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER

**SUPPLEMENTAL DECLARATION OF  
WINDSLOW CROSSING  
HORIZONTAL PROPERTY REGIME**

(11)

THIS SUPPLEMENTAL DECLARATION made this 17 day of January, 2003, by HILLS COMMUNITIES, INC., an Ohio corporation ("Declarant"),

**WITNESSETH:**

WHEREAS, the following facts are true:

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

See legal description attached hereto, made a part hereof and marked Exhibit A.

(Hereinafter referred to as "Phase Three")

B. On the 1st day of March, 2002, Declarant executed a Declaration of Horizontal Property Ownership for Windslow Crossing Horizontal Property Regime which was recorded in the Office of the Recorder of Marion County, Indiana on March 19, 2002, as Instrument No. 2002-0051503. A First Amendment to the Declaration was executed on April 29, 2002, and recorded on April 30, 2002 as Instrument No. 2002-0081131. A Supplemental Declaration was recorded on September 19, 2002 as Instrument No. 2002-0178616 in the Office of the Recorder of Marion County, Indiana (the Declaration, the First Amendment and the Supplemental Declaration shall be referenced collectively herein as the "Declaration"). A Code of By-Laws of Windslow Crossing Horizontal Property Regime and of Windslow Crossing Homeowners Association, Inc. ("By-Laws") was adopted and made part of the Declaration and recorded with the Declaration. A First Amendment to the By-Laws was executed on April 29, 2002 (the By-Laws and the First Amendment thereto will be referred to herein collectively as the "By-Laws"). The Declaration and By-Laws are incorporated herein by reference and all of the terms and definitions as described therein are hereby adopted and shall have the same meaning in this Supplemental Declaration.

C. Phase Three is part of the Real Estate described in paragraph A of the recitals of the Declaration. Paragraph 21 of the Declaration provides that all or part of the Real Estate may be annexed to Windslow Crossing Horizontal Property Regime, incorporated into the Declaration and the Owners thereof become members of Windslow Crossing Homeowners Association, Inc. in accordance with the conditions in paragraph 21 of the Declaration and the filing of the Supplemental Declaration by Declarant. All conditions relating to the annexation of Phase Three to the Tract of Windslow Crossing Horizontal Property Regime have been met, and Declarant, by execution of this supplemental Declaration, hereby incorporates Phase Three into Windslow Crossing Horizontal Property Regime.

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

1. Declaration. Declarant hereby expressly declares that Phase Three and all appurtenant easements, Condominium Units, Buildings, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon is hereby annexed to and becomes a part of Windslow Crossing Horizontal Property Regime as if such originally had been included in the Declaration, and shall hereafter be held, transferred, sold conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Act, the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time. Phase Three hereafter and for all purposes shall be included in the definition of "Tract" as defined in paragraph 1(w) of the Declaration.

2. Description of Buildings. There shall be one (1) Building containing twenty-eight (28) condominium Units in Phase Three as shown on the Supplemental Plans for Phase Three. The Building is identified and referred to in the Supplemental Plans and in this Supplemental Declaration as Building 6. Windslow Crossing Horizontal Property Regime or the Tract now has three (3) Buildings containing ninety-two (92) Condominium Units.

3. Percentage Interest. The Percentage Interest of each Condominium Unit in the Tract (as now defined) is as set forth in Exhibit B attached hereto and made a part hereof. Exhibit B as attached hereto is the correct listing of the Buildings and Units in Windslow Crossing Horizontal Property Regime, such Buildings being Buildings 1 and 2.

4. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the 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 each Owner, tenant and occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit or the Property as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

5. Supplemental Plans. The Supplemental Plans include floor and building plans and elevations of the Buildings and Condominium Units and a site plan of Phase Three and the Buildings thereon prepared by Melton-Packard & Associates, certified by Donald J. Gwinnup, professional engineer and Evan J. Evans, registered land surveyor under date of January 16, 2003, all of which is incorporated herein by reference. The Supplemental Plans setting forth the layout, location, identification and dimension of the Condominium Units identified in this Supplemental Declaration 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 in Horizontal Property Plan File, as of 02/03/03, as Instrument No. 2003-0024354.

EXECUTED the day and year first above written.

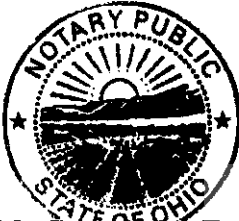
HILLS COMMUNITIES, INC.

By:   
Ian Guttman, Vice-President

STATE OF OHIO )  
 ) SS:  
COUNTY OF Hamilton )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS COMMUNITIES, INC., who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said corporation.

WITNESS my hand and Notarial Seal this 17 day of January, 2003.



WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

Wendy S. Bassman  
Notary Public  
Wendy S. Bassman  
(Printed Signature)

My Commission Expires:  
June 19, 2005

My County of Residence:  
Hamilton County, Ohio

CHICAGO TITLE

This instrument prepared by: Tammy K. Haney, Attorney at Law, Bose McKinney & Evans, LLC, 600 East 96<sup>th</sup> Street, Suite 500, Indianapolis, IN 46240

APPROVED THIS 30th  
DAY OF January 20 03  
PERRY TOWNSHIP ASSESSOR  
John R. George GIS MANAGER

CONSENT OF MORTGAGEE

The undersigned, Fifth Third Bank, being the holder of existing mortgages and other security on the real estate described in the above and foregoing Supplemental Declaration as follows:

See Exhibit A to Supplemental Declaration

hereby consents to the recording of the above and foregoing Supplemental Declaration of Windslow Crossing Horizontal Property Regime and the submission of the real estate described therein to the provisions of the Horizontal Property Law of the State of Indiana, and further agrees that its mortgage and other security with respect to the Tract shall be subject to the provisions of the Act and the above and foregoing Supplemental Declaration and Exhibits attached thereto and the documents incorporated therein; provided, however, except and to the extent that the mortgage and other security are modified by this Consent, such mortgage and other security shall remain in full force and effect.

EXECUTED this 22 day of January, 2003.

FIFTH THIRD BANK

By: 

Printed: \_\_\_\_\_

MARK A. CAESAR

Title: \_\_\_\_\_

VICE PRESIDENT



CHICAGO TITLE



STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared MARK A. CAESAR, by me known and by me known to be the VICE PRESIDENT of FIFTH THIRD BANK, who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.

WITNESS my hand and Notarial Seal this 22 day of January, 2003.

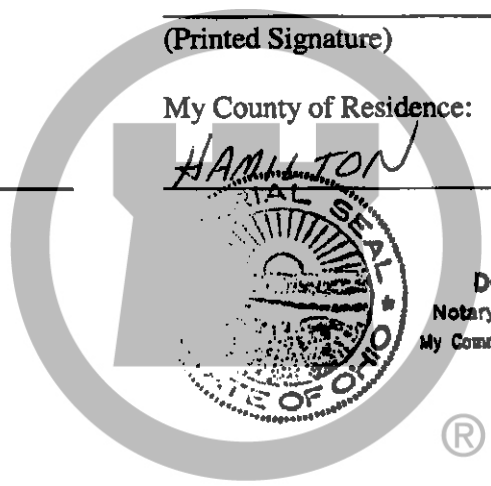
Donna M. Betsch  
Notary Public

(Printed Signature)

My Commission Expires:

My County of Residence:

HAMILTON



**DONNA M. BETSCH**  
Notary Public, State of Ohio  
My Commission Expires Dec. 12, 2014



CHICAGO TITLE

**CONSENT OF MORTGAGEE**

The undersigned, the HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP, being the holder of existing mortgages and other security on the real estate described in the above and foregoing Supplemental Declaration as follows:

See Exhibit A to Supplemental Declaration

hereby consents to the recording of the above and foregoing Supplemental Declaration of Windslow Crossing Horizontal Property Regime and the submission of the real estate described therein to the provisions of the Horizontal Property Law of the State of Indiana, and further agrees that its mortgage and other security with respect to the Tract shall be subject to the provisions of the Act and the above and foregoing Supplemental Declaration and Exhibits attached thereto and the documents incorporated therein; provided, however, except and to the extent that the mortgage and other security are modified by this Consent, such mortgage and other security shall remain in full force and effect.

EXECUTED this 17 day of January, 2003.

HILLS FINANCIAL GROUP, A LIMITED  
PARTNERSHIP

By: Hills Developers, Inc., general partner

By:   
Ian Guttman, Vice-President

CHICAGO TITLE

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS DEVELOPERS, INC., the general partner of HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.

WITNESS my hand and Notarial Seal this 17 day of January, 2003.



WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

Wendy S. Bassman  
Notary Public

Wendy S. Bassman  
\_\_\_\_\_  
(Printed Signature)

My Commission Expires:

June 19, 2005

My County of Residence:

Hamilton County, Ohio

CHICAGO TITLE

**Winslow Crossing, Phase 3**

**Part of the East Half of the Southeast Quarter of Section 9, Township 14 North, Range 4 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:**

**Commencing at the northeast corner of said Half Quarter section; thence South 00°07'55" East along the east line of said Half Quarter section a distance of 2.50 feet to the northeast corner of Winslow Crossing - Phase One per plat thereof recorded as Instrument number 020051502 in the office of the Marion County Recorder (the following four (4) calls being along the lines of said Phase One); 1) thence continue South 00°07'55" East along the east line of said Half Quarter section a distance of 1119.50 feet; 2) thence South 88°00'36" West a distance of 70.04 feet to Point of Beginning; 3) thence North 00°07'55" West a distance of 480.75 feet; 4) thence North 84°07'35" West a distance of 382.92 feet; thence South 05°52'25" West a distance of 138.82 feet; thence South 00°07'35" East a distance of 395.58 feet; thence North 88°00'36" East a distance of 395.59 feet to the Point of Beginning, containing 4.587 acres, more or less.**



