Lake Contacts - Contacts

This section includes contact information for Board members and committee chairs, by clicking on the word Contacts (in blue) above. You may send a message to them via the website by completing the information below their names.

<table>
<thead>
<tr>
<th>NAME</th>
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</tr>
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<tbody>
<tr>
<td>Eric Wyndham</td>
<td>Dam Committee Chairman</td>
<td>217-351-4088; 217-4153559</td>
<td></td>
</tr>
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<td>Kyle Curtis</td>
<td>Treasurer, Lake Board Member</td>
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<td>Susan Rempert</td>
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<td>765-344-1219</td>
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<tr>
<td>Roberta Hoch</td>
<td>Common Grounds Committee Chair</td>
<td>Mobile: (217) 369-4425</td>
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<td><strong>Roberta Cummins</strong></td>
<td>Bd. Member; Membership Chair</td>
<td>765-344-6161</td>
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<td>John Cowan</td>
<td>Bd. Member; Lake Rules Chair, Website Mgr</td>
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<td>Tom Owens</td>
<td>Bd. Member</td>
<td>765-344-0587</td>
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<td>Ron Hartman</td>
<td>Maintenance Director</td>
<td>765-344-7219</td>
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([ Back ])

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Lake Information go to: rockyfork.info

http://rockyfork.info/index.php?option=com_contact&catid=12&Itemid=3

11/6/2019
Membership Application
Rocky Fork Club, Inc.
9654 Rocky Fork South Drive
Brazil, IN 47834

Rocky Fork Club, Inc., is a community of owner-occupied, single-family residences. Membership entitles lot/homeowners and their families the right to use the recreational facilities of lake and the Club’s common areas.

The application for membership should be submitted prior to the purchase of the property indicating agreement to comply with the governing documents of the corporation. Approval of this application by the corporation is a two-step process:

1. Conditional Approval is granted prior to the closing of the sale.

2. Final approval is granted upon receipt by the Corporation of a recording instrument of transfer or land contract, proof of compliance with the waste disposal inspection and dye test requirements, payment of all financial obligations, and the fulfillment of any other conditions specified by the Board of Directors.

Lot #__________________________ Date:__________________________

Type of property transfer:______________________________________

(Membership approval is subject to the receipt of a copy of the deed, contract, or other instrument of transfer which includes appropriate language indicating that the property is subject to the Articles of Restrictions, RFC, Inc. Building Regulations, roadway and utility easements, and the payment of all taxes and assessments which are currently a lien or which may become a lien on the property.)

In compliance with the governing documents of the corporation, membership in Rocky Fork Club, Inc. is granted only to those persons who are listed as the legal or equitable owner(s) of title to the Rocky Fork property on the instrument of transfer. The official membership list is composed of these owner-member names. Spouses or others who will not be owners of the Rocky Fork property are to be listed in the section below titled “Immediate Family who will be using the lake property.” Such persons and adult family members who reside on the property may be listed in the Rocky Fork Directory. All persons whose names appear as owners on the deed or other instrument of transfer must sign an application. If applicants reside at different addresses, a separate application form for each applicant should be used.
List the name(s) of applicants as they will be appearing on the deed or other instrument of property transfer.

OWNER #1:  
Name: ___________________________ Name: ___________________________
Address: ____________________________________________________________
____________________________________________________________
Phone: ( ) _______________________ Phone: ( ) _________________________
E-mail: _____________________________________________________________
Business Name: ______________________ Business Name: ___________________
Address: __________________________________________________________
____________________________________________________________
Occupation: _________________________________________________________
Business Phone: ( ) ___________________ Business Phone: ( ) _____________

Immediate Family who will be using the lake property:

Name: ___________________________ Relationship: _______________________
Name: ___________________________ Relationship: _______________________
Name: ___________________________ Relationship: _______________________
Name: ___________________________ Relationship: _______________________ 

As a privately owned family-oriented, multipurpose recreational lake, Rocky Fork permits a variety of water sports: power boating (maximum 75 horsepower), canoeing, fishing, skiing, swimming, etc. Compliance with the safety practices, specified hours, and the use of the areas of the lake designated for these activities is essential. It is the responsibility of each member to see that all family members and guests comply with all Corporation Rules and Regulations with mutual respect for safety and enjoyment of all.
Your signature below indicates:

1. I (we) have received and agree to abide by the various rules and regulations set forth in the following governing documents of the Rocky Fork Club, Inc. and any amendments her to:
   a. Articles of Restrictions
   b. Articles of Incorporation
   c. Building Regulations and Restrictions
   d. Bylaws of the Club
   e. General Club and Lake Rules

2. I (we) understand that there shall be no more than one voting member per ownership unit allowed to vote at any annual meeting of the membership, special meeting, or vote by mail. (See the voting procedures).

3. I (we) agree to pay all membership dues, fees, and/or assessments required of Rocky Fork Club members.

4. I (we) understand the concept of lake stewardship and agree to support the Corporation’s efforts, rules and regulations to preserve and enhance the quality of Rocky Fork Lake.

5. Check one of the following: A, B, C.

   a. [ ] The lot being purchased is located on the North Lake. I (we) understand that members of the North Lake share at the W-80 access lot to the larger lake and determine as a group the sharing of overnight docking privileges.

   b. [ ] One or more of the lot(s) being purchased is (are) located on the main waterway of the larger Rocky Fork Lake.

   c. [ ] The lot(s) being purchased is (are) not located on the main waterway.

6. I (we) understand that powerboats with a maximum of 75 horsepower are permitted to operate on the main waterway of the larger Rocky Fork Lake. Fast boating hours are from 10:30 a.m. to 6:30 p.m. Monday-Thursday, and 10:30 a.m. to 7:00 p.m. Friday, Saturday, Sunday and legal holidays, and slower or idle water craft are permitted to stay in the idle zones, coves, or within 20 ft. of shore during fast boating hours whenever there is a fast boat on the lake.
7. I (we) understand that jet-powered craft are not permitted on the Rocky Fork Lakes.

8. My (our) intended use of Rocky Fork Lake will be for:  (Check all that apply).

   [ ] power boating       [ ] man-powered watercraft (canoe, paddleboat, etc)
   [ ] swimming           [ ] skiing and/or other permitted water devices
   [ ] fishing

9. I (we) agree to notify the Corporation’s Secretary or Membership Chairman of any intent to sell part of or all of my (our) Rocky Fork properties and to identify the Realtor involved, if any, so that each prospective owner may be informed of their rights, duties, and responsibilities as a member of the Rocky Fork Club, Inc.

10. I (we) affirm that the foregoing representations and information provided in this application for Membership are true and complete to the best of my (our) knowledge.

11. I (we) agree to complete and submit the Lake Rules Test before launching any motorized watercraft.

12. Final membership approval depends upon the completion of the lake rules test.

Signed: ___________________________ Signed: ___________________________

Printed: ___________________________ Printed: ___________________________

Membership Committee

Date Received: ________________________ By: _____________________________

Board of Directors

Date of Conditional Approval: _____________________________

Date of Final Approval: _____________________________

If you have any questions, please contact the Membership Chairman or and Board Member.

**An application fee of $500 is payable with the application or at closing.

THIS FORM MUST BE RETURNED FOR APPROVAL PRIOR TO THE CLOSING OF THE PROPERTY TO THE CLUB ADDRESS: 9654 East Rocky Fork South Dr., Brazil, IN 47834.
Rocky Fork Lake
Lake Rules Exam

Name_______________________________ Lot #________________

Fill in the blank, True or False, and Multiple Choice.

1) The speed limit on all club roads is limited to _______ mph.

2) Fast boating hours are from ______ AM until ______ PM daily.

3) Fast boating is not allowed when the lake is more than ______ inches above normal and _______ inches below normal.

4) ______ Normal lake level is defined as:
   a) the notch in the water level marker
   b) when there is six inches of white showing on the water level marker
   c) when the lake is even with the weir of the dam
   d) at the point that no more water is going over the waterfall.

5) The valve of the lake is opened each year on ____________ and the lake is lowered ______ feet. The board has the option to lower the lake _______ feet every ___________ years. The next time the lake can be lowered more than the usual amount is the year ____________.

5) Engine size of boats on Rocky Fork Lake is limited to _______ horsepower.

6) _______ Skiers and tubers should start:
   a) in the straightaways and not on or near the corners of the lake
   b) when the front of the boat is just behind the idle buoy
   c) when the boat and the tuber is in front of the idle buoy
   d) are permitted to start in the cove in which they live

7) _______ Slow boating on Rocky Fork Lake is defined as:
   a) less than 10mph
   b) going slow enough that the boat does not create a wake
   c) going slow so that the boat is operating with no wash
   d) going as slow as the boat will go without the engine dying
   e) boats are not required to go counterclockwise during slow boating hours
   f) two of the above are correct
   g) three of the above are correct.

8) T or F Distance swimming is allowed only during slow boating hours.
9) T or F  Guests are allowed to use the lot owner’s property if the lot owner or his/her family is not present at the lake.

10) T or F  The lake rules require members to maintain an adequate septic system.

11) T or F  All boats of any type, with or without motors, must be registered and affixed with Rocky Fork Lake stickers as well as lot numbers before launching into the lake.

12) Lot numbers must be displayed on both sides of a boat and must be at least _______ inches in height before the boat is launched on Rocky Fork Lake. Failure to do so can result in a fine.

13) _______ Which statement is true?
   a) only two boats per ownership unit shall be in use on the lake at any one time
   b) only two boats per lot shall be in use on the lake at any one time
   c) only two motorized boats per ownership unit shall be in use on the lake at any one time
   d) only two motorized boats per lot shall be in use on the lake at any one time

14) Motorized boats and water-skiers or tubers must stay at least _______ feet from the shoreline of the lake

15) T or F  All garbage placed in the dumpster must be bagged.

16) No trucks are allowed on lake road in excess of five tons between _______ and ___________.

17) _______ Which statement is false?
   a) A spotter other than the driver is required in the boat when skiing or towing
   b) Skiers should start just behind the buoy if possible
   c) Any person skiing or being towed must wear a USCG approved life vest
   d) Tubing rules state the tube rope should be 45 feet or less from the boat on Rocky Fork Lake.

The lake rules committee and the board of directors would like to thank you for completing this lake rules quiz. We would like to remind you to spend some extra time along with your family and guests looking over the lake rules. We all want Rocky Fork to be as safe as possible. Thank You!
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Lot # _____________________________ Date: ____________________________

Type of property transfer: ____________________________

(Membership approval is subject to the receipt of a copy of the deed, contract, or other instrument of transfer which includes appropriate language indicating that the property is subject to the Articles of Restrictions, RFC, Inc. Building Regulations, roadway and utility easements, and the payment of all taxes and assessments which are currently a lien on which may become a lien on the property.)

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List the name(s) of applicants as they will be appearing on the deed or other instrument of property transfer.

