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Recorded Johnson County, Indiana
Sue Anne Misiniec, Recorder
Date 05/19/2005 Time 11:52:52 1 of 4 Pgs
Inst # 2005-013027 OFF
Fee Amt: 16.00

Cross Reference: Declaration of Covenants, Conditions and Restrictions for Homecoming at University Park, recorded on April 21, 2005 as instrument number 2005-010281 in the office of the Recorder of Johnson County, Indiana

**FIRST AMENDMENT OF
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
HOMECOMING AT UNIVERSITY PARK**

This First Amendment of Declaration of Covenants, Conditions and Restrictions for Homecoming at University Park ("First Amendment") is made to be effective this 18th day of May, 2005, and amends the Declaration of Covenants, Conditions and Restrictions for Homecoming at University Park, recorded on April 21, 2005 as instrument number 2005-010281 in the office of the Recorder of Johnson County, Indiana (the "Declaration"). All capitalized terms not defined herein shall have the meanings set forth in the Declaration.

RECITALS

WHEREAS, the Original Tract includes the real estate more particularly described in Exhibit "A attached hereto and made a part hereof ("Block A").

WHEREAS, Developer has executed or will hereafter execute one or more deeds in order to transfer Block A to the Greenwood Park and Recreation Board of the City of Greenwood, Indiana for use as a public park.

WHEREAS, Developer desires to clarify that Block A is not part of the Common Areas and that the Declaration and the covenants, conditions and restrictions contained therein do not apply to Block A.

WHEREAS, Section 9.2 of the Declaration provides that, during the Development Period, the Developer may unilaterally amend this Declaration for any purpose, provided the amendment has no material adverse effect upon any right of the Owners.

WHEREAS, the amendment and clarifications set forth in this First Amendment shall have no material adverse effect upon any right of the Owners.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. A new Section 1.19 is hereby added as follows:

Section 1.19 "Block A" shall mean those areas and all improvements located thereon which are so identified on the Plats, including the portion of the Original Tract which is heretofore or hereinafter deeded by Developer to the Greenwood Park and Recreation Board of the City of Greenwood, Indiana for use as a public park.

2. Section 1.5 is deleted in its entirety and the following is interested in lieu thereof:

Section 1.5 "Common Area(s)" shall mean those areas and all improvements located thereon which are identified on the Plats. Those areas and all improvements located thereon which are identified on the Plats as "Block A" are not included in the Common Areas.

3. A new Section 2.6 is hereby added as follows:

Section 2.6 "Block A Property" This Declaration shall not encumber title, nor otherwise apply, to the Block A Property.

Except as modified herein, all terms and conditions of the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned has caused this First Amendment to be executed effective as of the date written above.

DECLARANT:

UNIVERSITY PARK, LLC

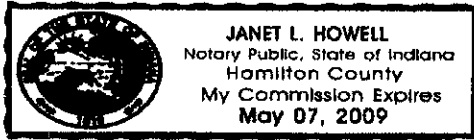
By: Precedent Residential Development, LLC,
Member

By: 
Douglas B. Wagner, Senior Vice President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Douglas B. Wagner, Senior Vice President, Precedent Residential Development, LLC, a Member of University Park, LLC, who acknowledged the execution of the foregoing First Amendment of Declaration of Covenants, Conditions and Restrictions for Homecoming at University Park on behalf of such Developer, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 18th day of May, 2005.



Janet L. Howell

Janet L. Howell, Notary Public

My Commission Expires: May 2, 2009
My County of Residence: Hamilton

This instrument prepared by April R. Schilling, Attorney at Law, Locke Reynolds LLP, 201 North Illinois Street, Suite 1000, P.O. Box 44961, Indianapolis, Indiana 46244-0961.

Return deed to University Park, LLC, 9229 Priority Way West Drive, Suite 100, Indianapolis, IN 46240

EXHIBIT A

Block "A", in Homecoming at University Park, Section 1, a subdivision located in the City of Greenwood, Johnson County, Indiana, recorded in Plat Book D, Page 573 A-E, as Instrument No. 2005-010282, in the Office of the Recorder of Johnson County, Indiana, as amended.

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