**CHICAGO TITLE**

**EXHIBIT A**

**EXHIBIT B**

**WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME**

<b><u>Building No.</u></b>	<b><u>Unit</u></b>	<b><u>Square Footage</u></b>	<b><u>Percentage Interest</u></b>
5003 Opal Ridge Lane	101	1124	.97
	102	1124	.97
	103	1442	1.245
	104	1442	1.245
	205	1124	.97
	206	1124	.97
	207	1569	1.354
	208	1569	1.354
5011 Opal Ridge Lane	101	1124	.97
	102	1124	.97
	103	1124	.97
	104	1124	.97
	205	1124	.97
	206	1124	.97
	207	1124	.97
	208	1124	.97
	309	1124	.97
	310	1124	.97
	311	1124	.97
	312	1124	.97
5019 Opal Ridge Lane	101	1442	1.245
	102	1442	1.245
	103	1124	.97
	104	1124	.97
	205	1569	1.354
	206	1569	1.354
	207	1124	.97
	208	1124	.97
6511 Jade Stream Court	101	1,442	1.245
	102	1,442	1.245
	103	1,442	1.245
	104	1,442	1.245
	205	1,569	1.354
	206	1,569	1.354
	207	1,569	1.354
	208	1,569	1.354

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
6519 Jade Stream Court	101	1,124	.97
	102	1,124	.97
	103	1,124	.97
	104	1,124	.97
	205	1,124	.97
	206	1,124	.97
	207	1,124	.97
	208	1,124	.97
	309	1,124	.97
	310	1,124	.97
	311	1,124	.97
	312	1,124	.97
6527 Jade Stream Court	101	1,124	.97
	102	1,124	.97
	103	1,442	1.245
	104	1,442	1.245
	205	1,124	.97
	206	1,124	.97
	207	1,569	1.354
	208	1,569	1.354
	6510 Jade Stream Court	101	1,124
102		1,124	.97
103		1,442	1.245
104		1,442	1.245
205		1,124	.97
206		1,124	.97
207		1,569	1.354
208		1,569	1.354
309		1,124	.97
310		1,124	.97
311		1,569	1.354
312		1,569	1.354
6518 Jade Stream Court	101	1,124	.97
	102	1,124	.97
	103	1,124	.97
	104	1,124	.97
	205	1,124	.97
	206	1,124	.97
	207	1,124	.97
	208	1,124	.97
	309	1,124	.97
	310	1,124	.97
	311	1,124	.97

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
6526 Jade Stream Court	312	1,124	.97
	101	1,442	1.245
	102	1,442	1.245
	103	1,124	.97
	104	1,124	.97
	205	1,569	1.354
	206	1,569	1.354
	207	1,124	.97
	208	1,124	.97
	309	1,569	1.354
	310	1,569	1.354
	311	1,124	.97
	312	1,124	.97
	Total Square Footage—Phase Three		



CHICAGO TITLE

**SUPPLEMENTAL DECLARATION OF  
WINDSLOW CROSSING  
HORIZONTAL PROPERTY REGIME**

MARTHA A. WOMACKS  
MARION COUNTY AUDITOR

488310 SEP -4 8

DUTY PERFORMED FOR THE STATE  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER

(13)

THIS SUPPLEMENTAL DECLARATION made this 13<sup>th</sup> day of August, 2003, by HILLS COMMUNITIES, INC., an Ohio corporation ("Declarant"),

**WITNESSETH:**

WHEREAS, the following facts are true:

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

See legal description attached hereto, made a part hereof and marked Exhibit A.

(Hereinafter referred to as "Phase Four")

B. On the 1st day of March, 2002, Declarant executed a Declaration of Horizontal Property Ownership for Windslow Crossing Horizontal Property Regime which was recorded in the Office of the Recorder of Marion County, Indiana on March 19, 2002, as Instrument No. 2002-0051503. A First Amendment to the Declaration was executed on April 29, 2002, and recorded on April 30, 2002 as Instrument No. 2002-0081131. Supplemental Declarations were recorded on September 19, 2002 as Instrument No. 2002-0178616, on February 3, 2003 as Instrument No. 2003-0024355 in the Office of the Recorder of Marion County, Indiana (the Declaration, the First Amendment and the Supplemental Declarations shall be referenced collectively herein as the "Declaration"). A Code of By-Laws of Windslow Crossing Horizontal Property Regime and of Windslow Crossing Homeowners Association, Inc. ("By-Laws") was adopted and made part of the Declaration and recorded with the Declaration. A First Amendment to the By-Laws was executed on April 29, 2002 (the By-Laws and the First Amendment thereto will be referred to herein collectively as the "By-Laws"). The Declaration and By-Laws are incorporated herein by reference and all of the terms and definitions as described therein are hereby adopted and shall have the same meaning in this Supplemental Declaration.

C. Phase Four is part of the Real Estate described in paragraph A of the recitals of the Declaration. Paragraph 21 of the Declaration provides that all or part of the Real Estate may be annexed to Windslow Crossing Horizontal Property Regime, incorporated into the Declaration and the Owners thereof become members of Windslow Crossing Homeowners Association, Inc. in accordance with the conditions in paragraph 21 of the Declaration and the filing of the Supplemental Declaration by Declarant. All conditions relating to the annexation of Phase Four to the Tract of Windslow Crossing Horizontal Property Regime have been met, and Declarant, by execution of this supplemental Declaration, hereby incorporates Phase Four into Windslow Crossing Horizontal Property Regime.

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

Supplement Phase 4

09/04/03 10:53AM MARINA MARTIN MARION CTY RECORDER

JNV 34.00 PAGES: 13

Inst # 2003-0181071



1. Declaration. Declarant hereby expressly declares that Phase Four and all appurtenant easements, Condominium Units, Buildings, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon is hereby annexed to and becomes a part of Windslow Crossing Horizontal Property Regime as if such originally had been included in the Declaration, and shall hereafter be held, transferred, sold conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Act, the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time. Phase Four hereafter and for all purposes shall be included in the definition of "Tract" as defined in paragraph 1(w) of the Declaration.

2. Description of Buildings. There shall be one (1) Building containing twenty-four (24) condominium Units in Phase Four as shown on the Supplemental Plans for Phase Four. The Building is identified and referred to in the Supplemental Plans and in this Supplemental Declaration as Building 5. Windslow Crossing Horizontal Property Regime or the Tract now has four (4) Buildings containing one hundred sixteen (116) Condominium Units.

3. Percentage Interest. The Percentage Interest of each Condominium Unit in the Tract (as now defined) is as set forth in Exhibit B attached hereto and made a part hereof. Exhibit B as attached hereto is the correct listing of the Buildings and Units in Windslow Crossing Horizontal Property Regime, such Buildings being Buildings 1, 2, 5 and 6.

4. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the 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 each Owner, tenant and occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit or the Property as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

5. Supplemental Plans. The Supplemental Plans include floor and building plans and elevations of the Buildings and Condominium Units and a site plan of Phase Four and the Buildings thereon prepared by Melton-Packard & Associates, certified by Donald J. Gwinnup, professional engineer and Evan J. Evans, registered land surveyor under date of August 12, 2003, all of which is incorporated herein by reference. The Supplemental Plans setting forth the layout, location, identification and dimension of the Condominium Units identified in this Supplemental Declaration 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 in Horizontal Property Plan File, as of 9/4/03, as Instrument No. 2003-0181072.

EXECUTED the day and year first above written.

HILLS COMMUNITIES, INC.

By: 

Ian Guttman, Vice-President

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS COMMUNITIES, INC., who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said corporation.

WITNESS my hand and Notarial Seal this 13<sup>th</sup> day of August, 2003.



WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

Wendy S. Bassman  
Notary Public  
Wendy S. Bassman  
(Printed Signature)

My Commission Expires:  
June 19, 2005

My County of Residence:  
Hamilton County, Ohio



CHICAGO TITLE

This instrument prepared by: Tammy K. Haney, Attorney at Law, Bose McKinney & Evans, LLC, 600 East 96<sup>th</sup> Street, Suite 500, Indianapolis, IN 46240

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS COMMUNITIES, INC., who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said corporation.

WITNESS my hand and Notarial Seal this 13<sup>th</sup> day of August, 2003.

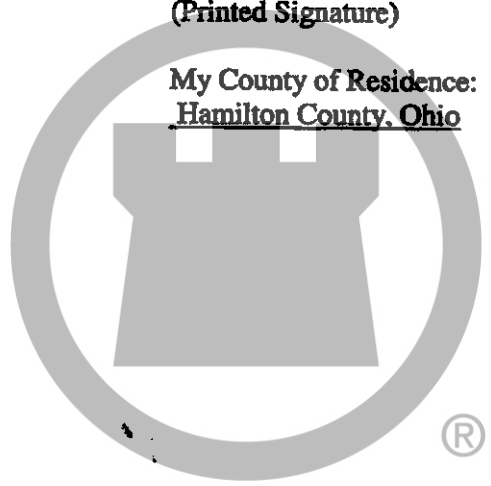


WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

Wendy S. Bassman  
Notary Public  
Wendy S. Bassman  
(Printed Signature)

My Commission Expires:  
June 19, 2005

My County of Residence:  
Hamilton County, Ohio



CHICAGO TITLE

This instrument prepared by: Tammy K. Haney, Attorney at Law, Bose McKinney & Evans, LLC, 600 East 96<sup>th</sup> Street, Suite 500, Indianapolis, IN 46240

APPROVED THIS 28<sup>th</sup>  
DAY OF August 20 03  
PERRY TOWNSHIP ASSESSOR  
John R. George GIS MANAGER

CONSENT OF MORTGAGEE

The undersigned, Fifth Third Bank, being the holder of existing mortgages and other security on the real estate described in the above and foregoing Supplemental Declaration as follows:

See Exhibit A to Supplemental Declaration

hereby consents to the recording of the above and foregoing Supplemental Declaration of Windslow Crossing Horizontal Property Regime and the submission of the real estate described therein to the provisions of the Horizontal Property Law of the State of Indiana, and further agrees that its mortgage and other security with respect to the Tract shall be subject to the provisions of the Act and the above and foregoing Supplemental Declaration and Exhibits attached thereto and the documents incorporated therein; provided, however, except and to the extent that the mortgage and other security are modified by this Consent, such mortgage and other security shall remain in full force and effect.

EXECUTED this 15 day of August, 2003.