OWNER #1:                                OWNER #2:

Name: _______________________________    Name: _______________________________
Address: ______________________________

____________________________________    ____________________________________

Phone: (    )_________________________  Phone: (    )_________________________
E-mail: _______________________________    E-mail: _____________________________

Business Name: _________________________    Business Name: _______________________
Address: _______________________________    Address: _____________________________

____________________________________    ____________________________________

Occupation: ___________________________    Occupation: _________________________
Business Phone: (    )__________________  Business Phone: (    )_________________

**Immediate Family who will be using the lake property:**

Name: _______________________________    Relationship: _________________________
Name: _______________________________    Relationship: _________________________
Name: _______________________________    Relationship: _________________________
Name: _______________________________    Relationship: _________________________

As a **privately owned** family-oriented, multipurpose recreational lake, Rocky Fork permits a variety of water sports: power boating (maximum 75 horsepower), canoeing, fishing, skiing, swimming, etc. Compliance with the safety practices, specified hours, and the use of the areas of the lake designated for these activities is essential. It is the responsibility of each member to see that all family members and guests comply with **all** Corporation Rules and Regulations with mutual respect for safety and enjoyment of all.
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2. I (we) understand that there shall be no more than one voting member per ownership unit allowed to vote at any annual meeting of the membership, special meeting, or vote by mail. (See the voting procedures).

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   - [ ] fishing

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12. Final membership approval depends upon the completion of the lake rules test.

Signed: ____________________________  Signed: ____________________________

Printed: ____________________________  Printed: ____________________________

**Membership Committee**

Date Received: ____________________  By: ____________________________

**Board of Directors**

Date of Conditional Approval: _____________________________________________

Date of Final Approval: ________________________________________________

*If you have any questions, please contact the Membership Chairman or and Board Member.

**An application fee of $500 is payable with the application or at closing.

**This form must be returned for approval prior to the closing of the property to the club address:** 9654 East Rocky Fork South Dr., Brazil, IN 47834.
Rocky Fork Lake
Lake Rules Exam

Name_________________________________ Lot #____________________

Fill in the blank, True or False, and Multiple Choice.

1) The speed limit on all club roads is limited to ________ mph.

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5) The valve of the lake is opened each year on ________ and the lake is lowered ________ feet. The board has the option to lower the lake ________ feet every ________ years. The next time the lake can be lowered more than the usual amount is the year ________.

5) Engine size of boats on Rocky Fork Lake is limited to ________ horsepower.

6) ________ Skiers and tubers should start:
   a) in the straightaways and not on or near the corners of the lake
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15) T or F  All garbage placed in the dumpster must be bagged.

16) No trucks are allowed on lake road in excess of five tons between _______ and ____________.

17) _______ Which statement is false?
   a) A spotter other than the driver is required in the boat when skiing or towing
   b) Skiers should start just behind the buoy if possible
   c) Any person skiing or being towed must wear a USCG approved life vest
   d) Tubing rules state the tube rope should be 45 feet or less from the boat on Rocky Fork Lake.

The lake rules committee and the board of directors would like to thank you for completing this lake rules quiz. We would like to remind you to spend some extra time along with your family and guests looking over the lake rules. We all want Rocky Fork to be as safe as possible. Thank You!
DECLARATION OF 2002 AMENDED AND
RESTATED RESTRICTIONS AND COVENANTS
OF THE ROCKY FORK CLUB, INC. FOR
THE SUBDIVISIONS AND DEVELOPMENT

THIS DECLARATION OF 2002 AMENDED AND RESTATED RESTRICTIONS AND
COVENANTS, effective upon the date of recordation in the
Office of the Parke County Recorder, WITNESSES:

I.

Recitals

A. On February 2, 1959, Articles of Restrictions (the
"1959 Articles") executed by the Rocky Fork Recreation
Corporation ("RFRC") were filed in the Office of the Recorder
of Parke County, Indiana, in Miscellaneous Record Volume 24,
at page 91, covering certain real estate situated in Parke
County, Indiana, as more particularly described in the 1959
Articles. The 1959 Articles provided for the creation and
development of a development with lots for residential
purposes around and near a lake created or being created at
the time by RFRC in the Development; included certain
coventants and restrictions expressly made to run with the
land; contemplated granting nontransferable licenses to future
lot buyers of certain rights and privileges to use in common
with other owners the roadways, lake and dam being created;
and expressly reserved to RFRC the ownership of and right to
regulate the use of the roadways, lake and dam.

B. By two (2) certain Indentures dated May 14, 1965, and
recorded in the Office of the Recorder of Parke County,
Indiana, on May 27, 1965, in Deed Record Volume 131, at page
399, and in Miscellaneous Record Volume 29, at page 59,
respectively, RFRC conveyed to Rocky Fork Club Incorporated
(the "Corporation") the common property of the Development,
including the roadways, dams and lake, and conferred on the Corporation all powers, authority, rights, privileges and duties vested in and retained by or assumed by RFRC by virtue of the 1959 Articles, and confirmed RFRC's prior grant to the owners of lots theretofore, sold the right, license and privilege to use and enjoy the lake, roadways and recreational facilities in the Development, subject to the right of the Corporation to regulate the use thereof in accord with the provisions of the 1959 Articles.

C. By their terms, the 1959 Articles were binding upon all persons claiming under them until January 1, 1980 and thereafter were automatically extended for successive periods of ten (10) years, unless a majority of the owners at the time of the lots vote to change the 1959 Articles.

This amendment power reserved to the owners was exercised in the 1989 Building Regulations and Restrictions, recorded in said Recorder's office in Miscellaneous Record Volume 59, at page 475, on December 28, 1989.

D. Further, the 1969 Building Restrictions and Regulations were recorded in the Office of the Recorder of Parke County, Indiana, in Miscellaneous Record Volume 31, at page 105 on April 2, 1969 and the 1977 Listing of Rules were recorded in said Recorder's Office in Miscellaneous Record Volume 40 at page 497 on August 8, 1977. These documents did not purport to amend or modify the 1959 Articles and could not so modify them as The 1959 Articles were binding until January, 1980.

E. The December 29, 1999, Amendment to the Restrictions and Covenants of Rocky Fork Lake Subdivisions and Development, was passed by a majority of the owners of lots and lands in The Development and was recorded in the Office of the Parke
The Amendment stated in part:

"The covenants contained in the 1959 Articles of Restrictions and the covenants contained in the 1989 Building Regulations and Restrictions shall be binding upon all persons owning or acquiring lots or property in the Rocky Fork Lake Development until January 1, 2010, at which time said covenants shall be automatically extended for successive period of ten (10) years, unless amended by a majority of the eligible Voting Members of Rocky Fork Club, Inc., (a) at any time after January 1, 2000, and before the adjournment of the Annual Meeting of Members to be held in 2001, or such later date, if any, to which said date may be extended by majority vote of Members in attendance at said Annual Meeting, in which event the amendments shall be effective immediately upon approval; or (b) at any later time prior to January 1, 2010, in which event the amendments shall take effect January 1, 2010."

F. At the annual meeting held August 18, 2001, by a majority vote of the members in attendance at that meeting, the date for the approval of the amendments to the restrictions and covenants of Rocky Fork Club was extended to the next annual meeting to be held in August, 2002.

G. By this Declaration of 2002, the Corporation is restating, amending, consolidating, supplementing and updating the 1959 Articles and the 1989 Building Regulations and Restrictions. This Declaration shall hereinafter supercede in all respects the 1959 Articles and the 1989 Building Regulations and Restrictions. This Declaration shall also supercede the 1969 Building Restrictions and Regulations and the 1977 Listing of Rules if and to whatever extent they had any force or effect.
II.

Property Subject to this Declaration

A. Legal Description of the Development. The real estate originally included in the Development and to which this Declaration applies is more particularly described in the 1959 Articles and is set out in full as follows: Real estate situated in the County of Parke, State of Indiana, to-wit:

The Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Three (3); the West half (W 1/2) of the Southeast Quarter (SE 1/4) of Section Three (3), the Southwest Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Three; the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Ten (10), the North half (N 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Ten (10); all in Township Fourteen (14) North, Range Six (6) West; containing in all Two Hundred and Twenty (220) acres, more or less.

Also

The Northeast Quarter of the Southeast Quarter of Section three (3), Township fourteen (14) North, Range Six (6) West, containing 40 acres.

Also

The South Half (S 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Ten (10) Township Fourteen (14) North, Range Six (6) West containing Twenty (20) acres, more or less.

Also

A portion of the East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 10 Township 14 North, Range 6 West. More particularly described as follows: Starting at the Northeast corner stone of the Northwest Quarter (NW 1/4)
of Section 10, Township 14 North, Range 6 West, thence South 85 degrees-46 minutes West 188.6 feet; thence South 2 degrees-24 minutes West 342.7 feet; thence South 61 degrees-54 minutes West 82.1 feet; thence South 2 degrees-42 minutes West 153.0 feet; thence South 38 degrees-46 minutes East 149.6 feet; thence South No degrees-34 minutes West 473.8 feet; thence South 38 degrees-09 minutes West 100 feet; thence South 100 feet; thence North 90 degrees-no minutes East 376.4 feet; thence North 5 degrees-22 minutes along the half section line to the place of beginning. Containing 8.28 acres more or less - subject however to all legal easements and rights-of-way.

Also

A portion of the East Half (E 1/2) of the Southwest Quarter (SW 1/4), Section Three (3), Township Fourteen (14) North, Range Six (6) West, and more particularly described as follows: Starting at a stake on the half section line twenty-one hundred fifty-six and ninety-six-hundredths (2156.96) feet north of the northeast cornerstone of the Northwest Quarter (NW 1/4) of Section Ten (10), Township Fourteen (14) North, Range Six (6), West; thence south sixty (60) degrees thirty-eight (38) minutes west one hundred seventy-six and twenty-five-hundredths (176.25) feet; thence north seventy-one (71) degrees three (3) minutes west two hundred sixty-nine (269) feet; thence south two (2) degrees Twelve (12) minutes west two hundred eighty-six and five hundredths (286.05) feet; thence south ten (10) degrees two (2) minutes east ninety-eight and fifty-hundredths (98.50) feet; thence south forty-eight (48) degrees thirty-six (36) minutes west sixty-nine and seventy-six-hundredths (69.76) feet; thence south fifty-three and nine-hundredths (53.09) feet; thence south seventy-four (74) degrees thirty-two (32) minutes east three hundred fifteen and eighty-seven-hundredths (315.87) feet; thence north fourteen (14) degrees fifty (50)
minutes east five hundred eighty-four and ninety-
hundredths (584.90) feet - containing three and fourteen-
hundredths (3.14) acres, more or less. Subject to all legal easements and rights-of-way.

