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## Subdivision Covenants and Restrictions

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HENDRICKS COUNTY RECORDER  
09/10/2009 08:06:56AM

**AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF HOLLOWAY POINTE**

This Declaration Amendment is made this 28 day of June, 2009,  
by Holloway Pointe Homeowners' Association, Inc. an Indiana corporation ("Declarant").

**RECITALS**

1. Declarant is the owner of certain real estate located in Hendricks County, Indiana, more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof (the "Real Estate");
2. Declarant, by virtue of a vote of homeowners held 6/28/2009, desires to amend the original Declaration of Covenants as recorded 8/1/1996 at Page 155-584 in the Office of the Recorder of Hendricks County as follows:

**AMENDED DECLARATIONS**

Article VII SS 2 (b)(i)

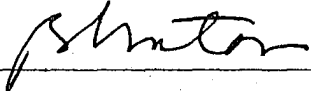
(i) routine maintenance, and repairs of the exteriors of each Home, ***shall not include*** roofs, gutters, doors, windows, and exterior walls; and ***shall include only*** the painting of exterior wood surfaces (excluding stained front entry doors) all of which shall be considered part of the Common Properties for purposes of maintenance only;

ARTICLE IX SS 2

"...shall be drawn to include the establishment and maintenance of one reserve fund for the painting of Home exteriors as described in VII (b) (i), the routine maintenance of lawns, as described in VII (b) (ii), and driveway snow removal.

**IN WITNESS WHEREOF**, Holloway Pointe Homeowners' Association, Inc.,  
Declarant, has executed this Declaration Amendment on the day and year first hereinabove set forth.

HOLLOWAY POINTE HOMEOWNERS' ASSOCIATION, INC.

By:   
Signature

Bill Vinton, President  
Printed Name

243



**RESOLUTION OF**  
**HOLLAWAY POINT HOMEOWNERS' ASSOCIATION, INC.**

**WHEREAS**, the Declaration of Covenants of Hollaway Pointe has been amended to define routine maintenance, and repairs of the exterior of each Home to include only the painting of exterior wood surfaces (excluding stained front entry doors); and

**WHEREAS**, certain minutes and/or Resolutions referred to routine maintenance, and repairs of the exterior of each Home in various ways; and

**WHEREAS**, this Resolution is adopted to conform henceforth all matters regarding exterior maintenance to the Amended Declaration of Covenants;

**NOW, THEREFORE**, be it resolved that:

The Board hereby dissolves the Capital Roof fund and directs the return of the funds to the members as follows:

1. All funds paid into the fund on behalf of each lot will be returned to the owners of record of that lot as of the date of passage of the amendments.
2. All interest earned from the date of establishment through the date of dissolution of the fund shall be returned to the owners of record of each lot on a pro rata basis.
3. Any past due balances owed the association by any owners of record will be deducted from the fund proceeds due to that owner of record.

So approved this 20<sup>th</sup> day of July, 2009.

HOLLAWAY POINTE HOMEOWNERS' ASSOCIATION, INC.

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

Bill Vinton

, President

ATTEST:

Betty Lou Byram

BETTY LOU BYRAM, Secretary