FIFTH THIRD BANK

By: 

Printed: Donald P. Lehmann

Title: Vice President



CHICAGO TITLE

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared DONALD P. LEHMKUHL, by me known and by me known to be the VICE PRESIDENT of FIFTH THIRD BANK, who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.

WITNESS my hand and Notarial Seal this 15<sup>TH</sup> day of August, 2003.

Donna M. Betsch  
Notary Public

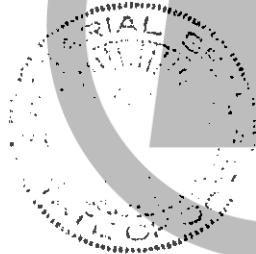
DONNA M. BETSCH  
(Printed Signature)

My Commission Expires:

My County of Residence:

\_\_\_\_\_

HAMILTON



DONNA M. BETSCH  
Notary Public, State of Ohio  
My Commission Expires Oct. 12, 2004



CHICAGO TITLE

**CONSENT OF MORTGAGEE**

The undersigned, the HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP, being the holder of existing mortgages and other security on the real estate described in the above and foregoing Supplemental Declaration as follows:

See Exhibit A to Supplemental Declaration

hereby consents to the recording of the above and foregoing Supplemental Declaration of Windslow Crossing Horizontal Property Regime and the submission of the real estate described therein to the provisions of the Horizontal Property Law of the State of Indiana, and further agrees that its mortgage and other security with respect to the Tract shall be subject to the provisions of the Act and the above and foregoing Supplemental Declaration and Exhibits attached thereto and the documents incorporated therein; provided, however, except and to the extent that the mortgage and other security are modified by this Consent, such mortgage and other security shall remain in full force and effect.

EXECUTED this 13<sup>th</sup> day of August, 2003.

HILLS FINANCIAL GROUP, A LIMITED  
PARTNERSHIP

By: Hills Developers, Inc., general partner

By:   
Ian Guttman, Vice-President

CHICAGO TITLE

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS DEVELOPERS, INC., the general partner of HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.

WITNESS my hand and Notarial Seal this 13<sup>th</sup> day of August, 2003.



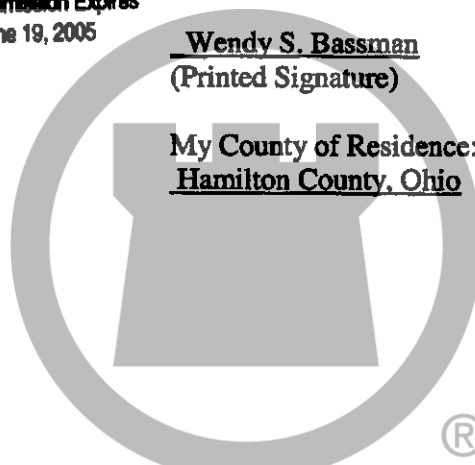
WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

Wendy S. Bassman  
Notary Public

Wendy S. Bassman  
(Printed Signature)

My Commission Expires:  
June 19, 2005

My County of Residence:  
Hamilton County, Ohio



CHICAGO TITLE

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS DEVELOPERS, INC., the general partner of HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.

WITNESS my hand and Notarial Seal this 13<sup>th</sup> day of August, 2003.



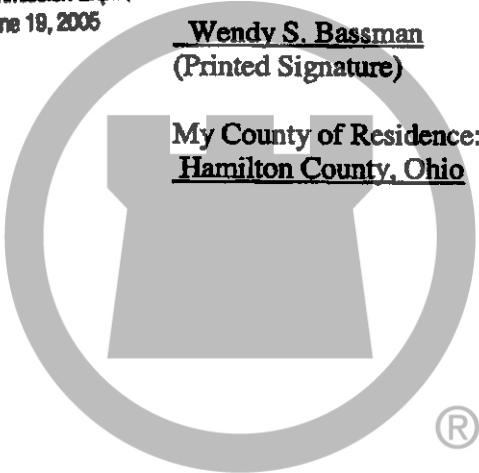
WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

Wendy S. Bassman  
Notary Public

Wendy S. Bassman  
(Printed Signature)

My Commission Expires:  
June 19, 2005

My County of Residence:  
Hamilton County, Ohio



CHICAGO TITLE



APPROVED THIS 28<sup>th</sup>  
DAY OF August 20 03  
PERRY TOWNSHIP ASSESSOR  
John P. George GIS MANAGER



EXHIBIT A

LEGAL DESCRIPTION OF PHASE FOUR  
WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME

Part of the East Half of the Southeast Quarter of Section 9, Township 14 North, Range 4 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:

Commencing at the northeast corner of said Half Quarter section; thence South 00°07'55" East along the east line of said Half Quarter section a distance of 2.50 feet to the northeast corner of Windslow Crossing - Phase One per plat thereof recorded as Instrument number 020051502 in the office of the Marion County Recorder (the following two (2) calls being along the lines of said Phase One); 1) thence continue South 00°07'55" East along the east line of said Half Quarter section a distance of 1119.50 feet; 2) thence South 88°00'36" West a distance of 465.63 feet to Point of Beginning; thence continue South 88°00'36" West a distance of 297.10 feet; thence North 01°59'24" West a distance of 534.97 feet to a non-tangent curve concave Northerly with a radius of 727.00 feet; thence Easterly along said curve an arc distance of 60.03 feet (said curve being subtended by a chord bearing North 85°44'44" East with a length of 60.01 feet); thence on a tangent line to said curve North 83°22'48" East a distance of 76.06 feet to the point of curvature of a tangent curve concave Southerly with a radius of 673.00 feet; thence Easterly along said curve an arc distance of 146.75 feet (said curve being subtended by a chord bearing North 89°37'37" East with a length of 146.46 feet); thence on a tangent line to said curve South 84°07'35" East a distance of 47.22 feet; thence South 05°52'25" West a distance of 138.82 feet; thence South 00°07'35" East a distance of 395.58 feet to the Point of Beginning, containing 3.822 acres, more or less .

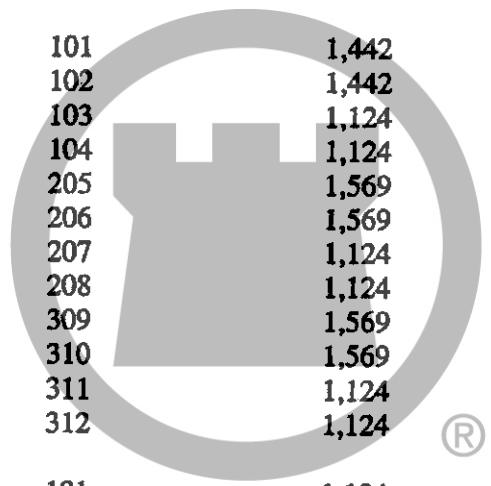
CHICAGO TITLE

**EXHIBIT B**

**WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME**

<b><u>Building No.</u></b>	<b><u>Unit</u></b>	<b><u>Square Footage</u></b>	<b><u>Percentage Interest</u></b>
6511 Jade Stream Court (Building 1)	101	1,442	.9764
	102	1,442	.9764
	103	1,442	.9764
	104	1,442	.9764
	205	1,569	1.062
	206	1,569	1.062
	207	1,569	1.062
	208	1,569	1.062
6519 Jade Stream Court (Building 1)	101	1,124	.7611
	102	1,124	.7611
	103	1,124	.7611
	104	1,124	.7611
	205	1,124	.7611
	206	1,124	.7611
	207	1,124	.7611
	208	1,124	.7611
	309	1,124	.7611
	310	1,124	.7611
	311	1,124	.7611
	312	1,124	.7611
6527 Jade Stream Court (Building 1)	101	1,124	.7611
	102	1,124	.7611
	103	1,442	.9764
	104	1,442	.9764
	205	1,124	.7611
	206	1,124	.7611
	207	1,569	1.062
	208	1,569	1.062
6510 Jade Stream Court (Building 2)	101	1,124	.7611
	102	1,124	.7611
	103	1,442	.9764
	104	1,442	.9764
	205	1,124	.7611
	206	1,124	.7611
	207	1,569	1.062
	208	1,569	1.062
	309	1,124	.7611
	310	1,124	.7611

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
6510 Jade Stream Court (Building 2)	311	1,569	1.062
	312	1,569	1.062
6518 Jade Stream Court (Building 2)	101	1,124	.7611
	102	1,124	.7611
	103	1,124	.7611
	104	1,124	.7611
	205	1,124	.7611
	206	1,124	.7611
	207	1,124	.7611
	208	1,124	.7611
	309	1,124	.7611
	310	1,124	.7611
	311	1,124	.7611
	312	1,124	.7611
6526 Jade Stream Court (Building 2)	101	1,442	.9764
	102	1,442	.9764
	103	1,124	.7611
	104	1,124	.7611
	205	1,569	1.062
	206	1,569	1.062
	207	1,124	.7611
	208	1,124	.7611
	309	1,569	1.062
	310	1,569	1.062
	311	1,124	.7611
	312	1,124	.7611
4925 Opal Ridge Lane (Building 5)	101	1,124	.7611
	102	1,124	.7611
	103	1,442	.9764
	104	1,442	.9764
	205	1,124	.7611
	206	1,124	.7611
	207	1,569	1.062
	208	1,569	1.062
	309	1,124	.7611
	310	1,124	.7611
	311	1,569	1.062
	312	1,569	1.062
4933 Opal Ridge Lane (Building 5)	101	1,442	.9764
	102	1,442	.9764
	103	1,124	.7611
	104	1,124	.7611



CHICAGO TITLE

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
4933 Opal Ridge Lane (Building 5)	205	1,569	1.062
	206	1,569	1.062
	207	1,124	.7611
	208	1,124	.7611
	309	1,569	1.062
	310	1,569	1.062
	311	1,124	.7611
	312	1,124	.7611
	5003 Opal Ridge Lane (Building 6)	101	1124
102		1124	.7611
103		1442	.9764
104		1442	.9764
205		1124	.7611
206		1124	.7611
207		1569	1.062
208		1569	1.062
5011 Opal Ridge Lane (Building 6)		101	1124
	102	1124	.7611
	103	1124	.7611
	104	1124	.7611
	205	1124	.7611
	206	1124	.7611
	207	1124	.7611
	208	1124	.7611
	309	1124	.7611
	310	1124	.7611
	311	1124	.7611
	312	1124	.7611
5019 Opal Ridge Lane (Building 6)	101	1442	.9764
	102	1442	.9764
	103	1124	.7611
	104	1124	.7611
	205	1569	1.062
	206	1569	1.062
	207	1124	.7611
	208	1124	.7611

Total Square Footage—Phase Four 147,678

Total Percentage -- Phase Four 99.9864

10

MARTHA A. WOMACKS  
MARION COUNTY AUDITOR

527230 MAY 25 2004

ONLY ENTERED FOR REGISTRATION  
SUBJECT TO FINAL ACCEPTANCE  
FOR TRANSFER

SUPPLEMENTAL DECLARATION OF  
WINDSLOW CROSSING  
HORIZONTAL PROPERTY REGIME

THIS SUPPLEMENTAL DECLARATION made this 19 day of April, 2004, by HILLS COMMUNITIES, INC., an Ohio corporation ("Declarant"),

WITNESSETH:

WHEREAS, the following facts are true:

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

See legal description attached hereto, made a part hereof and marked Exhibit A.