Also, a portion of the East Half (E 1/2) of the south-west Quarter (SW 1/4) of Section Three (3), Township Fourteen (14) North, Range Six (6) West, more particularly described as follows: Starting at a stake on the half section line thirteen hundred eight and six-hundredths (1308.06) feet north of the north-east corner stone of the Northwest Quarter (NW 1/4) of Section Ten (10), Township Fourteen (14) North, Range Six (6) West; thence south eighty-two (82) degrees twelve (12) minutes west one hundred eight and fifty-one-hundredths (108.51) feet; thence south eleven (11) degrees thirty-six (36) minutes west one hundred sixty-two and ninety-nine-hundredths (162.90) feet; thence south eighty-eight (88) degrees fourteen (14) minutes west four hundred eight and twenty-five-hundredths (408.25) feet; thence north eight (8) degrees fifty (50) minutes west one hundred eighty-six and twenty-five hundredths (186.25) feet; thence north twenty seven (27) degrees fifty-six (56) minutes west one hundred thirty-two and seventy-five hundredths (132.75) feet; thence north sixty-four (64) degrees fifty-four (54) minutes west sixty nine and sixty-nine-hundredths (69.60) feet; thence north eighty-one (81) degrees thirty (30) minutes west ninety-one and thirty-hundredths (91.30) feet; thence south seventy-eight and forty-one hundredths (78.41) feet; thence south thirty-four (34) degrees no minutes east one hundred one and seventy-nine-hundredths (101.70) feet; thence south two (2) degrees twenty (20) minutes west one hundred sixty-four and eighty-seven-hundredths (164.87) feet; thence south fifty-one (51) degrees twelve (12) minutes east sixty (60) feet; thence south seventeen (17) degrees thirty-nine (39)
minutes east ninety-five and thirty-three hundredths (95.33) feet; thence south forty-six (46) degrees two (2) minutes west seventy-eight and forty-two-hundredths (78.42) feet; thence south forty-eight (48) degrees nineteen (19) minutes east forty-six and forty-six-hundredths (46.46) feet; thence south thirty-seven (37) degrees fifty-seven (57) minutes east seventy-seven and forty-eight-hundredths (77.48) feet; thence south five (5) degrees thirty-five (35) minutes west one hundred eighty-three and fifty-five-hundredths (183.55) feet; thence south fifteen (15) degrees eleven (11) minutes east one hundred eighty-five and three-hundredths (185.03) feet; thence south eighty-seven (87) degrees thirty (30) minutes east one hundred fifty-four and seventy-seven-hundredths (154.77) feet; thence south eighty-four (84) degrees twenty-nine (29) minutes east sixty-five and fifty-five hundredths (65.55) feet; thence south thirty-nine (39) degrees twelve (12) minutes east ninety and seventeen-hundredths (90.17) feet; thence south twenty-six (26) degrees six (6) minutes west one hundred seventy-four and fifteen-hundredths (174.15) feet; thence south seventy-seven (77) degrees twenty-three (23) minutes east one hundred seventy-four and fifty-five-hundredths (174.55) feet; thence north eighty-nine (89) degrees fifty-seven (57) minutes east seventy-one and five-hundredths (71.05) feet; thence south sixty-two (62) degrees one (1) minute east ninety and seventy-hundredths (90.70) feet; thence north one (1) degree eight (8) minutes east eleven hundred twenty-seven and ninety-six-hundredths (1127.96) feet; following the half section line to the place of beginning - containing ten and seventy-three-hundredths (10.73) acres, more or less. Subject to all legal easements and rights-of-way.
B. Subdivisions. Following the recording of the 1959 Articles, portions of the Development were platted in five (5) platted Rocky Fork Subdivisions which are recorded in Plat Book 2, at pages 61-62, 98-102, and in Plat Book 3, at pages 4-5, 3435, in the Office of the Recorder of Parke County, Indiana. These platted Subdivisions are included in the description of the real estate set out above and included in "Development" as that term is hereinafter used.

C. Excluded Parcel. A parcel of land included in the legal description with the 1959 Articles, commonly known as aerial map parcel 410, Section Three (3), 35.126 acres, was platted in a "Reserved" section and thereby expressly exempted from the covenants and restrictions under the 1959 Articles. This parcel (the "Excluded Parcel") was sold by RFRC and made subject to separate and distinct deed restrictions and agreements as recorded in Miscellaneous Record Volume 33, at page 55, on January 28, 1971, and Deed Record Volume 145, at page 134, on February 11, 1974, in the Office of the Recorder of Parke County, Indiana. Accordingly, the Excluded Parcel is now excluded entirely from the Development and this Declaration for all purposes, and the term "Development" as hereinafter used does not include the Excluded Parcel.

D. Additional Lots. In addition to the lots platted in the five Rocky Fork Subdivisions the following parcels of land, included in the lands covered by the 1959 Articles, have been designated as "lots" and given lot numbers in the Development for purposes of this Declaration, with the same rights and privileges as platted subdivision lots, by act of RFRC and/or the Corporation: aerial map parcels 409, 402, 403, 306 and 206 in Section 3 of Jackson Township, Parke County, now commonly known as Rocky Fork lots E-59A, W-69A, W-69B, W34A and W-98
respectively; and aerial map parcels 210, 211, and 209 in Section 10 of Jackson Township, Parke County, Indiana, known as Rocky Fork lots E-0, E-00, and W-0. The legal descriptions of these parcels (the "Added Lots") are set forth below and the Added Lots are included in the "Development" as that term is hereinafter used.

LOT E-0

Commencing at the Northeast corner of the Southwest quarter of the Northeast quarter of Section 10, Township 14 North, Range 6 West, South 00 degrees 13 minutes West 660.00 feet, West 467.50 feet to beginning; South 240.0 feet East 70.0 feet South 182.95 feet to a point 240.0 feet North of the East-West half section line of said Section 10, East 70.0 feet South 240.00 feet to the East-West half section line Section 10; North 86 degrees 8 minutes West along said half section line 431.93 feet; to the center line of ravine; then along and with said ravine through the next three (3) courses and distances. North 26 degrees 00 minutes East 185 feet, North 51 degrees 15 minutes West 279.00 feet, North 02 degrees 15 minutes West 279.00 feet, North 02 degrees 30 minutes East 240.00 feet North 53 degrees 00 minutes East 89.0 feet, East 346.14 feet to beginning; containing 6.155 acres. Also right of ingress and egress to Lot E-1 Rocky Fork Recreation Corporation First Subdivision.

LOT E-00

Commencing at the Northeast corner of the Southwest quarter of Northeast quarter of Section 10, Township 14 North, Range 6 West, South 00 degrees 13 minutes West 660.0 feet to beginning; South 00 degrees 13 minutes West along and with the East line of said quarter to the East-West half section line of said section 10, 684.92 feet, North 86 degrees 8 minutes West along and with half section line 325.88 feet, North 240.0
feet West 70.0 feet North 182.95 feet to a point 395.50 feet West and 240.0 feet South of beginning; West 70.0 feet North 240.0 feet; East 467.50 feet to beginning. Containing 6.120 acres. Also right of ingress and egress to lot E1 Rocky Fork Recreation Corporation First Subdivision.

LOT E-59A

Part of the Southeast quarter of Section 3, Township 14 North, Range 6 West, in Parke County, Indiana, described as follows: Commencing at the Northeast corner of Lot 59 of Rocky Fork Recreation Corporation's Second Subdivision; North 0 degrees 41 minutes East 194.00 feet to centerline of Olmi Lane; North 88 degrees 56 minutes East 50.56 feet; South 77 degrees 35 minutes East 205.72 feet along and with said Olmi Lane; South 2 degrees 42 minutes East 98.93 feet; South 18 degrees 37 minutes West 135.17 feet; South 2 degrees 37 minutes West 117.48 feet to the high water level line of Rocky Fork Lake; thence right along and with the high water level line of Rocky Fork Lake to a point due South of beginning (lying in the East line of said Lot E-59); North along and with the East line of said Lot 59 177.11 feet to beginning and containing 2.146 acres more or less.

LOT W-0

Part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Ten (10), Township Fourteen (14) North, Range Six (6) west, Parke County, Indiana.

Beginning 161.79 feet South of the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 10; South 67 degrees East 295.38 feet; South 07 degrees 53 minutes West 125 feet; South 28 degrees 39 minutes East 389.36 feet; South 2 degrees 30 minutes West 240 feet; South 51 degrees 15 minutes East 279 feet; South 26 degrees West 185 feet, to the
South line of the said Quarter-Quarter; West on the South line of said Quarter-Quarter, 569.06 feet to the Southwest corner of said Quarter-Quarter; North 1158.21 feet to Beginning and containing 10.6810 acres more or less. Subject to an easement 25 feet off the North side, 295.38 feet long, for a roadway. Subject to an easement 50 feet wide off the 2 sides, adjacent to the dam site, of 125 feet and 389.26 feet in length, respectively, for access Right of Way to the toe of said dam.

LOT W-34A

Part of the South Half of Section 3, Township 14 North, Range 6 West, lying East of Lot #W-95, Rocky Fork Recreation Corporation 5th Subdivision, and bounded on the North by the right of way of the Brent Moore Road on the East by the right of way of Miller Drive and West line of Lot #W-34 (Rocky Fork Recreation Corporation First Subdivision); on the South by the high water level line of Rocky Fork Lake (elevation 710.0 feet above Mean Sea Level) and the right of way Andy Lane, on the South and West sides thereof described to-wit: Beginning at a point in the center of Andy Lane and the North line of Brent Moore Road (Northeast corner of Lot #W-95, Rocky Fork Recreation Corporation 5th Subdivision); North 88 degrees 14 minutes East, along and with the North line of said Road 346.91 feet; South 47 degrees 46 minutes East 174.08 feet, along and with the East right of way line of Miller Drive(20 feet wide); South 14 degrees 33 minutes East 112.9 feet along and with the East right of way of said Drive, to the most Northerly corner of Lot #W-34 Rocky Fork Recreation Corporation 1st Subdivision; South 33 degrees 22 minutes West along and with the West line of Lot W-34, 190.6 feet to the High water level line of Rocky Fork Lake (elevation 710.0 feet above Mean Sea Level); thence right along and with the High water level line of said Lake, to an iron pin at the
centerline of a ravine 75.60 feet, more or less and whose chord is bearing North 42 degrees 06 minutes West a chord distance of 75.49 feet; thence left, along and with the high water level line of Rocky Fork Lake South 19 degrees 18 minutes East 104.93 feet to the intersection of said high water level line with the centerline of a 50 foot lane lying due North of and adjacent to Lots Number W-32 and 33 as the same appears in Rocky Fork Recreation Corporation First Subdivision and shown for references in Rocky Fork Recreation Corporation 5th Subdivision; North 71 degrees 09 minutes West 210.0 feet, along and with the centerline of the platted lane; thence North 27 degrees 48 minutes West 395.6 feet to the beginning and containing 131,250 square feet, more or less.

LOT W-69A

Part of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of Section Three (3), Township Fourteen (14) North, Range Six (6) West, described as follows:

Commencing at the intersection of the West line of Lot W-69, Rocky Fork Recreation Corporation Fourth Subdivision with Rocky Fork Lake; Southerly along and with the West line of Lot W69, 214.1 feet to the centerline of Haroway Drive; right 109 degrees 30 minutes 278.97 feet; left 10 degrees 54 minutes 337.38 feet; right 76 degrees 48 minutes 136.86 feet; right 7 degrees 33 minutes 171.52 feet; right 106 degrees 42 minutes 556.07 feet to the high water level line of Rocky Fork Lake (elevation 710 feet above mean sea level); right along and with the said high water level line, to the beginning and containing 3.571 acres, more or less.

