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KATHERINE SWEENEY BELL
MARION COUNTY IN RECORDER
FEE: \$ 32.50
PAGES: 6
By: CJ

JOSEPH P. O'CONNOR
MARION COUNTY ASSESSOR

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DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER



155743

Cross Reference: Instrument No. **A201500056942**
Instrument No. **A201500114786**
Instrument No. **A201700013939** [Replat of Block B]

AMENDMENT OF TOWNHOME
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR PARK 10 TOWNHOMES

THIS AMENDMENT OF TOWNHOME DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PARK 10 TOWNHOMES ("Amendment"), is made effective this 10th day of November, 2016, by 10TH AND BROADWAY, LLC, an Indiana limited liability company and developer of the Park 10 Townhomes (the "Declarant").

WITNESSETH:

WHEREAS, on or about November 6, 2015, a Townhome Declaration of Covenants, Conditions and Restrictions for Park 10 Townhomes was recorded in the Marion County Recorder's Office as Instrument No. A201500114786 ("Declaration");

WHEREAS, the lot identified as "Block B" on that certain Park 10 Subdivision Townhomes and Flats recorded in the Office of the Recorder of Marion County, Indiana as Instrument No. A201500056942 (the "Plat") was originally intended for development as flats;

WHEREAS, pursuant to that certain Replat of Block B Park 10 Subdivision Townhomes and Flats approved by the Marion County Plat Committee on November 9, 2016 as Case No. 2016-PLT-051 and recorded in the Office of the Recorder of Marion County, Indiana as

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6

Instrument No. _____ (the "Replat"), Block B has been divided into
Townhome Lots.

WHEREAS, the Applicable Date has not occurred and Declarant desires to annex the
property described in the Replat and make it subject to the Declaration.

NOW, THEREFORE, the Declaration is hereby supplemented, amended and changed as
hereinafter provided:

1. Annexation of Block B. The property identified on the Replat (the "Annexed
Property") is hereby annexed into and is to be included within the "Real Estate" as defined in the
Declaration and each lot identified thereon shall be included as a "Townhome Lot" and the
Replat shall for all purposes be considered to be included as part of the "Plat" as defined in the
Declaration. Declarant hereby declares that such property is and shall be held, transferred, sold,
conveyed and occupied subject to the covenants, conditions, restrictions, easements, charges and
liens set forth in the Declaration. Declarant is making this annexation pursuant to its rights set
forth in Section 13(g) of the Declaration.

2. Site Plan and Depiction of Property. In addition to the Buildings and Townhome
Lots described in Section 2(a) of the Declaration, there will be two (2) Buildings of three (3)
stories in height, containing a total of thirteen (13) additional Townhome Units on the portion of
the Real Estate consisting of the Annexed Property, and as shown on Exhibit "A". The site plan
depicted on Exhibit "A" shall be considered as part of and a supplement to Exhibit B of the
Declaration.

3. Declaration Confirmed. The Declaration is hereby affirmed and shall remain
valid and enforceable according to the terms thereof, except to the extent further supplemented

and amended by this Amendment. Words and/or phrases not defined in this Amendment shall be given the meaning proscribed by the Declaration.

4. Conflicting Provisions. In the event of a conflict or inconsistency between the terms and provisions of this Amendment and the terms and provisions of the Declaration which cannot be reasonably reconciled, the terms and provisions of this Amendment shall control.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment of Declaration of Covenants, Conditions and Restrictions for Park 10 Townhomes to be entered into on the day and in the year first above written for recordation in the Office of the Recorder of Marion County, Indiana.

[Remainder of page intentionally left blank.]

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THIS DOCUMENT PROVIDED FOR SALE OF DATA TREE AND NOT AVAILABLE FOR RESALE UNDER IC

10TH AND BROADWAY, LLC

By: Broadway Holdings, LLC,
its Manager

By: *Tadd M. Miller*
Tadd M. Miller, Manager

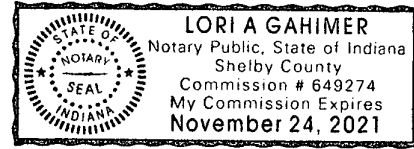
STATE OF INDIANA)
) SS
COUNTY OF MARION

Appeared before me a Notary Public, Tadd M. Miller, who executed the foregoing Amendment of Townhome Declaration of Covenants, Conditions and Restrictions for the Park 10 Townhomes for and on behalf of 10th and Broadway, LLC as the duly authorized Manager of its Manager.

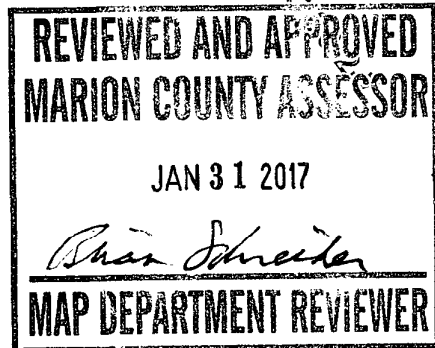
Dated this 30th day of January, 2017.

WITNESS my hand and official seal.

My commission expires: Nov. 24, 2021



Lori A. Gahimer
Notary Public



This instrument prepared by Samantha R. Hargitt, Attorney at Law, Wooden McLaughlin, LLP, One Indiana Square, Suite 1800, Indianapolis, Indiana 46204.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. [Samantha R. Hargitt].

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EXHIBIT "A"

Supplement to Depiction of Property

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