(Hereinafter referred to as "Phase Five")

B. On the 1st day of March, 2002, Declarant executed a Declaration of Horizontal Property Ownership for Windslow Crossing Horizontal Property Regime which was recorded in the Office of the Recorder of Marion County, Indiana on March 19, 2002, as Instrument No. 2002-0051503. A First Amendment to the Declaration was executed on April 29, 2002, and recorded on April 30, 2002 as Instrument No. 2002-0081131. Supplemental Declarations were recorded on September 19, 2002 as Instrument No. 2002-0178616, on February 3, 2003 as Instrument No. 2003-0024355 and on September 4, 2003 as Instrument No. 2003-018107 in the Office of the Recorder of Marion County, Indiana (the Declaration, the First Amendment and the Supplemental Declarations shall be referenced collectively herein as the "Declaration"). A Code of By-Laws of Windslow Crossing Horizontal Property Regime and of Windslow Crossing Homeowners Association, Inc. ("By-Laws") was adopted and made part of the Declaration and recorded with the Declaration. A First Amendment to the By-Laws was executed on April 29, 2002 (the By-Laws and the First Amendment thereto will be referred to herein collectively as the "By-Laws"). The Declaration and By-Laws are incorporated herein by reference and all of the terms and definitions as described therein are hereby adopted and shall have the same meaning in this Supplemental Declaration.

C. Phase Five is part of the Real Estate described in paragraph A of the recitals of the Declaration. Paragraph 21 of the Declaration provides that all or part of the Real Estate may be annexed to Windslow Crossing Horizontal Property Regime, incorporated into the Declaration and the Owners thereof become members of Windslow Crossing Homeowners Association, Inc. in accordance with the conditions in paragraph 21 of the Declaration and the filing of the Supplemental Declaration by Declarant. All conditions relating to the annexation of Phase Five to the Tract of Windslow Crossing Horizontal Property Regime have been met, and Declarant, by execution of this supplemental Declaration, hereby incorporates Phase Five into Windslow Crossing Horizontal Property Regime.

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

1. Declaration. Declarant hereby expressly declares that Phase Five and all appurtenant easements, Condominium Units, Buildings, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon is hereby annexed to and becomes a part of Windslow Crossing Horizontal Property Regime as if such originally had been included in the Declaration, and shall hereafter be held, transferred, sold conveyed and occupied subject to the covenants,

05/25/04 02:19PM WANDA MARTIN MARION CTY RECORDER GAN 28.00 PAGES: 10  
Inst # 2004-0106084

restrictions and provisions of the Declaration, the Act, the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time. Phase Five hereafter and for all purposes shall be included in the definition of "Tract" as defined in paragraph 1(w) of the Declaration.

2. Description of Buildings. There shall be one (1) Building containing thirty-six (36) condominium Units in Phase Five as shown on the Supplemental Plans for Phase Five. The Building is identified and referred to in the Supplemental Plans and in this Supplemental Declaration as Building 3. Windslow Crossing Horizontal Property Regime or the Tract now has five (5) Buildings containing one hundred fifty-two (152) Condominium Units.

3. Percentage Interest. The Percentage Interest of each Condominium Unit in the Tract (as now defined) is as set forth in Exhibit B attached hereto and made a part hereof. Exhibit B as attached hereto is the correct listing of the Buildings and Units in Windslow Crossing Horizontal Property Regime, such Buildings being Buildings 1, 2, 3, 5 and 6.

4. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the 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 each Owner, tenant and occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit or the Property as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

5. Supplemental Plans. The Supplemental Plans include floor and building plans and elevations of the Buildings and Condominium Units and a site plan of Phase Five and the Buildings thereon prepared by Melton-Packard & Associates, certified by Donald J. Gwinnup, professional engineer and Evan J. Evans, registered land surveyor under date of April 16, 2004, all of which is incorporated herein by reference. The Supplemental Plans setting forth the layout, location, identification and dimension of the Condominium Units identified in this Supplemental Declaration 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 in Horizontal Property Plan File, as of May 25, 2004, as Instrument No. 04-106083

CHICAGO TITLE

[THIS SPACE INTENTIONALLY LEFT BLANK]

EXECUTED the day and year first above written.

HILLS COMMUNITIES, INC.

By: *Ian Guttman*  
Ian Guttman, Vice-President

STATE OF OHIO            )  
                                  ) SS:  
COUNTY OF HAMILTON    )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS COMMUNITIES, INC., who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said corporation.



WITNESS my hand and Notarial Seal this 19 day of April, 2004.

WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

*Wendy S. Bassman*  
Notary Public

Wendy S. Bassman  
(Printed Signature)

My Commission Expires: June 19, 2005  
My County of Residence: Hamilton County, Ohio



This instrument prepared by: Tammy K. Haney, Attorney at Law, Bose McKinney & Evans LLP, 600 East 96th Street, Suite 500, Indianapolis, Indiana 46240.

APPROVED THIS 24th  
DAY OF May 2004  
PERRY TOWNSHIP ASSESSOR  
John George GIS MANAGER





CONSENT OF MORTGAGEE

The undersigned, HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP, being the holder of existing mortgages and other security on the real estate described in the above and foregoing Supplemental Declaration as follows:

See Exhibit A to Supplemental Declaration

hereby consents to the recording of the above and foregoing Supplemental Declaration of Windslow Crossing Horizontal Property Regime and the submission of the real estate described therein to the provisions of the Horizontal Property Law of the State of Indiana, and further agrees that its mortgage and other security with respect to the Tract shall be subject to the provisions of the Act and the above and foregoing Supplemental Declaration and Exhibits attached thereto and the documents incorporated therein; provided, however, except and to the extent that the mortgage and other security are modified by this Consent, such mortgage and other security shall remain in full force and effect.

EXECUTED this 19 day of April, 2004.

HILLS FINANCIAL GROUP,  
A LIMITED PARTNERSHIP

By: Hills Developers, Inc., general partner

By: *Ian Guttman*  
Ian Guttman, Vice-President

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )



Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS DEVELOPERS, INC., the general partner of HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.



my hand and Notarial Seal this 19 day of April, 2004.

WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

*Wendy S Bassman*  
Notary Public

Wendy S. Bassman  
(Printed Signature)

My Commission Expires: June 19, 2005

My County of Residence: Hamilton County, Ohio

EXHIBIT A

LEGAL DESCRIPTION OF PHASE FIVE  
WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME

WINDSLOW CROSSING - PHASE FIVE

Part of the East Half of the Southeast Quarter of Section 9, Township 14 North, Range 4 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:

Commencing at the northeast corner of said Half Quarter section; thence South 00°07'55" East along the east line of said Half Quarter section a distance of 2,50 feet to the southeast corner of a land tract recorded as Instrument Number 72-21386 In the Office of the Recorder of Marion County, Indiana; thence South 88°41'31" West along the south line of said land tract a distance of 209.93 feet to the north line of said Half Quarter section, marked by a 5/8 inch rebar with yellow cap stamped "Schneider Firm #0001"; thence South 88°00'36" West along the north line of said Half Quarter section a distance of 359.51 feet to the Point of Beginning; thence continuing South 88°00'36" West along said North line a distance of 223.10 feet; thence South 17°34'45" West a distance of 494.11 feet; thence South 17° 34'45" West a distance of 19.00 feet; thence South 72°25'15" East a distance of 144.09 feet to the point on a non-tangent curve concave Northerly having a central angle of 7°15'36" and a radius of 673.00 feet; thence Easterly along the arc of said curve a distance of 85.28 feet (said arc being subtended by a chord having a bearing of North 87°00'36" East and a length of 85.22 feet); thence North 83°22'48" East a distance of 76.06 feet to the point of curvature of a tangent curve concave Southerly having a central angle of 6°24'16" and a radius of 727.00 feet; thence Easterly along the arc of said curve a distance of 81.26 feet (said arc being subtended by a chord having a bearing of North 86°34'56" East and a length of 81.22 feet); thence North 00°07'35" West a distance of 522.37 feet to the Point of Beginning, containing 3.662 acres, more or less.