LOT W-69B

Part of the West Half (W 1/2) of the Southeast Quarter (SE 1/4)
and Northeast Quarter (NE 1/4) of Section 3, Township Fourteen (14) North, Range Six (6) West described as follows:

Commencing at the intersection of the West line of Lot W-70 Rocky Fork Recreation Corporation Fourth Subdivision with Rocky Fork Lake; thence Northerly along and with the West lines of Lots W-70, W-71 and W-72 a distance of 275.76 feet to the Northwest corner of said Lot W-72; thence right 80 degrees 48 minutes 16.25 feet; thence left 90 degrees 44.0 feet; thence left 108 degrees 51 minutes 103.95 feet; thence right 10 degrees 120.5 feet; thence left 8 degrees 119.75 feet; thence left 15 degrees 23 minutes 198.0 feet; thence left 70 degrees 52 minutes 225.88 feet; thence left 83 degrees 32 minutes 556.07 feet to the high water level line of Rocky Fork Lake (elevation 710 feet above mean sea level); thence left and along and with the said high water level line to the point of beginning and containing 4.141 acres, more or less.

W-98

Commencing at the Northwest Corner of the Southwest Quarter of the Northeast Quarter of Section 3, Township 14 North, Range 6 West Jackson Township, Parke County, Indiana; thence South 723.09 feet; South 89 degrees 23 minutes East 34.32 feet to an iron pin in the center of Brent Moore Road, and the Place of Beginning: Thence North 40 degrees 44 minutes East 83.10 feet; North 64 degrees 54 minutes East 235.23 feet; North 71 degrees 17 minutes East 309.03 feet; South 04 degrees 52 minutes West 213.56 feet; South 04 degrees 02 minutes West 31.44 feet; South 68 degrees 32 minutes 44 seconds West 579.77 feet; North 194.30 feet to the Place of Beginning, and containing 3.043 Acres, More or Less.

Subject to an easement 25 feet wide off the West side, the North side, and the East side of said 3.043 Acres, as platted in Rocky Fork Recreation Corporation, 4th Subdivision, heretofore reserved.
Also Right of Ingress and Egress over the 25 feet strip lying West of and adjacent to, North of and adjacent to, and East of an adjacent to said 3.043 Acres, as platted in Rocky Fork Recreation Corporation 4th Subdivision, heretofore reserved.

III.

Declaration of 2002 Restrictions and Covenants

NOW, THEREFORE, the Corporation, known as Rocky Fork Club, Inc., an Indiana corporation, does hereby declare that: (a) this Declaration has been approved by a majority vote of the owners of the lots in the Development in accordance with the 1959 Articles, and (b) all of the real estate described herein, including the Rocky Fork Subdivisions, the Added Lots and any and all parts or lots thereof that may hereafter be conveyed therefrom, but excepting the Excluded Parcel, are and shall be subject to the following 2002 Restrictions and Covenants of Rocky Fork Club, Inc., constituting a restatement, amendment, supplementation and consolidation of the 1959 Articles and the 1989 Building Regulations and Restrictions. These 2002 Restrictions and Covenants and any subsequent amendment thereto shall for all purposes be personally binding upon any person or persons now holding or hereafter acquiring any title or interest in or to any part of any lot or land in the Development, and shall be covenants and restrictions running with the title to any and all of such lots and lands.

IV.

1. In these restrictions and covenants the following words shall have the following meaning or reference:

   a. "The Corporation" means the Rocky Fork Club, Inc. an Indiana non profit corporation of property owners which owns,
maintains, manages and grants the membership the privileges of using The Development's rights-of-way, easements, roadways, the lakes, dams, recreation areas and all common properties of The Development.

b. "Buyers" means each or all persons acquiring any legal or equitable title to any lots or lands in The Development described above, directly from the Rocky Fork Recreation Corporation and/or from Rocky Fork Club, Inc.

c. "Subsequent Buyers" means those persons acquiring any legal or equitable title in any lot(s) or part of the lands in The Development described above, from any person or persons other than Rocky Fork Recreation Corporation or Rocky Fork Club, Inc.

d. "Development" means the lands described in the 1959 Articles (as set out above in II A), excepting the Excluded Parcel (as set out above in II C), and includes all of the lakes, dams, roads, subdivision lots (as set out in II B), Additional Lots, (as set out above in II D) and all lands, common areas, parts, and improvements whether originally owned by the Rocky Fork Recreation Corporation or subsequently owned by the Corporation or any owner, and any lands hereafter added by the Corporation by filing a supplement to this Declaration in the Office of the Recorder of Parke County, Indiana which supplement shall include the legal description and a statement of the intended use or uses of the lands so added to the Development.

e. "Lot" means each platted lot in the five (5) Rocky Fork Subdivisions in the Office of the Recorder of Parke County, Indiana; together with each of the Added Lots (as defined above).
f. "Owner(s)" means each or all of the buyers and subsequent buyers of title to or a legal or equitable interest in a lot or lots in the Development.

g. "Subdivision" shall refer to the five platted Rocky Fork Lake Subdivisions which are recorded in Plat Book 2 at page 61-62, 98-102, and in Plat Book 3 at pages 4-5, 34-35, in the Office of the Recorder of Parke County, Indiana.

2. The Corporation shall retain and reserve rights-of-way, easements and roadways as excepted specifically in each deed of conveyance, and shall regulate the use thereof to the mutual protection, and enjoyment of owners, buyers, subsequent buyers, their house guests, and the Corporation.

3. No Subsequent Buyer, other than a Subsequent Buyer who is related to his grantor by blood or marriage, may acquire any right, title or interest what-so-ever in any Lot or lands of The Development until after he or she has applied for and has been granted a license from the Corporation to use the Development's rights-of-way, easements and roadways for travel and for ingress and egress to such Lot or lands, to use the lake, and to use the dam, which license shall be irrevocable by the Corporation so long as such Subsequent Buyer lives and has not conveyed away all of his right or title or interest in any of such Lot or lands of The Development so acquired, and such license shall not be transferable, but shall, while in force, extend to such Subsequent Buyer's family and house guests, which license shall not be deemed exclusive but shall
be exercisable in common with all other persons to whom the Corporation issues like license.

4. This Declaration and all covenants, restrictions and provisions contained herein shall run with the land and shall be binding upon all persons, Owners, Buyers, Subsequent Buyers and persons owning or acquiring a Lot(s) or land(s) in The Development until January 1, 2010, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless in the year before such date or the year before any succeeding ten (10) year anniversary date it is agreed by a vote of a simple majority of the then Owners of the Lots and Lands in The Development, to change said covenants, restrictions and/or provisions in whole or in part. However, if anything in This Declaration is determined to be unlawful or unenforceable, in whole or in part, either by a court of law or upon advice of counsel in any other manner determined valid by The Board of Directors then This Declaration may be amended and/or revised within twenty-four (24) months by majority vote of the then Owners of Lots and Lands in The Development.

5. If the Owners, Buyers, or Subsequent Buyers, or any of them, shall violate or attempt to violate any of the covenants herein, it shall be lawful for the Corporation and/or any other person(s) owning any real property situated in said Development or Subdivision to prosecute any proceedings at law or in equity against the person(s) violating or attempting to violate any such covenant. If the Owners, Buyers, or Subsequent buyers, or any of them, shall violate or attempt to violate any of the covenants herein, it shall be lawful for the Corporation and/or any other person(s) owning any real property situated in said Development or Subdivision to prosecute any proceedings at law or in equity against the person(s) Violating or attempting to violate any such
covenant. Available relief in any such action shall include recovery of damages or other sums due for such violation, injunctive relief against such violation or threatened violation, declaratory relief, and the recovery of costs and attorneys' fees incurred by any party successfully enforcing such covenants. The Corporation shall also have the right to levy fines and penalties, and to suspend privileges in a reasonable manner for any such violation.

6. Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

7. All privately owned land in the Subdivision and Development shall be used for residential purposes only. Residential building on a Lots in the Subdivision or Lands in The Development with lake frontage may contain one dwelling house, a boat house, wharf, dock and a garage. Residential building on a Lot in The Subdivision and/or Land in The Development which does not have lake frontage may contain one dwelling house and a garage. Additional buildings, such as sheds, will be subject to approval of the Board of Directors of the Corporation. No structure shall be erected, placed or permitted to remain without first obtaining approval from the Board of Directors of the Corporation.

8. No building shall be erected, or altered on any Lots in the Subdivision and/or Lands in The Development until the building plans, specifications and plot plan showing the location of such building has been approved in writing by the Board of Directors of the Corporation. In the event the Board fails to approve or disapprove such design and plans within 90 days after said plans and specifications have been submitted to it, such approval will not be required and full compliance with this covenant will be deemed to have taken place.
9. No noxious or offensive activity shall be carried on upon any Lots in the Subdivision and/or Lands in The Development nor shall anything be done thereon which may be or become an annoyance or nuisance.

10. The ground floor area of the main structure of all dwellings exclusive of one-story open porches and garages, shall not be less than 600 square feet in the case of a one-story structure nor less than 800 square feet in the case of a one and one-half or two-story structure.

11. The lakes and the common areas of Corporate property are to be used for recreational purposes only, by the Owners, Buyers and Subsequent Buyers of Lots in The Subdivision and/or Lands in The Development and their families and house guests.

12. Any alterations, improvements and erection of shelters or other recreational facilities shall be subject to the approval of the Board of Directors of the Corporation.

13. All Owners, Buyers and Subsequent Buyers of Lots in The Subdivision and/or Lands in The Development shall agree to permit any easements that may be required for the erection of power, water, or telephone lines on lots.

14. No re-subdivision of Lots in the Subdivision and/or Lands in The Development shall be made unless the same shall be first approved by the Board of Directors of the Corporation.

15. In order to provide adequate drainage, all private drives entering roadways shall have proper size culverts of concrete, tile, or metal pipe.

16. Street identification signs shall be provided by the corporation unless provided by Parke County.
17. No promotional or advertising signs except for real estate "For Sale" signs, shall be erected within the limits of the Subdivision and Development.

18. No garbage or trash piles will be permitted. All trash and garbage shall be disposed of in an approved manner and in accordance with all federal, state and local laws and ordinances.

19. No privies or outside toilets will be allowed. Septic systems shall be installed and maintained on Lots in The Subdivision and Lands in The Development having residences, and must have prior approval of the Parke County Department of Health and must be in compliance with state and local laws. Temporary chemical toilets will be permitted only for use to prevent or ameliorate septic emergencies.

