TWELFTH SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
COURTYARD LAKES

THIS TWELFTH SUPPLEMENTAL DECLARATION, made this 8th day of NOVEMBER, 1999, by CJF FISHERS, L.L.C., an Indiana limited liability company (the "Declarant"),

RECOLALS

supplemented by that certain Ninth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 6, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on May 12, 1999 as Instrument No. 9909928932; further supplemented by that certain Tenth Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated May 26, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on June 7, 1999 as Instrument No. 9909928933; and further amended by that certain Eleventh Supplemental Declaration of Condominium Ownership of Courtyard Lakes dated September 22, 1999 and recorded of record in the Office of the Recorder of Hamilton County, Indiana on September 30, 1999 as Instrument No. 9909957257; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Courtyard Lakes Owners Association, Inc. (the "Articles") and the Code of By-Laws of Courtyard Lakes and Courtyard Lakes Owners Association, Inc. (the "By-Laws");

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-121 of the Indiana Horizontal Property Law, the Courtyard Lakes Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 13 ("Tract 13") in Exhibit "A", attached hereto and incorporated herein and Tract 13 is included in the area into which expansion of Courtyard Lakes may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Courtyard Lakes into Tract 13 have been met and Declarant, by execution of this Twelfth Supplemental Declaration, desires to subject Tract 13 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Courtyard Lakes Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

1. Certain Definitions. The following terms, as used in this Twelfth Supplemental Declaration shall mean the following:

"Tract 13 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominiums development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Buildings and Condominium Units located on Tract 13), as prepared and certified by Greg Snelling, a licensed professional engineer, under date of October 26, 1999, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and
amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. Expansion of Courtyard Lakes Condominium. Declarant hereby expressly declares that Tract 13 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration 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 Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Courtyard Lakes Condominium is thereby expanded to include Tract 13 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. Description of Buildings. There is one (1) Building containing four (4) Condominium Units each on Tract 13 as of the date hereof, as shown on the Tract 13 Plans (the “Tract 13 Plans”). Such Building is identified on the Tract 13 Plans as Building 15. A description of the Buildings and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 13 Plans shall be deemed part of the Plans as defined in the Declaration.

4. Percentage Interest. The Percentage Interest in the Common Areas and Limited Areas appertaining to each Condominium Unit as set forth in Exhibit "E" to the Declaration is hereby modified as set forth in Exhibit "C" attached hereto and made a part hereof.

5. Acceptance and Ratification. The acceptance of a deed of conveyance or the set of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, 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 or 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 as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. Tract 13 Floor Plans. Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Twelfth Supplemental Declaration were recorded on the 24th day of April, 1999, in the Office of the Recorder of Hamilton County, Indiana as Document No. 10201.
IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB FISHERS, L.L.C., an Indiana Limited Liability Company

By: [Signature]

Charles J. Burnsworth, Managing Member

STATE OF INDIANA
)
) SS:
COUNTY OF DELAWARE
)

Before me, a Notary Public in and for said county and state, personally appeared Charles J. Burnsworth, who being first duly sworn by me upon his oath, stated that he is the Managing Member of CJB FISHERS, L.L.C., an Indiana limited liability company, that he is duly authorized to execute the foregoing on its behalf, that any statements or representations of fact contained therein are true, and he acknowledged execution of the foregoing.

Witness my hand and Notarial Seal this 8th day of NOVEMBER, 1999.

My Commission Expires:
3-25-2000

[Signature]

ROBERT WORDINGER, Notary Public

My County of Residence:
Delaware

EXHIBIT "A"

(Perimeter Legal Description of “Tract 13” to consisting of Building “15”)

A part of Section 2, Township 17 North, Range 4 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the northeast corner of said section, marked with a Harrison monument; thence along the North Line of said section, South 89 degrees 43 minutes 44 seconds West (assumed bearing) 805.86 feet to the northwest corner of Timber Lane Estates as per plat thereof recorded in Plat Book 2, page 149 in the office of the Recorder of Hamilton County, Indiana; thence along the West Line of said Timber Lane Estates and the West Line of Whitmire Glen as per plat thereof recorded in Plat Cabinet 1, slide 42 in the office of the Recorder of said county, South 00 degrees 00 minutes 00 seconds East 1527.17 feet to a point on the West Line of Hickory Woods Phase 1, as per plat thereof recorded in Plat Book 13, pages 149-150 in the office of the Recorder of said county, said point being on the north line of the south half of the northeast quarter of said section; thence along said north line, South 89 degrees 31 minutes 32 seconds West 547.11 feet; thence South 00 degrees 11 minutes 58 seconds East 198.62 feet; thence South 89 degrees 48 minutes 02 seconds West 208.72 feet to the POINT OF BEGINNING; thence South 00 degrees 00 minutes 00 seconds East 100.38 feet; thence South 41 degrees 33 minutes 39 seconds East 94.40 feet; thence South 00 degrees 00 minutes 00 seconds East 92.10 feet; thence North 90 degrees 00 minutes 00 seconds West 88.74 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 15.00 feet; thence North 90 degrees 00 minutes 00 seconds East a distance of 80.08 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 57.53 feet; thence North 45 degrees 00 minutes 00 seconds East a distance of 90.08 feet; thence North 00 degrees 00 minutes 00 seconds East a distance of 126.75 feet; thence North 89 degrees 48 minutes 02 seconds East a distance of 42.50 feet to the POINT OF BEGINNING; containing 0.565 acres, more or less; subject to rights-of-way, easements, and restrictions.
EXHIBIT "B"

(Site Plan and Floor Plans of Building on "Tract 13" as certified by project Engineer)
EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 1.6666% as of the date of this Twelfth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Courtyard Lakes as provided in the Declaration.
CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 13, as defined in the above and foregoing Declaration, which mortgage was dated March 5, 1997, and recorded in the Office of the Recorder of Hamilton County, Indiana on March 18, 1997, as Instrument No. 97-09460 (the "Mortgage"), hereby consents to the recording of the above and foregoing Twelfth Supplemental Declaration and the submission of Tract 13 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 14th day of NOVEMBER, 1999.

GENEVA LEASING ASSOCIATES, INC.

By: ______________________________________________________________________
Printed:.___F. Slade__________________ Title: ____________Vice President_____________

STATE OF ILLINOIS
COUNTY OF _____________.

JSS:

Before me, a Notary Public in and for said County and State, personally appeared __________F. Slade__________________, known to me to be the Vice President of Geneva Leasing Associates, Inc., and acknowledged the execution of the foregoing for and on behalf of said Bank.

Witness my hand and Notarial Seal, this 14th day of NOVEMBER, 1999.

My County of Residence: ______________________________________________________________________ Notary Public - Signature

My Commission Expires: ______________________________________________________________________ Notary Public - Printed