CHICAGO TITLE

EXHIBIT B

WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
6511 Jade Stream Court (Building 1)	101	1,442	.7438
	102	1,442	.7438
	103	1,442	.7438
	104	1,442	.7438
	205	1,569	.8093
	206	1,569	.8093
	207	1,569	.8093
	208	1,569	.8093
6519 Jade Stream Court (Building 1)	101	1,124	.5798
	102	1,124	.5798
	103	1,124	.5798
	104	1,124	.5798
	205	1,124	.5798
	206	1,124	.5798
	207	1,124	.5798
	208	1,124	.5798
	309	1,124	.5798
	310	1,124	.5798
	311	1,124	.5798
	312	1,124	.5798
6527 Jade Stream Court (Building 1)	101	1,124	.5798
	102	1,124	.5798
	103	1,442	.7438
	104	1,442	.7438
	205	1,124	.5798
	206	1,124	.5798
	207	1,569	.8093
	208	1,569	.8093
6510 Jade Stream Court (Building 2)	101	1,124	.5798
	102	1,124	.5798
	103	1,442	.7438
	104	1,442	.7438
	205	1,124	.5798
	206	1,124	.5798
	207	1,569	.8093
	208	1,569	.8093
	309	1,124	.5798
6510 Jade Stream Court (Building 2)	310	1,124	.5798
	311	1,569	.8093
	312	1,569	.8093

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
6518 Jade Stream Court (Building 2)	101	1,124	.5798
	102	1,124	.5798
	103	1,124	.5798
	104	1,124	.5798
	205	1,124	.5798
	206	1,124	.5798
	207	1,124	.5798
	208	1,124	.5798
	309	1,124	.5798
	310	1,124	.5798
	311	1,124	.5798
	312	1,124	.5798
6526 Jade Stream Court (Building 2)	101	1,442	.7438
	102	1,442	.7438
	103	1,124	.5798
	104	1,124	.5798
	205	1,569	.8093
	206	1,569	.8093
	207	1,124	.5798
	208	1,124	.5798
	309	1,569	.8093
	310	1,569	.8093
	311	1,124	.5798
	312	1,124	.5798
6509 Emerald Hill Court (Building 3)	101	1,442	.7438
	102	1,442	.7438
	103	1,124	.5798
	104	1,124	.5798
	205	1,442	.7438
	206	1,442	.7438
	207	1,442	.7438
	208	1,442	.7438
	309	1,442	.7438
	310	1,442	.7438
	311	1,442	.7438
	312	1,442	.7438
6517 Emerald Hill Court (Building 3)	101	1,124	.5798
	102	1,124	.5798
	103	1,124	.5798
6517 Emerald Hill Court (Building 3)	104	1,124	.5798
	205	1,124	.5798
	206	1,124	.5798
	207	1,124	.5798
	309	1,124	.5798

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
	310	1,124	.5798
	311	1,124	.5798
	312	1,124	.5798
6525 Emerald Hill Court (Building 3)	101	1,442	.7438
	102	1,442	.7438
	103	1,442	.7438
	104	1,442	.7438
	205	1,124	.5798
	206	1,124	.5798
	207	1,442	.7438
	208	1,442	.7438
	309	1,124	.5798
	310	1,124	.5798
	311	1,442	.7438
	312	1,442	.7438
4925 Opal Ridge Lane (Building 5)	101	1,124	.5798
	102	1,124	.5798
	103	1,442	.7438
	104	1,442	.7438
	205	1,124	.5798
	206	1,124	.5798
	207	1,569	.8093
	208	1,569	.8093
	309	1,124	.5798
	310	1,124	.5798
	311	1,569	.8093
	312	1,569	.8093
4933 Opal Ridge Lane (Building 5)	101	1,442	.7438
	102	1,442	.7438
	103	1,124	.5798
	104	1,124	.5798
	205	1,569	.8093
	206	1,569	.8093
	207	1,124	.5798
	208	1,124	.5798
	309	1,569	.8093
	310	1,569	.8093
4933 Opal Ridge Lane (Building 5)	311	1,124	.5798
	312	1,124	.5798

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
5003 Opal Ridge Lane (Building 6)	101	1,124	.5798
	102	1,124	.5798
	103	1,442	.7438
	104	1,442	.7438
	205	1,124	.5798
	206	1,124	.5798
	207	1,569	.8093
	208	1,569	.8093
5011 Opal Ridge Lane (Building 6)	101	1,124	.5798
	102	1,124	.5798
	103	1,124	.5798
	104	1,124	.5798
	205	1,124	.5798
	206	1,124	.5798
	207	1,124	.5798
	208	1,124	.5798
	309	1,124	.5798
	310	1,124	.5798
	311	1,124	.5798
	312	1,124	.5798
5019 Opal Ridge Lane (Building 6)	101	1,442	.7438
	102	1,442	.7438
	103	1,124	.5798
	104	1,124	.5798
	205	1,569	.8093
	206	1,569	.8093
	207	1,124	.5798
	208	1,124	.5798

Total Square Footage—Phase Five

193,866

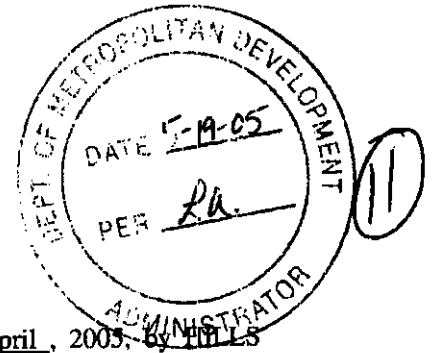
Total Percentage — Phase Five

100.0006

CHICAGO TITLE

MARTIN A. WENDT  
79600 1119B  
RIBBON  
FIREWORKS

**SUPPLEMENTAL DECLARATION OF  
WINDSLOW CROSSING  
HORIZONTAL PROPERTY REGIME**



THIS SUPPLEMENTAL DECLARATION made this 27th day of April, 2005, by TULLS  
COMMUNITIES, INC., an Ohio corporation ("Declarant"),

**WITNESSETH:**

WHEREAS, the following facts are true:

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

See legal description attached hereto, made a part hereof and marked Exhibit A.

(Hereinafter referred to as "Phase Six")

B. On the 1st day of March, 2002, Declarant executed a Declaration of Horizontal Property Ownership for Windslow Crossing Horizontal Property Regime which was recorded in the Office of the Recorder of Marion County, Indiana on March 19, 2002, as Instrument No. 2002-0051503. A First Amendment to the Declaration was executed on April 29, 2002, and recorded on April 30, 2002 as Instrument No. 2002-0081131. Supplemental Declarations were recorded on September 19, 2002 as Instrument No. 2002-0178616, on February 3, 2003 as Instrument No. 2003-0024355, on September 4, 2003 as Instrument No. 2003-018107 and on May 25, 2004 as Instrument No. 2004-106083 in the Office of the Recorder of Marion County, Indiana (the Declaration, the First Amendment and the Supplemental Declarations shall be referenced collectively herein as the "Declaration"). A Code of By-Laws of Windslow Crossing Horizontal Property Regime and of Windslow Crossing Homeowners Association, Inc. ("By-Laws") was adopted and made part of the Declaration and recorded with the Declaration. A First Amendment to the By-Laws was executed on April 29, 2002 (the By-Laws and the First Amendment thereto will be referred to herein collectively as the "By-Laws"). The Declaration and By-Laws are incorporated herein by reference and all of the terms and definitions as described therein are hereby adopted and shall have the same meaning in this Supplemental Declaration.

C. Phase Six is part of the Real Estate described in paragraph A of the recitals of the Declaration. Paragraph 21 of the Declaration provides that all or part of the Real Estate may be annexed to Windslow Crossing Horizontal Property Regime, incorporated into the Declaration and the Owners thereof become members of Windslow Crossing Homeowners Association, Inc. in accordance with the conditions in paragraph 21 of the Declaration and the filing of the Supplemental Declaration by Declarant. All conditions relating to the annexation of Phase Six to the Tract of Windslow Crossing Horizontal Property Regime have been met, and Declarant, by execution of this supplemental Declaration, hereby incorporates Phase Six into Windslow Crossing Horizontal Property Regime.

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

1. Declaration. Declarant hereby expressly declares that Phase Six and all appurtenant easements, Condominium Units, Buildings, improvements and property of every kind and nature whatsoever, real, personal and mixed, located thereon is hereby annexed to and becomes a part of Windslow Crossing Horizontal Property Regime as if such originally had been included in the Declaration, and shall hereafter be held, transferred, sold conveyed and occupied subject to the covenants,

restrictions and provisions of the Declaration, the Act, the By-Laws, and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time. Phase Six hereafter and for all purposes shall be included in the definition of "Tract" as defined in paragraph 1(w) of the Declaration.

2. Description of Buildings. There shall be one (1) Building containing twenty-eight (28) condominium Units in Phase Six as shown on the Supplemental Plans for Phase Six. The Building is identified and referred to in the Supplemental Plans and in this Supplemental Declaration as Building 4. Windslow Crossing Horizontal Property Regime or the Tract now has Six (6) Buildings containing one hundred eighty (180) Condominium Units.

3. Percentage Interest. The Percentage Interest of each Condominium Unit in the Tract (as now defined) is as set forth in Exhibit B attached hereto and made a part hereof. Exhibit B as attached hereto is the correct listing of the Buildings and Units in Windslow Crossing Horizontal Property Regime, such Buildings being Buildings 1, 2, 3, 4, 5 and 6.

4. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the 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 each Owner, tenant and occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit or the Property as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

5. Supplemental Plans. The Supplemental Plans include floor and building plans and elevations of the Buildings and Condominium Units and a site plan of Phase Six and the Buildings thereon prepared by Melton-Packard & Associates, certified by Donald J. Gwinnup, professional engineer and Evan J. Evans, registered land surveyor under date of April 7, 2005, all of which is incorporated herein by reference. The Supplemental Plans setting forth the layout, location, identification and dimension of the Condominium Units identified in this Supplemental Declaration 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 in Horizontal Property Plan File, as of May 19, 2005 as Instrument No. 2005-0078241

CHICAGO TITLE

[THIS SPACE INTENTIONALLY LEFT BLANK]



EXECUTED the day and year first above written.

HILLS COMMUNITIES, INC.

By: *Ian Guttman*  
Ian Guttman, Vice-President

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS COMMUNITIES, INC., who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said corporation.

WITNESS my hand and Notarial Seal this 27th day of April, 2005.



WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires  
June 19, 2005

*Wendy S. Bassman*  
Notary Public

Wendy S. Bassman  
(Printed Signature)

My Commission Expires: June 19, 2005  
My County of Residence: Hamilton County, Ohio

CHICAGO TITLE

This instrument prepared by: Tammy K. Haney, Attorney at Law, Bose McKinney & Evans LLP, 600 East 96th Street, Suite 500, Indianapolis, Indiana 46240.