20. Any property owner having a drainage problem such that it is necessary to transmit surface water over or along adjacent Lot(s) in The Subdivision or Land(s) in The Development may petition Owners of said Lot(s) and/or Land(s) for permission to cut open drainage ditches through the adjacent property. In the event that a hardship or unsightly situation is imposed on the easement grantor due to the drainage ditch, the property owner with the drainage problem shall be permitted to install an underground drainage line of adequate size to provide proper drainage.

21. All drainage on all Lot(s) in the Subdivision and/or Lands in The Development shall be the responsibility of the property Owner.

22. All persons are prohibited from killing or capturing wild animals and birds anywhere on the Lots in The Subdivision and Lands in The Development unless special permission is granted by the Board of Directors to eliminate wild life which is
destructive, dangerous and/or a real nuisance. No permission shall be granted to kill or capture any wild animals or birds which are protected by State or Federal statute.

23. The Corporation shall stock the lake with fish, but only by such method as to insure that the lake shall remain a private fishing area.

24. Owners, Buyers and Subsequent Buyers shall not rent or lease Lot(s) in the Subdivision and/or Lands in The Development and/or any residence situated on said lot(s) or land(s).

25. Upon obtaining a building permit, a trailer, garage, or other temporary housing may be used a maximum of 24 consecutive months from the date of the permit while building is in progress. No unit used as temporary housing can be moved from lot to lot in an attempt to circumvent the Rule and obtain a longer period of time.

26. After starting construction, the exterior of a residential structure must be completed within 24 consecutive months from the date of the building permit.

27. Trailers and temporary housing are not allowed except as specified above.

28. The Board of Directors of the Corporation has the right to inspect both during construction and within ninety (90) days after completion of construction of all buildings, houses and other structures for which a building permit was obtained. The Owners, Buyers, and Subsequent Buyer undertaking construction must notify the Board of Directors that construction has been completed so that the required inspection can be timely made.
29. It is the continuing duty and responsibility of the Owner(s) of Lot(s) in The Subdivision and Land(s) in The Development to properly maintain those lands and any structures contained thereon in a satisfactory condition, which includes, but is not limited to the duty of maintaining and repairing the septic system to ensure the lake and surrounding lands are not polluted.

V.

Adoption

This Declaration has been prepared and filed pursuant to the authorization and approval of the owners of Lots in The Subdivision and Lands in The Development acting in their capacity as members of the Corporation, by resolutions duly adopted by a majority of the Owners voting affirmatively on official ballots provided by The Corporation.

IN WITNESS WHEREOF, this Amendment has been executed by the undersigned officer of The Corporation as of the date first above mentioned.

By:

__________________________

Roberta L. Cummins, President

STATE OF INDIANA  )

)SS:

COUNTY OF  )

On this ___ day of _____________, 2002, before me,
the undersigned Notary Public, duly commissioned and sworn, personally appeared Roberta L. Cummins, the President of Rocky Fork Club, Inc., who, being first duly sworn, acknowledged his execution of the foregoing instrument on behalf of said Corporation and stated that the representations contained therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

______________________________
Signature—Notary Public

______________________________
Printed Name—Notary Public

My commission expires on: ______________________

I am a resident of ____________ County, Indiana.
DECLARATION OF 2002 AMENDED AND
RESTATED RESTRICTIONS AND COVENANTS
OF THE ROCKY FORK CLUB, INC. FOR
THE SUBDIVISIONS AND DEVELOPMENT

THIS DECLARATION OF 2002 AMENDED AND RESTATED RESTRICTIONS AND
COVENANTS, effective upon the date of recordation in the
Office of the Parke County Recorder, WITNESSES:

I.

Recitals

A. On February 2, 1959, Articles of Restrictions (the
"1959 Articles") executed by the Rocky Fork Recreation
Corporation ("RFRC") were filed in the Office of the Recorder
of Parke County, Indiana, in Miscellaneous Record Volume 24,
at page 91, covering certain real estate situated in Parke
County, Indiana, as more particularly described in the 1959
Articles. The 1959 Articles provided for the creation and
development of a development with lots for residential
purposes around and near a lake created or being created at
the time by RFRC in the Development; included certain
covenants and restrictions expressly made to run with the
land; contemplated granting nontransferable licenses to future
lot buyers of certain rights and privileges to use in common
with other owners the roadways, lake and dam being created;
and expressly reserved to RFRC the ownership of and right to
regulate the use of the roadways, lake and dam.

B. By two (2) certain Indentures dated May 14, 1965, and
recorded in the Office of the Recorder of Parke County,
Indiana, on May 27, 1965, in Deed Record Volume 131, at page
399, and in Miscellaneous Record Volume 29, at page 59,
respectively, RFRC conveyed to Rocky Fork Club Incorporated
(the "Corporation") the common property of the Development,
including the roadways, dams and lake, and conferred on the Corporation all powers, authority, rights, privileges and duties vested in and retained by or assumed by RFRC by virtue of the 1959 Articles, and confirmed RFRC's prior grant to the owners of lots theretofore, sold the right, license and privilege to use and enjoy the lake, roadways and recreational facilities in the Development, subject to the right of the Corporation to regulate the use thereof in accord with the provisions of the 1959 Articles.

C. By their terms, the 1959 Articles were binding upon all persons claiming under them until January 1, 1980 and thereafter were automatically extended for successive periods of ten (10) years, unless a majority of the owners at the time of the lots vote to change the 1959 Articles.

This amendment power reserved to the owners was exercised in the 1989 Building Regulations and Restrictions, recorded in said Recorder's office in Miscellaneous Record Volume 59, at page 475, on December 28, 1989.

D. Further, the 1969 Building Restrictions and Regulations were recorded in the Office of the Recorder of Parke County, Indiana, in Miscellaneous Record Volume 31, at page 105 on April 2, 1969 and the 1977 Listing of Rules were recorded in said Recorder's Office in Miscellaneous Record Volume 40 at page 497 on August 8, 1977. These documents did not purport to amend or modify the 1959 Articles and could not so modify them as The 1959 Articles were binding until January, 1980.

E. The December 29, 1999, Amendment to the Restrictions and Covenants of Rocky Fork Lake Subdivisions and Development, was passed by a majority of the owners of lots and lands in The Development and was recorded in the Office of the Parke
"The covenants contained in the 1959 Articles of Restrictions and the covenants contained in the 1989 Building Regulations and Restrictions shall be binding upon all persons owning or acquiring lots or property in the Rocky Fork Lake Development until January 1, 2010, at which time said covenants shall be automatically extended for successive period of ten (10) years, unless amended by a majority of the eligible Voting Members of Rocky Fork Club, Inc., (a) at any time after January 1, 2000, and before the adjournment of the Annual Meeting of Members to be held in 2001, or such later date, if any, to which said date may be extended by majority vote of Members in attendance at said Annual Meeting, in which event the amendments shall be effective immediately upon approval; or (b) at any later time prior to January 1, 2010, in which event the amendments shall take effect January 1, 2010."

F. At the annual meeting held August 18, 2001, by a majority vote of the members in attendance at that meeting, the date for the approval of the amendments to the restrictions and covenants of Rocky Fork Club was extended to the next annual meeting to be held in August, 2002.

G. By this Declaration of 2002, the Corporation is restating, amending, consolidating, supplementing and updating the 1959 Articles and the 1989 Building Regulations and Restrictions. This Declaration shall hereinafter supersede in all respects the 1959 Articles and the 1989 Building Regulations and Restrictions. This Declaration shall also supersede the 1969 Building Restrictions and Regulations and the 1977 Listing of Rules if and to whatever extent they had any force or effect.
II.

Property Subject to this Declaration

A. Legal Description of the Development. The real estate originally included in the Development and to which this Declaration applies is more particularly described in the 1959 Articles and is set out in full as follows: Real estate situated in the County of Parke, State of Indiana, to-wit:

The Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Three (3); the West half (W 1/2) of the Southeast Quarter (SE 1/4) of Section Three (3), the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Three; the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of Section Ten (10), the North half (N 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Ten (10); all in Township Fourteen (14) North, Range Six (6) West; containing in all Two Hundred and Twenty (220) acres, more or less.

Also

The Northeast Quarter of the Southeast Quarter of Section three (3), Township fourteen (14) North, Range Six (6) West, containing 40 acres.

Also

The South Half (S 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Ten (10) Township Fourteen (14) North, Range Six (6) West containing Twenty (20) acres, more or less.

Also

A portion of the East Half (E 1/2) of the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 10 Township 14 North, Range 6 West. More particularly described as follows: Starting at the Northeast corner stone of the Northwest Quarter (NW 1/4)
of Section 10, Township 14 North, Range 6 West, thence South 85 degrees-46 minutes West 188.6 feet; thence South 2 degrees-24 minutes West 342.7 feet; thence South 61 degrees-54 minutes West 82.1 feet; thence South 2 degrees-42 minutes West 153.0 feet; thence South 38 degrees-46 minutes East 149.6 feet; thence South No degrees-34 minutes West 473.8 feet; thence South 38 degrees-09 minutes West 100 feet; thence South 100 feet; thence North 90 degrees-no minutes East 376.4 feet; thence North 5 degrees-22 minutes along the half section line to the place of beginning. Containing 8.28 acres more or less - subject however to all legal easements and rights-of-way.

Also

A portion of the East Half (E 1/2) of the Southwest Quarter (SW 1/4), Section Three (3), Township Fourteen (14) North, Range Six (6) West, and more particularly described as follows: Starting at a stake on the half section line twenty-one hundred fifty-six and ninety-six-hundredths (2156.96) feet north of the northeast corner stone of the Northwest Quarter (NW 1/4) of Section Ten (10), Township Fourteen (14) North, Range Six (6), West; thence south sixty (60) degrees thirty-eight (38) minutes west one hundred seventy-six and twenty-five-hundredths (176.25) feet; thence north seventy-one (71) degrees three (3) minutes west two hundred sixty-nine (269) feet; thence south two (2) degrees Twelve (12) minutes west two hundred eighty-six and five hundredths (286.05) feet; thence south ten (10) degrees two (2) minutes east ninety-eight and fifty-hundredths (98.50) feet; thence south forty-eight (48) degrees thirty-six (36) minutes west sixty-nine and seventy-six-hundredths (69.76) feet; thence south fifty-three and nine-hundredths (53.09) feet; thence south seventy-four (74) degrees thirty-two (32) minutes east three hundred fifteen and eighty-seven-hundredths (315.87) feet; thence north fourteen (14) degrees fifty (50)
minutes east five hundred eighty-four and ninety-
hundredths (584.90) feet - containing three and fourteen-
hundredths (3.14) acres, more or less. Subject to all
legal easements and rights-of-way.

Also, a portion of the East Half (E 1/2) of the south-west
Quarter (SW 1/4) of Section Three (3), Township Fourteen
(14) North, Range Six (6) West, more particularly
described as follows: Starting at a stake on the half
section line thirteen hundred eight and six-hundredths
(1308.06) feet north of the north-east corner stone of the
Northwest Quarter (NW 1/4) of Section Ten (10), Township
Fourteen (14) North, Range Six (6) West; thence south
eighty-two (82) degrees twelve (12) minutes west one
hundred eight and fifty-one-hundredths (108.51) feet;
thence south eleven (11) degrees thirty-six (36) minutes
west one hundred sixty-two and ninety-nine-hundredths (162.90)
feet; thence south eighty-eight (88) degrees fourteen (14)
minutes west four hundred eight and twenty-five-hundredths
(408.25) feet; thence north eight (8) degrees fifty (50)
minutes west one hundred eight and sixty and twenty-five
hundredths (180.25) feet; thence north twenty seven (27)
degrees fifty-six (56) minutes west one hundred thirty-
ten and seventy-five hundredths (132.75) feet; thence
north sixty-four (64) degrees fifty-four (54) minutes
west sixty-nine and sixty-hundredths (69.60) feet;
thence north eighty-one (81) degrees thirty (30) minutes
west ninety-one and thirty-nine-hundredths (91.30) feet;
thence south seventy-eight and forty-one hundredths
(78.41) feet; thence south thirty-four (34) degrees no
minutes east one hundred one and seventy-hundredths
(101.70) feet; thence south two (2) degrees twenty (20)
minutes west one hundred sixty-four and eighty-seven-
hundredths (164.87) feet; thence south fifty-one (51)
degrees twelve (12) minutes east sixty (60) feet; thence
south seventeen (17) degrees thirty-nine (39)
minutes east ninety-five and thirty-three hundredths (95.33) feet; thence south forty-six (46) degrees two (2) minutes west seventy-eight and forty-two-hundredths (78.42) feet; thence south forty-eight (48) degrees nineteen (19) minutes east forty-six and forty-six-hundredths (46.46) feet; thence south thirty-seven (37) degrees fifty-seven (57) minutes east seventy seven and forty-eight-hundredths (77.48) feet; thence south five (5) degrees thirty-five (35) minutes west one hundred eighty-three and fifty five-hundredths (183.55) feet; thence south fifteen (15) degrees eleven (11) minutes east one hundred eighty-five and three-hundredths (185.03) feet; thence south eighty-seven (87) degrees thirty (30) minutes east one hundred fifty-four and seventy-seven-hundredths (154.77) feet; thence south eighty-four (84) degrees twenty-nine (29) minutes east sixty-five and fifty-five hundredths (65.55) feet; thence south thirty-nine (39) degrees twelve (12) minutes east ninety and seventeen-hundredths (90.17) feet; thence south twenty-six (26) degrees six (6) minutes west one hundred seventy-four and fifteen-hundredths (174.15) feet; thence south seventy-seven (77) degrees twenty-three (23) minutes east one hundred seventy-four and fifty-five-hundredths (174.55) feet; thence north eighty-nine (89) degrees fifty-seven (57) minutes east seventy-one and five-hundredths (71.05) feet; thence south sixty-two (62) degrees one (1) minute east ninety and seventy-hundredths (90.70) feet; thence north one (1) degree eight (8) minutes east eleven hundred twenty-seven and ninety-six-hundredths (1127.96) feet; following the half section line to the place of beginning - containing ten and seventy-three-hundredths (10.73) acres, more or less. Subject to all legal easements and rights-of-way.
B. **Subdivisions.** Following the recording of the 1959 Articles, portions of the Development were platted in five (5) platted Rocky Fork Subdivisions which are recorded in Plat Book 2, at pages 61-62, 98-102, and in Plat Book 3, at pages 4-5, 3435, in the Office of the Recorder of Parke County, Indiana. These platted Subdivisions are included in the description of the real estate set out above and included in "Development" as that term is hereinafter used.

C. **Excluded Parcel.** A parcel of land included in the legal description with the 1959 Articles, commonly known as aerial map parcel 410, Section Three (3), 35.126 acres, was platted in a "Reserved" section and thereby expressly exempted from the covenants and restrictions under the 1959 Articles. This parcel (the "Excluded Parcel") was sold by RFRC and made subject to separate and distinct deed restrictions and agreements as recorded in Miscellaneous Record Volume 33, at page 55, on January 28, 1971, and Deed Record Volume 145, at page 134, on February 11, 1974, in the Office of the Recorder of Parke County, Indiana. Accordingly, the Excluded Parcel is now excluded entirely from the Development and this Declaration for all purposes, and the term "Development" as hereinafter used does not include the Excluded Parcel.

D. **Additional Lots.** In addition to the lots platted in the five Rocky Fork Subdivisions the following parcels of land, included in the lands covered by the 1959 Articles, have been designated as "lots" and given lot numbers in the Development for purposes of this Declaration, with the same rights and privileges as platted subdivision lots, by act of RFRC and/or the Corporation: aerial map parcels 409, 402, 403, 306 and 206 in Section 3 of Jackson Township, Parke County, now commonly known as Rocky Fork lots E-59A, W-69A, W-69B, W34A and W-98
respectively; and aerial map parcels 210, 211, and 209 in Section 10 of Jackson Township, Parke County, Indiana, known as Rocky Fork lots E-0, E-00, and W-0. The legal descriptions of these parcels (the "Added Lots") are set forth below and the Added Lots are included in the "Development" as that term is hereinafter used.

LOT E-0

Commencing at the Northeast corner of the Southwest quarter of the Northeast quarter of Section 10, Township 14 North, Range 6 West, South 00 degrees 13 minutes West 660.00 feet, West 467.50 feet to beginning; South 240.0 feet East 70.0 feet South 182.95 feet to a point 240.0 feet North of the East-West half section line of said Section 10, East 70.0 feet South 240.00 feet to the East-West half section line Section 10; North 86 degrees 8 minutes West along said half section line 431.93 feet; to the center line of ravine; then along and with said ravine through the next three (3) courses and distances. North 26 degrees 00 minutes East 185 feet, North 51 degrees 15 minutes West 279.00 feet, North 02 degrees 15 minutes West 279.00 feet, North 02 degrees 30 minutes East 240.00 feet North 53 degrees 00 minutes East 89.0 feet, East 346.14 feet to beginning; containing 6.155 acres. Also right of ingress and egress to Lot E-1 Rocky Fork Recreation Corpotation First Subdivision.

LOT E-00

Commencing at the Northeast corner of the Southwest quarter of Northeast quarter of Section 10, Township 14 North, Range 6 West, South 00 degrees 13 minutes West 660.0 feet to beginning; South 00 degrees 13 minutes West along and with the East line of said quarter to the East-West half section line of said section 10, 684.92 feet, North 86 degrees 8 minutes West along and with half section line 325.88 feet, North 240.0
feet West 70.0 feet North 182.95 feet to a point 395.50 feet West and 240.0 feet South of beginning; West 70.0 feet North 240.0 feet; East 467.50 feet to beginning. Containing 6.120 acres. Also right of ingress and egress to lot E1 Rocky Fork Recreation Corporation First Subdivision.

LOT E-59A

Part of the Southeast quarter of Section 3, Township 14 North, Range 6 West, in Parke County, Indiana, described as follows: Commencing at the Northeast corner of Lot 59 of Rocky Fork Recreation Corporation's Second Subdivision; North 0 degrees 41 minutes East 194.00 feet to centerline of Olmi Lane; North 88 degrees 56 minutes East 50.56 feet; South 77 degrees 35 minutes East 205.72 feet along and with said Olmi Lane; South 2 degrees 42 minutes East 98.93 feet; South 18 degrees 37 minutes West 135.17 feet; South 2 degrees 37 minutes West 117.48 feet to the high water level line of Rocky Fork Lake; thence right along and with the high water level line of Rocky Fork Lake to a point due South of beginning (lying in the East line of said Lot E-59); North along and with the East line of said Lot 59 177.11 feet to beginning and containing 2.146 acres more or less.

LOT W-0

Part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of Section Ten (10), Township Fourteen (14) North, Range Six (6) west, Parke County, Indiana.

Beginning 161.79 feet South of the Northwest corner of the Southwest Quarter of the Northeast Quarter of said Section 10; South 67 degrees East 295.38 feet; South 07 degrees 53 minutes West 125 feet; South 28 degrees 39 minutes East 389.36 feet; South 2 degrees 30 minutes West 240 feet; South 51 degrees 15 minutes East 279 feet; South 26 degrees West 185 feet, to the
South line of the said Quarter-Quarter; West on the South line of said Quarter-Quarter, 569.06 feet to the Southwest corner of said Quarter-Quarter; North 1158.21 feet to Beginning and containing 10.6810 acres more or less. Subject to an easement 25 feet off the North side, 295.38 feet long, for a roadway. Subject to an easement 50 feet wide off the 2 sides, adjacent to the dam site, of 125 feet and 389.26 feet in length, respectively, for access Right of Way to the toe of said dam.

LOT W-34A

Part of the South Half of Section 3, Township 14 North, Range 6 West, lying East of Lot #W-95, Rocky Fork Recreation Corporation 5th Subdivision, and bounded on the North by the right of way of the Brent Moore Road on the East by the right of way of Miller Drive and West line of Lot #W-34 (Rocky Fork Recreation Corporation First Subdivision); on the South by the high water level line of Rocky Fork Lake (elevation 710.0 feet above Mean Sea Level) and the right of way Andy Lane, on the South and West sides thereof described to-wit: Beginning at a point in the center of Andy Lane and the North line of Brent Moore Road (Northeast corner of Lot #W-95, Rocky Fork Recreation Corporation 5th Subdivision); North 88 degrees 14 minutes East, along and with the North line of said Road 346.91 feet; South 47 degrees 46 minutes East 174.08 feet, along and with the East right of way line of Miller Drive(20 feet wide); South 14 degrees 33 minutes East 112.9 feet along and with the East right of way of said Drive, to the most Northerly corner of Lot #W-34 Rocky Fork Recreation Corporation 1st Subdivision; South 33 degrees 22 minutes West along and with the West line of Lot W-34, 190.6 feet to the High water level line of Rocky Fork Lake (elevation 710.0 feet above Mean Sea Level); thence right along and with the High water level line of said Lake, to an iron pin at the
centerline of a ravine 75.60 feet, more or less and whose chord is bearing North 42 degrees 06 minutes West a chord distance of 75.49 feet; thence left, along and with the high water level line of Rocky Fork Lake South 19 degrees 18 minutes East 104.93 feet to the intersection of said high water level line with the centerline of a 50 foot lane lying due North of and adjacent to Lots Number W-32 and 33 as the same appears in Rocky Fork Recreation Corporation First Subdivision and shown for references in Rocky Fork Recreation Corporation 5th Subdivision; North 71 degrees 09 minutes West 210.0 feet, along and with the centerline of the platted lane; thence North 27 degrees 48 minutes West 395.6 feet to the beginning and containing 131,250 square feet, more or less.