APPROVED THIS 17th  
DAY OF May 20 05  
PERRY TOWNSHIP ASSESSOR  
*John R. George* GIS MANAGER



CONSENT OF MORTGAGEE

The undersigned, HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP, being the holder of existing mortgages and other security on the real estate described in the above and foregoing Supplemental Declaration as follows:

See Exhibit A to Supplemental Declaration

hereby consents to the recording of the above and foregoing Supplemental Declaration of Windslow Crossing Horizontal Property Regime and the submission of the real estate described therein to the provisions of the Horizontal Property Law of the State of Indiana, and further agrees that its mortgage and other security with respect to the Tract shall be subject to the provisions of the Act and the above and foregoing Supplemental Declaration and Exhibits attached thereto and the documents incorporated therein; provided, however, except and to the extent that the mortgage and other security are modified by this Consent, such mortgage and other security shall remain in full force and effect.

EXECUTED this 27th day of April, 2005.

HILLS FINANCIAL GROUP,  
A LIMITED PARTNERSHIP

By: Hills Developers, Inc., general partner

By: [Signature]  
Ian Guttman, Vice-President

STATE OF OHIO )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said County and State, personally appeared IAN GUTTMAN, by me known and by me known to be the VICE-PRESIDENT of HILLS DEVELOPERS, INC., the general partner of HILLS FINANCIAL GROUP, A LIMITED PARTNERSHIP who acknowledged the execution of the foregoing SUPPLEMENTAL DECLARATION OF WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME on behalf of said bank.

Witness my hand and Notarial Seal this 27th day of April, 2005.



WENDY S. BASSMAN  
Notary Public - State of Ohio  
My Commission Expires June 19, 2005  
[Signature]  
Notary Public

Wendy S. Bassman  
(Printed Signature)

My Commission Expires: June 19, 2005  
My County of Residence: Hamilton County, Ohio

APPROVED THIS 17th  
DAY OF May 20 05  
PERRY TOWNSHIP ASSESSOR  
[Signature] GIS MANAGER

EXHIBIT A

LEGAL DESCRIPTION OF PHASE SIX  
WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME

WINDSLOW CROSSING - PHASE SIX

TRACT A

Part of the East Half of the Southeast Quarter of Section 9, Township 14 North, Range 4 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:

Commencing at the Northeast corner of said Half Quarter Section; thence South 00°07'55" East along the East line thereof a distance of 2.50 feet; thence South 88°41'31" West a distance of 209.93 feet to the North line of said Half Quarter Section; thence South 88°00'36" West along said North line a distance of 582.61 feet to the Northwest corner of Windslow Crossing Phase Five recorded as Instrument number 2004-106083 in the office of the Marion County Recorder, being the Point of Beginning; thence South 17°34'45" West along the West line of said Phase Five a distance of 494.11 feet to a Northerly corner of Windslow Crossing Phase One recorded as Instrument number 020051502; thence North 72°25'15" West along a North line thereof a distance of 407.79 feet to the West line of said Half Quarter Section; thence North 00°05'53" East along said West line a distance of 329.20 feet to the Northwest corner of said Half Quarter Section; thence North 88°00'36" East along the North line of said Half Quarter Section a distance of 537.74 feet to the Point of Beginning. Containing 4.343 acres, more or less.

TRACT B

Part of the East Half of the Southeast Quarter of Section 9, Township 14 North, Range 4 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:

Commencing at the Northeast corner of said Half Quarter Section; thence South 00°07'55" East along the East line thereof a distance of 2.50 feet; thence South 88°41'31" West a distance of 209.93 feet to the North line of said Half Quarter Section; thence South 88°00'36" West along said North line a distance of 1120.35 feet to the Northwest corner of said Half Quarter Section; thence South 00°05'53" West along said West line a distance of 772.16 feet to the Southwest corner of Windslow Crossing Phase One recorded as Instrument number 020051502 in the office of the Marion County Recorder, being the Point of Beginning; thence continuing South 00°05'53" West along said West line a distance of 350.00 feet; thence North 88°00'36" East parallel with the North line of said Half Quarter Section a distance of 572.12 feet to the Southwest corner of Windslow Crossing Phase Four recorded as Instrument number 20030181072; thence North 01°59'24" West along a West line of said Phase Four a distance of 349.77 feet to a Southeast corner of said Phase One; thence South 88°00'36" West along the South line of said Phase One a distance of 559.37 feet to the Point of Beginning. Containing 4.542 acres, more or less.

**EXHIBIT B**

**WINDSLOW CROSSING HORIZONTAL PROPERTY REGIME**

<b><u>Building No.</u></b>	<b><u>Unit</u></b>	<b><u>Square Footage</u></b>	<b><u>Percentage Interest</u></b>
6511 Jade Stream Court (Building 1)	101	1,442	.6279
	102	1,442	.6279
	103	1,442	.6279
	104	1,442	.6279
	205	1,569	.6832
	206	1,569	.6832
	207	1,569	.6832
	208	1,569	.6832
6519 Jade Stream Court (Building 1)	101	1,124	.4894
	102	1,124	.4894
	103	1,124	.4894
	104	1,124	.4894
	205	1,124	.4894
	206	1,124	.4894
	207	1,124	.4894
	208	1,124	.4894
	309	1,124	.4894
	310	1,124	.4894
	311	1,124	.4894
	312	1,124	.4894
6527 Jade Stream Court (Building 1)	101	1,124	.4894
	102	1,124	.4894
	103	1,442	.6279
	104	1,442	.6279
	205	1,124	.4894
	206	1,124	.4894
	207	1,569	.6832
	208	1,569	.6832
6510 Jade Stream Court (Building 2)	101	1,124	.4894
	102	1,124	.4894
	103	1,442	.6279
	104	1,442	.6279
	205	1,124	.4894
	206	1,124	.4894
	207	1,569	.6832
	208	1,569	.6832
	309	1,124	.4894
	310	1,124	.4894
	311	1,569	.6832
	312	1,569	.6832

CHICAGO TITLE

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
6518 Jade Stream Court (Building 2)	101	1,124	.4894
	102	1,124	.4894
	103	1,124	.4894
	104	1,124	.4894
	205	1,124	.4894
	206	1,124	.4894
	207	1,124	.4894
	208	1,124	.4894
	309	1,124	.4894
	310	1,124	.4894
	311	1,124	.4894
	312	1,124	.4894
6526 Jade Stream Court (Building 2)	101	1,442	.6279
	102	1,442	.6279
	103	1,124	.4894
	104	1,124	.4894
	205	1,569	.6832
	206	1,569	.6832
	207	1,124	.4894
	208	1,124	.4894
	309	1,569	.6832
	310	1,569	.6832
	311	1,124	.4894
	312	1,124	.4894
6509 Emerald Hill Court (Building 3)	101	1,442	.6279
	102	1,442	.6279
	103	1,124	.4894
	104	1,124	.4894
	205	1,442	.6279
	206	1,442	.6279
	207	1,442	.6279
	208	1,442	.6279
	309	1,442	.6279
	310	1,442	.6279
	311	1,442	.6279
	312	1,442	.6279
6517 Emerald Hill Court (Building 3)	101	1,124	.4894
	102	1,124	.4894
	103	1,124	.4894
	104	1,124	.4894
	205	1,124	.4894
	206	1,124	.4894
	207	1,124	.4894
	208	1,124	.4894
	309	1,124	.4894
	310	1,124	.4894
	311	1,124	.4894

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
6517 Emerald Hill Court (Building 3)	312	1,124	.4894
6525 Emerald Hill Court (Building 3)	101	1,442	.6279
	102	1,442	.6279
	103	1,442	.6279
	104	1,442	.6279
	205	1,124	.4894
	206	1,124	.4894
	207	1,442	.6279
	208	1,442	.6279
	309	1,124	.4894
	310	1,124	.4894
	311	1,442	.6279
	312	1,442	.6279
6508 Emerald Hill Court (Building 4)	101	1,442	.6279
	102	1,442	.6279
	103	1,442	.6279
	104	1,442	.6279
	205	1,569	.6832
	206	1,569	.6832
	207	1,442	.6279
	208	1,442	.6279
6516 Emerald Hill Court (Building 4)	101	1,124	.4894
	102	1,124	.4894
	103	1,124	.4894
	104	1,124	.4894
	205	1,124	.4894
	206	1,124	.4894
	207	1,124	.4894
	208	1,124	.4894
	309	1,124	.4894
	310	1,124	.4894
	311	1,124	.4894
	312	1,124	.4894
6524 Emerald Hill Court (Building 4)	101	1,124	.4894
	102	1,124	.4894
	103	1,442	.6279
	104	1,442	.6279
	205	1,124	.4894
	206	1,124	.4894
	207	1,569	.6832
	208	1,569	.6832
4925 Opal Ridge Lane (Building 5)	101	1,124	.4894
	102	1,124	.4894
	103	1,442	.6279

<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
4925 Opal Ridge Lane (Building 5)	104	1,442	.6279
	205	1,124	.4894
	206	1,124	.4894
	207	1,569	.6832
	208	1,569	.6832
	309	1,124	.4894
	310	1,124	.4894
	311	1,569	.6832
	312	1,569	.6832
	4933 Opal Ridge Lane (Building 5)	101	1,442
102		1,442	.6279
103		1,124	.4894
104		1,124	.4894
205		1,569	.6832
206		1,569	.6832
207		1,124	.4894
208		1,124	.4894
309		1,569	.6832
310		1,569	.6832
311		1,124	.4894
312		1,124	.4894
5003 Opal Ridge Lane (Building 6)		101	1,124
	102	1,124	.4894
	103	1,442	.6279
	104	1,442	.6279
	205	1,124	.4894
	206	1,124	.4894
	207	1,569	.6832
	208	1,569	.6832
5011 Opal Ridge Lane (Building 6)	101	1,124	.4894
	102	1,124	.4894
	103	1,124	.4894
	104	1,124	.4894
	205	1,124	.4894
	206	1,124	.4894
	207	1,124	.4894
	208	1,124	.4894
	309	1,124	.4894
	310	1,124	.4894
	311	1,124	.4894
	312	1,124	.4894
5019 Opal Ridge Lane (Building 6)	101	1,442	.6279
	102	1,442	.6279
	103	1,124	.4894
	104	1,124	.4894
	205	1,569	.6832



<u>Building No.</u>	<u>Unit</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
5019 Opal Ridge Lane	206	1,569	.6832
(Building 6)	207	1,124	.4894
	208	1,124	.4894
Total Square Footage—Phase Six			229,662
Total Percentage – Phase Six			100.00



CHICAGO TITLE

C+I  
CT 10 Dave Cloonan

Cross References:  
Instrument No. 200200051503  
Instrument No. 20020031131  
Instrument No. 20020178616  
Instrument No. 20030024355  
Instrument No. 2003018107  
Instrument No. 2004106083  
Instrument No. 20050078242

SCRIVENER'S ERROR AFFIDAVIT

Tammy K. Haney, being first duly sworn on her oath, states that on or before March 19, 2002, she prepared a Declaration of Horizontal Property Ownership For Winslow Crossing Horizontal Property Regime (the "Declaration") and said Declaration was recorded on March 19, 2002 as Instrument No. 20020051503 in the Office of the Recorder of Marion County, Indiana.