LOT W-69A

Part of the West Half (W 1/2) of the Southeast Quarter (SE 1/4) of Section Three (3), Township Fourteen (14) North, Range Six (6) West, described as follows:

Commencing at the intersection of the West line of Lot W-69, Rocky Fork Recreation Corporation Fourth Subdivision with Rocky Fork Lake; Southerly along and with the West line of Lot W69, 214.1 feet to the centerline of Haroway Drive; right 109 degrees 30 minutes 278.97 feet; left 10 degrees 54 minutes 337.38 feet; right 76 degrees 48 minutes 136.86 feet; right 7 degrees 33 minutes 171.52 feet; right 106 degrees 42 minutes 556.07 feet to the high water level line of Rocky Fork Lake (elevation 710 feet above mean sea level); right along and with the said high water level line, to the beginning and containing 3.571 acres, more or less.

LOT W-69B

Part of the West Half (W 1/2) of the Southeast Quarter (SE 1/4)
and Northeast Quarter (NE 1/4) of Section 3, Township Fourteen (14) North, Range Six (6) West described as follows:

Commencing at the intersection of the West line of Lot W-70 Rocky Fork Recreation Corporation Fourth Subdivision with Rocky Fork Lake; thence Northerly along and with the West lines of Lots W-70, W-71 and W-72 a distance of 275.76 feet to the Northwest corner of said Lot W-72; thence right 80 degrees 48 minutes 16.25 feet; thence left 90 degrees 44.0 feet; thence left 108 degrees 51 minutes 103.95 feet; thence right 10 degrees 120.5 feet; thence left 8 degrees 119.75 feet; thence left 15 degrees 23 minutes 198.0 feet; thence left 70 degrees 52 minutes 225.88 feet; thence left 83 degrees 32 minutes 556.07 feet to the high water level line of Rocky Fork Lake (elevation 710 feet above mean sea level); thence left and along and with the said high water" level line to the point of beginning and containing 4.141 acres, more or less.

W-98

Commencing at the Northwest Corner of the Southwest Quarter of the Northeast Quarter of Section 3, Township 14 North, Range 6 West Jackson Township, Parke County, Indiana; thence South 723.09 feet; South 89 degrees 23 minutes East 34.32 feet to an iron pin in the center of Brent Moore Road, and the Place of Beginning; Thence North 40 degrees 44 minutes East 83.10 feet; North 64 degrees 54 minutes East 235.23 feet; North 71 degrees 17 minutes East 309.03 feet; South 04 degrees 52 minutes West 213.56 feet; South 04 degrees 02 minutes West 31.44 feet; South 68 degrees 32 minutes 44 seconds West 579.77 feet; North 194.30 feet to the Place of Beginning, and containing 3.043 Acres, More or Less.

Subject to an easement 25 feet wide off the West side, the North side, and the East side of said 3.043 Acres, as platted in Rocky Fork Recreation Corporation, 4th Subdivision, heretofore reserved.
Also Right of Ingress and Egress over the 25 feet strip lying West of and adjacent to, North of and adjacent to, and East of an adjacent to said 3.043 Acres, as platted in Rocky Fork Recreation Corporation 4th Subdivision, heretofore reserved.

III.

Declaration of 2002 Restrictions and Covenants

NOW, THEREFORE, the Corporation, known as Rocky Fork Club, Inc., an Indiana corporation, does hereby declare that: (a) this Declaration has been approved by a majority vote of the owners of the lots in the Development in accordance with the 1959 Articles, and (b) all of the real estate described herein, including the Rocky Fork Subdivisions, the Added Lots and any and all parts or lots thereof that may hereafter be conveyed therefrom, but excepting the Excluded Parcel, are and shall be subject to the following 2002 Restrictions and Covenants of Rocky Fork Club, Inc., constituting a restatement, amendment, supplement and consolidation of the 1959 Articles and the 1989 Building Regulations and Restrictions. These 2002 Restrictions and Covenants and any subsequent amendment thereto shall for all purposes be personally binding upon any person or persons now holding or hereafter acquiring any title or interest in or to any part of any lot or land in the Development, and shall be covenants and restrictions running with the title to any and all of such lots and lands.

IV.

1. In these restrictions and covenants the following words shall have the following meaning or reference:

   a. "The Corporation" means the Rocky Fork Club, Inc. an Indiana non profit corporation of property owners which owns,
maintains, manages and grants the membership the privileges of using The Development's rights-of-way, easements, roadways, the lakes, dams, recreation areas and all common properties of The Development.

b. "Buyers" means each or all persons acquiring any legal or equitable title to any lots or lands in The Development described above, directly from the Rocky Fork Recreation Corporation and/or from Rocky Fork Club, Inc.

c. "Subsequent Buyers" means those persons acquiring any legal or equitable title in any lot(s) or part of the lands in The Development described above, from any person or persons other than Rocky Fork Recreation Corporation or Rocky Fork Club, Inc.

d. "Development" means the lands described in the 1959 Articles (as set out above in II A), excepting the Excluded Parcel (as set out above in II C), and includes all of the lakes, dams, roads, subdivision lots (as set out in II B), Additional Lots, (as set out above in II D) and all lands, common areas, parts, and improvements whether originally owned by the Rocky Fork Recreation Corporation or subsequently owned by the Corporation or any owner, and any lands hereafter added by the Corporation by filing a supplement to this Declaration in the Office of the Recorder of Parke County, Indiana which supplement shall include the legal description and a statement of the intended use or uses of the lands so added to the Development.

e. "Lot" means each platted lot in the five (5) Rocky Fork Subdivisions in the Office of the Recorder of Parke County, Indiana; together with each of the Added Lots (as defined above).
f. "Owner(s)" means each or all of the buyers and subsequent buyers of title to or a legal or equitable interest in a lot or lots in the Development.

g. "Subdivision" shall refer to the five platted Rocky Fork Lake Subdivisions which are recorded in Plat Book 2 at page 61-62, 98-102, and in Plat Book 3 at pages 4-5, 34-35, in the Office of the Recorder of Parke County, Indiana.

2. The Corporation shall retain and reserve rights-of-way, easements and roadways as excepted specifically in each deed of conveyance, and shall regulate the use thereof to the mutual protection, and enjoyment of owners, buyers, subsequent buyers, their house guests, and the Corporation.

3. No Subsequent Buyer, other than a Subsequent Buyer who is related to his grantor by blood or marriage, may acquire any right, title or interest what-so-ever in any Lot or lands of The Development until after he or she has applied for and has been granted a license from the Corporation to use the Development's rights-of-way, easements and roadways for travel and for ingress and egress to such Lot or lands, to use the lake, and to use the dam, which license shall be irrevocable by the Corporation so long as such Subsequent Buyer lives and has not conveyed away all of his right or title or interest in any of such Lot or lands of The Development so acquired, and such license shall not be transferable, but shall, while in force, extend to such Subsequent Buyer's family and house guests, which license shall not be deemed exclusive but shall
be exercisable in common with all other persons to whom the Corporation issues like license.

4. This Declaration and all covenants, restrictions and provisions contained herein shall run with the land and shall be binding upon all persons, Owners, Buyers, Subsequent Buyers and persons owning or acquiring a Lot(s) or land(s) in The Development until January 1, 2010, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless in the year before such date or the year before any succeeding ten (10) year anniversary date it is agreed by a vote of a simple majority of the then Owners of the Lots and Lands in The Development, to change said covenants, restrictions and/or provisions in whole or in part. However, if anything in This Declaration is determined to be unlawful or unenforceable, in whole or in part, either by a court of law or upon advice of counsel in any other manner determined valid by The Board of Directors then This Declaration may be amended and/or revised within twenty-four (24) months by majority vote of the then Owners of Lots and Lands in The Development.

5. If the Owners, Buyers, or Subsequent Buyers, or any of them, shall violate or attempt to violate any of the covenants herein, it shall be lawful for the Corporation and/or any other person(s) owning any real property situated in said Development or Subdivision to prosecute any proceedings at law or in equity against the person(s) violating or attempting to violate any such covenant. If the Owners, Buyers, or Subsequent buyers, or any of them, shall violate or attempt to violate any of the covenants herein, it shall be lawful for the Corporation and/or any other person(s) owning any real property situated in said Development or Subdivision to prosecute any proceedings at law or in equity against the person(s) Violating or attempting to violate any such
covenant. Available relief in any such action shall include recovery of damages or other sums due for such violation, injunctive relief against such violation or threatened violation, declaratory relief, and the recovery of costs and attorneys' fees incurred by any party successfully enforcing such covenants. The Corporation shall also have the right to levy fines and penalties, and to suspend privileges in a reasonable manner for any such violation.

6. Invalidation of any of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

7. All privately owned land in the Subdivision and Development shall be used for residential purposes only. Residential building on a Lots in the Subdivision or Lands in The Development with lake frontage may contain one dwelling house, a boat house, wharf, dock and a garage. Residential building on a Lot in The Subdivision and/or Land in The Development which does not have lake frontage may contain one dwelling house and a garage. Additional buildings, such as sheds, will be subject to approval of the Board of Directors of the Corporation. No structure shall be erected, placed or permitted to remain without first obtaining approval from the Board of Directors of the Corporation.

8. No building shall be erected, or altered on any Lots in the Subdivision and/or Lands in The Development until the building plans, specifications and plot plan showing the location of such building has been approved in writing by the Board of Directors of the Corporation. In the event the Board fails to approve or disapprove such design and plans within 90 days after said plans and specifications have been submitted to it, such approval will not be required and full compliance with this covenant will be deemed to have taken place.
9. No noxious or offensive activity shall be carried on upon any Lots in the Subdivision and/or Lands in The Development nor shall anything be done thereon which may be or become an annoyance or nuisance.

10. The ground floor area of the main structure of all dwellings exclusive of one-story open porches and garages, shall not be less than 600 square feet in the case of a one-story structure nor less than 800 square feet in the case of a one and one-half or two-story structure.

11. The lakes and the common areas of Corporate property are to be used for recreational purposes only, by the Owners, Buyers and Subsequent Buyers of Lots in The Subdivision and/or Lands in The Development and their families and house guests.

12. Any alterations, improvements and erection of shelters or other recreational facilities shall be subject to the approval of the Board of Directors of the Corporation.

13. All Owners, Buyers and Subsequent Buyers of Lots in The Subdivision and/or Lands in The Development shall agree to permit any easements that may be required for the erection of power, water, or telephone lines on lots.

14. No re-subdivision of Lots in the Subdivision and/or Lands in The Development shall be made unless the same shall be first approved by the Board of Directors of the Corporation.

15. In order to provide adequate drainage, all private drives entering roadways shall have proper size culverts of concrete, tile, or metal pipe.

16. Street identification signs shall be provided by the corporation unless provided by Parke County.
17. No promotional or advertising signs except for real estate "For Sale" signs, shall be erected within the limits of the Subdivision and Development.

18. No garbage or trash piles will be permitted. All trash and garbage shall be disposed of in an approved manner and in accordance with all federal, state and local laws and ordinances.

19. No privies or outside toilets will be allowed. Septic systems shall be installed and maintained on Lots in The Subdivision and Lands in The Development having residences, and must have prior approval of the Parke County Department of Health and must be in compliance with state and local laws. Temporary chemical toilets will be permitted only for use to prevent or ameliorate septic emergencies.