This affiant further states that certain scrivener's errors have been discovered in the Declaration in that the identification of the Garage Units was inadvertently left out of the Declaration. In order to correct the scrivener's errors in the Declaration:

- i. The definition of Garage Unit in paragraph 1(m) of the Declaration shall be amended to include a reference to paragraph 7(d).
- ii. The following shall be added to paragraph 3 of the Declaration: There are 180 Garage Units on the Tract as shown on the Plans. The Garage Units are identified on the Plans as G-1 through G-180, inclusive.
- iii. The following paragraph shall be added to paragraph 4 of the Declaration: Each Garage Unit is identified on the Plans by a Garage Unit Number. The legal description for each Garage Unit shall consist of the Garage Unit Number shown on the Plans and shall be stated as Garage Unit \_\_\_\_ in Winslow Crossing Horizontal Property Regime in Marion County, Indiana. The ownership of the Garage Unit shall not affect the Percentage Interest of an Owner;

Further affiant saith not.

  
\_\_\_\_\_  
Tammy K. Haney

12/28/2009 10:30 Julie Voorhies MARION COUNTY RECORDER MLN 23.50 PAGES: 2  
Inst # 2009-0144293

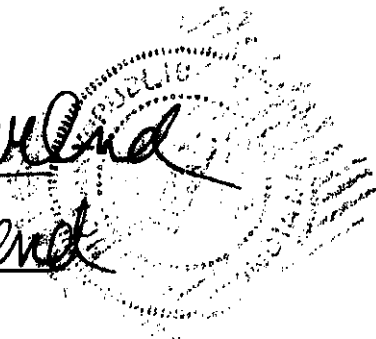
STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared Tammy K. Haney, who acknowledged the execution of the foregoing "Scrivener's Error Affidavit" as her voluntary act and deed.

WITNESS my hand and Notarial Seal this 21 day of December, 2009.

*Stacey Cleveland*  
Notary Public

*Stacey Cleveland*  
Printed Signature



My Commission Expires:

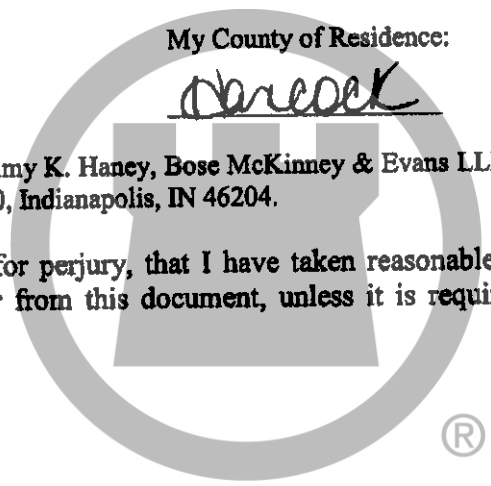
7-20-10

My County of Residence:

Daredek

This instrument prepared by Tammy K. Haney, Bose McKinney & Evans LLP and after recording return 111 Monument Circle, Suite 2700, Indianapolis, IN 46204.

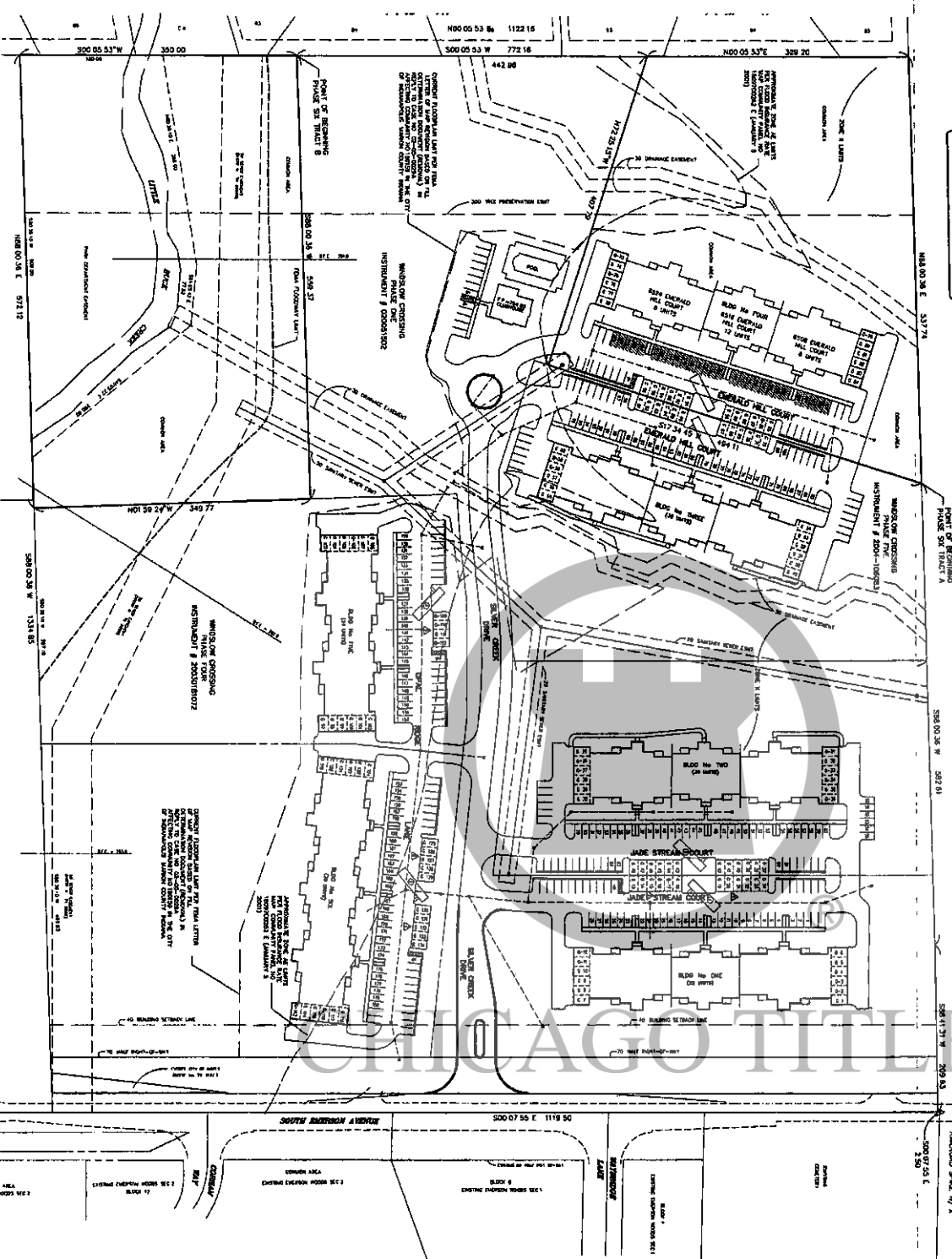
I affirm, under the penalties for perjury, that I have taken reasonable care to redact each and every Social Security number from this document, unless it is required by law. Douglas C. Haney.



CHICAGO TITLE

2005-0078241

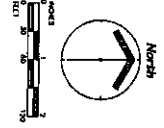
# HORIZONTAL PROPERTY REGIME WINDSLOW CROSSING - PHASE SIX MARION COUNTY, INDIANA SHEET 1 OF 3



MC COR. S. 1/2 SE 1/4  
SEC. 9 T. 14N. R. 10E  
MARION COUNTY, INDIANA

2005-0078241

- LEGEND-**
- 11 Aerial Photo
  - 12 Contour Lines
  - 13 Easement
  - 14 Easement
  - 15 Easement
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  - 17 Easement
  - 18 Easement
  - 19 Easement
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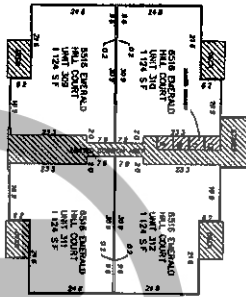
THIS PLAN PREPARED BY  
MELTON-PICKARD & ASSOCIATES  
REGISTERED LAND SURVEYORS  
100 SOUTH STATE ST. INDIANAPOLIS, IN 46202

**MPA**  
MELTON-PICKARD & ASSOCIATES  
100 SOUTH STATE ST. INDIANAPOLIS, IN 46202  
PHONE: 317.426.1000  
FAX: 317.426.1001  
WWW.MPA-PA.COM

DATE: 11/10/05  
TIME: 1:15 PM  
BY: J. L. M. / J. L. M.

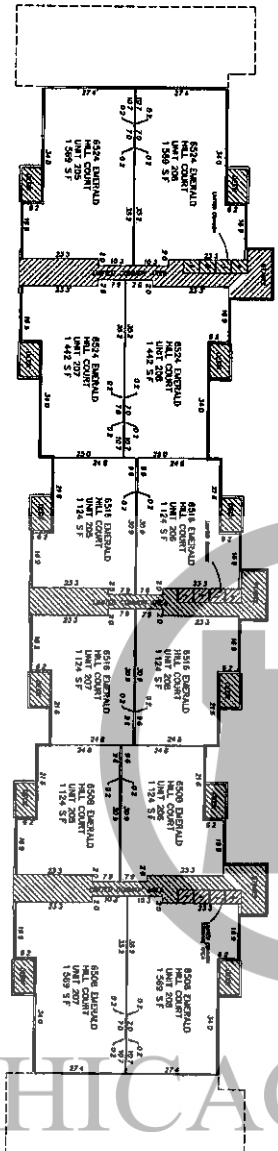
HORIZONTAL PROPERTY REGIME  
 WINDSLOW CROSSING - PHASE SIX  
 MARION COUNTY, INDIANA  
 SHEET 2 OF 3

THIRD FLOOR



THIRD FLOOR FINISHED FLOOR ELEVATION = 617' 94"  
 THIRD FLOOR CEILING ELEVATION (AT WALL) = 623' 84"  
 THIRD FLOOR CEILING ELEVATION (AT RECESSED POINTS) = 622' 94"

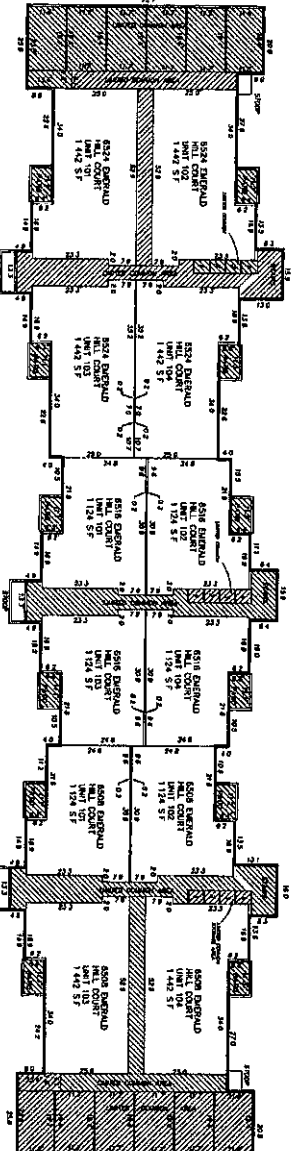
SECOND FLOOR



NORTH END  
 SECOND FLOOR FINISHED FLOOR ELEVATION = 605' 94"  
 SECOND FLOOR CEILING ELEVATION (AT WALL) = 614' 94"

SOUTH END  
 SECOND FLOOR FINISHED FLOOR ELEVATION = 606' 74"  
 SECOND FLOOR CEILING ELEVATION (AT WALL) = 616' 74"

FIRST FLOOR



NORTH END  
 FIRST FLOOR FINISHED FLOOR ELEVATION = 791' 24"  
 FIRST FLOOR CEILING ELEVATION (AT WALL) = 802' 04"

SOUTH END  
 FIRST FLOOR FINISHED FLOOR ELEVATION = 792' 24"  
 FIRST FLOOR CEILING ELEVATION (AT WALL) = 806' 24"

BUILDING NUMBER FOUR  
 FLOOR PLANS

2005-0076241

PREPARED BY:  
 DONALD H. GOSWAMI, JR.  
 REGISTERED PROFESSIONAL ARCHITECT  
 IN THE STATE OF INDIANA

**MPA**  
 MELTON-DICKARD & ASSOCIATES  
 3444 Cambridge & South 7th • Indianapolis, Indiana 46220 • (317) 577-0099

DATE: 11-13-08  
 P: 10/13/08 PM 3:10  
 11-13-08

HORIZONTAL PROPERTY REGIME  
WINDSLOW CROSSING - PHASE SIX  
MARION COUNTY, INDIANA  
SHEET 3 OF 3

LAND DESCRIPTION - GENERAL

Part of the East Half of the Southeast Quarter of Section 9 Township 36 North, Range 1 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:

Commencing at the Northwest corner of said half quarter section 9, Township 36 North, Range 1 East, the east one-half section 9, containing South 00°27'50" East along the east line a distance of 1170.50 feet to the southeast corner of a lot of land described as follows: (1) The East Half of the Southeast Quarter of Section 9, Township 36 North, Range 1 East, of the Second Principal Meridian, Marion County, Indiana, containing the following three courses, to-wit: the South West corner of said quarter section (2) State South 88°00'30" West 1324.84 feet to a point on the west line of said half quarter section 9, Township 36 North, Range 1 East, of the Second Principal Meridian, Marion County, Indiana, containing the following two courses, to-wit: the South West corner of said quarter section (3) State North 88°00'30" East along said north line a distance of 1103.35 feet to the southeast corner of said half quarter section (4) State North 88°41'31" East a distance of 200.33 feet to the Point of Beginning, containing 45.20 acres more or less.

EXCEPT the aforesaid described real estate conveyed to the City of Indianapolis by the Indiana State Board of Public Works, as recorded in the Public Records of Marion County, Indiana, under the name of the City of Indianapolis, dated August 31, 1972, as substantially amended by Ordinance No. 22-31771.

BEHIND of the intersection of the West boundary of South Township 36 North and the South line of the quarter 3 and 4th principal meridian, 1122.00 feet West and 200.33 feet North to the southeast corner of said half quarter section 9, Township 36 North, Range 1 East, of the Second Principal Meridian, Marion County, Indiana, containing the following courses, to-wit: the South West corner of said quarter section (1) State South 88°00'30" West 1324.84 feet to a point on the west line of said half quarter section 9, Township 36 North, Range 1 East, of the Second Principal Meridian, Marion County, Indiana, containing the following two courses, to-wit: the South West corner of said quarter section (2) State North 88°00'30" East along said north line a distance of 1103.35 feet to the southeast corner of said half quarter section (3) State North 88°41'31" East a distance of 200.33 feet to the point of Beginning, containing 45.20 acres more or less.

LAND DESCRIPTION - SECTION SIX

TRACT A. East Half of the Southeast Quarter of Section 9, Township 36 North, Range 1 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:

Commencing at the Northwest corner of said half quarter section 9, Township 36 North, Range 1 East, the east one-half section 9, containing South 00°27'50" East along the east line a distance of 1170.50 feet to the southeast corner of a lot of land described as follows: (1) The East Half of the Southeast Quarter of Section 9, Township 36 North, Range 1 East, of the Second Principal Meridian, Marion County, Indiana, containing the following three courses, to-wit: the South West corner of said quarter section (2) State South 88°00'30" West 1324.84 feet to a point on the west line of said half quarter section 9, Township 36 North, Range 1 East, of the Second Principal Meridian, Marion County, Indiana, containing the following two courses, to-wit: the South West corner of said quarter section (3) State North 88°00'30" East along said north line a distance of 1103.35 feet to the southeast corner of said half quarter section (4) State North 88°41'31" East a distance of 200.33 feet to the Point of Beginning, containing 45.20 acres more or less.

TRACT B. East Half of the Southeast Quarter of Section 9, Township 36 North, Range 1 East of the Second Principal Meridian, Perry Township, Marion County, Indiana, described as follows:

Commencing at the Northwest corner of said half quarter section 9, Township 36 North, Range 1 East, the east one-half section 9, containing South 00°27'50" East along the east line a distance of 1170.50 feet to the southeast corner of a lot of land described as follows: (1) The East Half of the Southeast Quarter of Section 9, Township 36 North, Range 1 East, of the Second Principal Meridian, Marion County, Indiana, containing the following three courses, to-wit: the South West corner of said quarter section (2) State South 88°00'30" West 1324.84 feet to a point on the west line of said half quarter section 9, Township 36 North, Range 1 East, of the Second Principal Meridian, Marion County, Indiana, containing the following two courses, to-wit: the South West corner of said quarter section (3) State North 88°00'30" East along said north line a distance of 1103.35 feet to the southeast corner of said half quarter section (4) State North 88°41'31" East a distance of 200.33 feet to the Point of Beginning, containing 45.20 acres more or less.

Executed this 31st day of April, 2005, by Deedant  
Ben O'Quinn, Vice President of The Communitas, Inc., an Ohio  
corporation, and  
Marilyn A. O'Quinn, Secretary of The Communitas, Inc., an Ohio  
corporation, interested in these tracts, their heirs, assigns and  
their successors, devisees.

Witness my hand and seal this 31st day of April, 2005, at  
Cincinnati, Ohio.

Ben O'Quinn  
Marilyn A. O'Quinn

Witness my hand and seal this 31st day of April, 2005, before me, a Notary Public in and for the State of Indiana, in and for the County of Marion, Indiana, and I certify that the foregoing is a true and correct copy of the original instrument presented to me for recording, and that the signers at the time and in the presence of me are the persons whose names are subscribed to the same.

Notary Public  
STATE OF INDIANA  
MARION COUNTY

The undersigned hereby certifies to the accuracy and truth of the foregoing and that the signers at the time and in the presence of me are the persons whose names are subscribed to the same.

Notary Public  
STATE OF INDIANA  
MARION COUNTY

The undersigned hereby certifies to the accuracy and truth of the foregoing and that the signers at the time and in the presence of me are the persons whose names are subscribed to the same.

Notary Public  
STATE OF INDIANA  
MARION COUNTY

The undersigned hereby certifies to the accuracy and truth of the foregoing and that the signers at the time and in the presence of me are the persons whose names are subscribed to the same.

Notary Public  
STATE OF INDIANA  
MARION COUNTY



CHICAGO TITLE

FILED  
APR 15 2005  
MARION COUNTY, INDIANA

1. The undersigned hereby certifies that to the best of my knowledge and belief the foregoing is a true and correct copy of the original instrument presented to me for recording, and that the signers at the time and in the presence of me are the persons whose names are subscribed to the same.

Notary Public  
STATE OF INDIANA  
MARION COUNTY

2005-0078241

Dated this 31st day of April, 2005

Ben O'Quinn  
Marilyn A. O'Quinn



MPA  
MERTON-PACKARD & ASSOCIATES  
6111 Cornerstone • Suite 200 • Indianapolis, Indiana 46220 • (317) 571-0000  
FAX: (317) 571-0000