20. Any property owner having a drainage problem such that it is necessary to transmit surface water over or along adjacent Lot(s) in The Subdivision or Land(s) in The Development may petition Owners of said Lot(s) and/or Land(s) for permission to cut open drainage ditches through the adjacent property. In the event that a hardship or unsightly situation is imposed on the easement grantor due to the drainage ditch, the property owner with the drainage problem shall be permitted to install an underground drainage line of adequate size to provide proper drainage.

21. All drainage on all Lot(s) in the Subdivision and/or Lands in The Development shall be the responsibility of the property Owner.

22. All persons are prohibited from killing or capturing wild animals and birds anywhere on the Lots in The Subdivision and Lands in The Development unless special permission is granted by the Board of Directors to eliminate wild life which is
destructive, dangerous and/or a real nuisance. No permission shall be granted to kill or capture any wild animals or birds which are protected by State or Federal statute.

23. The Corporation shall stock the lake with fish, but only by such method as to insure that the lake shall remain a private fishing area.

24. Owners, Buyers and Subsequent Buyers shall not rent or lease Lot(s) in the Subdivision and/or Lands in The Development and/or any residence situated on said lot(s) or land(s).

25. Upon obtaining a building permit, a trailer, garage, or other temporary housing may be used a maximum of 24 consecutive months from the date of the permit while building is in progress. No unit used as temporary housing can be moved from lot to lot in an attempt to circumvent the Rule and obtain a longer period of time.

26. After starting construction, the exterior of a residential structure must be completed within 24 consecutive months from the date of the building permit.

27. Trailers and temporary housing are not allowed except as specified above.

28. The Board of Directors of the Corporation has the right to inspect both during construction and within ninety (90) days after completion of construction of all buildings, houses and other structures for which a building permit was obtained. The Owners, Buyers, and Subsequent Buyer undertaking construction must notify the Board of Directors that construction has been completed so that the required inspection can be timely made.
29. It is the continuing duty and responsibility of the Owner(s) of Lot(s) in The Subdivision and Land(s) in The Development to properly maintain those lands and any structures contained thereon in a satisfactory condition, which includes, but is not limited to the duty of maintaining and repairing the septic system to ensure the lake and surrounding lands are not polluted.

V.

Adoption

This Declaration has been prepared and filed pursuant to the authorization and approval of the owners of Lots in The Subdivision and Lands in The Development acting in their capacity as members of the Corporation, by resolutions duly adopted by a majority of the Owners voting affirmatively on official ballots provided by The Corporation.

IN WITNESS WHEREOF, this Amendment has been executed by the undersigned officer of The Corporation as of the date first above mentioned.

By:

------------------

Roberta L. Cummins, President

STATE OF INDIANA       )
                      )SS:
COUNTY OF            )
On this _______ day of ____________, 2002, before me,
the undersigned Notary Public, duly commissioned and sworn, personally appeared Roberta L. Cummins, the President of Rocky Fork Club, Inc., who, being first duly sworn, acknowledged his execution of the foregoing instrument on behalf of said Corporation and stated that the representations contained therein are true.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate above written.

__________________________
Signature—Notary Public

__________________________
Printed Name—Notary Public

My commission expires on: ______________________

I am a resident of ____________ County, Indiana.
STATE OF INDIANA

DEPARTMENT OF STATE

CERTIFICATE OF INCORPORATION

CHARLES O. HENDRICKS,
SECRETARY OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, Articles of Incorporation, duly signed and acknowledged, showing no Capital Stock, having been filed in the office of the Secretary of State on the 30th day of January, 1964, for the organization of the

ROCKY FORK CLUB, INC.

under and in accordance with the provisions of "AN ACT" concerning domestic and foreign corporations not for profit, providing for fees, providing penalties for the violation thereof, and repealing certain laws." Approved March 7, 1935, as published at Page 557, Acts of 1935.

NOW THEREFORE, I, the Secretary of the State of Indiana, by virtue of the powers and duties vested in me by law, do hereby certify that the said organization is a body politic and corporate, authorized and empowered by the laws of the State of Indiana to proceed to carry out the objects of its organization.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this 30th day of January, 1964.

CHARLES O. HENDRICKS, Secretary of State.

By

Deputy.
ARTICLES OF INCORPORATION

ROCKY FORK CLUB, INC.

The undersigned, being three or more natural persons of lawful age, at least a majority of whom are citizens of the United States, do hereby adopt the following Articles of Incorporation, representing beforehand to the Secretary of State of the State of Indiana and all persons whom it may concern, that a membership list or lists of the above named corporation for which certificate of incorporation is hereby applied for, have heretofore been opened in accordance with law and that at least three (3) persons have signed such membership list.

Be it further remembered that the following Articles of Incorporation and all matters heretofore done or hereafter to be done are in accordance with "An Act concerning domestic and foreign corporations not for profit, providing for fees, providing penalties for the violation thereof, and repealing certain laws," approved March 7, 1925, and all acts amendatory thereof and supplemental thereto.

1. The name of this corporation shall be ROCKY FORK CLUB, INC.

2. The purpose or purposes for which it is formed are as follows:

(a) To conduct a club for the recreation of its members, including, but not limited to, owning and operating a lake or lakes and recreational activities in connection therewith.

(b) Owning, managing, supervising any and all forms of legitimate indoor or outdoor amusements, sports, entertainments, athletic exhibitions, all kinds of legitimate recreational activities and similar enterprises.

(c) To acquire, own, hold, use, lease, mortgage, pledge, sell, convey or otherwise dispose of property, real or personal, tangible or intangible; to borrow money and to issue, sell or pledge its obligations and evidences of debts, and mortgage its property to secure the payment thereof.

(d) To have all the general rights, privileges and powers conferred on Not-For-Profit Corporations under the laws of the State of Indiana, particularly Section 4 of Chapter 57 of the Acts of the General Assembly of 1935 as now in effect and as the same may be, from time to time, amended.

(e) To do any and all acts or things incidental, necessary or convenient to accomplish the foregoing purposes, or any of them.
3. The period during which it is to continue as a corporation is... perpetual.

4. The post office address of its principal office is... 1630 Plum Street, Terra Haute... (City) Vigo... (County) Indiana... (State)

5. The name of its resident agent is... William C. Miller, Sr.

6. The post office address of its resident agent is... 1630 Plum Street, Terra Haute... (City) Vigo... (County) Indiana... (State)

7. If the memberships are to be divided into classes the designations of the different classes, and a statement of the relative rights, preferences, limitations and restrictions of each class, together with a statement as to the voting rights of any such class:

   (a) Classes of Members: Members shall be divided into the following classes:

   (1) Voting Members. The corporation shall have a class of members, to be called "Voting Members", each of whom shall be the owner of legal or equitable title (including ownership as a tenant by the entirety) of a lot or lots platted by Rocky Fork Recreation Corporation in proximity to said corporation's artificial lake, commonly known as Rocky Fork Lake in Jackson Township, Parke County, Indiana. No more than one owner of any such lot, co-owned by more than one person, shall be a voting member of the corporation. The initial voting members shall be those members who sign the initial membership list of the corporation. Each voting member of the corporation shall be entitled to vote upon all questions and matters as to which the members of the corporation are entitled to vote; no other member of the corporation shall be entitled to vote on any such matters.

   (2) Participating Members. The corporation shall have a class of members, to be called "Participating Members", each of whom shall be the owner of the legal or equitable title to a lot or lots platted by Rocky Fork Recreation Corporation in proximity to said corporation's lake, commonly known as Rocky Fork Lake, in Jackson Township, Parke County, Indiana, other than voting members of the corporation. No participating member shall have the right to vote on any matter.

   (3) Honorary Members. The corporation may have a class of members, not to exceed 10 in number, to be known as "Honorary Members", none of whom shall have the right to vote.
8. The number of directors of this corporation shall be nine. (This must be an exact number and cannot be stated in the alternative.)

9. The names and addresses of the first board of directors are as follows:

<table>
<thead>
<tr>
<th>Name</th>
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<tr>
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<tr>
<td>Frank Owen</td>
<td>6909 West Markwood</td>
<td>Indianapolis, Marion</td>
<td>Indiana</td>
<td></td>
</tr>
<tr>
<td>Robert L. Cottman</td>
<td>107 South 34th</td>
<td>Terre Haute</td>
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10. The names and post office addresses of the incorporators are as follows:

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<td>1802 South Brown</td>
<td>Terre Haute</td>
<td>Vigo</td>
<td>Indiana</td>
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</table>
11. A statement of the property and an estimate of the value thereof, to be taken over by this corporation at or upon its incorporation:

Bank accounts of Rocky Forkers Club (unincorporated) amounting in total to $1,054.62, subject, however, to any miscellaneous unpaid bills of said Rocky Forkers Club which are estimated not to exceed $100.

12. Any other provisions, consistent with the laws of this state, for the regulation and conduct of the affairs of this corporation, and creating, defining, limiting or regulating the powers of this corporation, of the directors or of the members or any class or classes of members:

(a) Voting. Each voting member of the corporation shall have one vote on all matters as to which members of the corporation are entitled to vote.

(b) Board of Directors. The government and general management of the affairs of the corporation shall be vested in the Board of Directors. The Board of Directors shall have charge, control and management of the property, affairs and funds of the corporation. Each member of the Board of Directors shall be a voting member of the corporation. The Board of Directors shall be divided into three classes, three members in each class; of the first Board of Directors three members shall serve for a term of one year, and until their successors are elected and qualify; three members of such original Board shall serve for two years and until their successors are elected and qualify; and three members of said original Board shall serve for a period of three years, and until their successors are elected and qualify; three directors shall be elected each year thereafter for terms of three years and until their successors are elected and qualify, but any voting member elected a director to fill a vacancy shall be elected for the unexpired term of the director whose vacancy he fills; any vacancy occurring in the Board of Directors shall be filled temporarily by a majority vote of the remaining members of the Board, until the next annual meeting of the members, at which time a successor shall be elected to serve for the unexpired term of the director whose vacancy is being filled.

(c) Officers. The offices of the corporation shall consist of a President, a Secretary, a Treasurer and such other officers as may be prescribed by the by-laws. Each officer shall be elected by the Board of Directors at such time and in such manner and for
such terms as the by-laws of the corporation may prescribe. The officers need not be directors. The officers, however, shall be chosen from among the voting members of the corporation.

(d) By-laws. The power to make, alter, amend or repeal the by-laws of the corporation shall be vested in the Board of Directors; such by-laws may be made, altered, amended or repealed at any regular meeting of the Board or any special meeting of the Board called for all or any of such purposes; the by-laws may contain any provision for the regulation or management of the affairs of the corporation not inconsistent with these Articles of Incorporation and the laws of the State; however, any by-law enacted by the Board of Directors may be amended or repealed by a majority vote of the voting members present at any meeting of the voting members at which a quorum is present, and any by-law so adopted by the members may be amended or repealed only by a majority vote of the voting members at a meeting of the members at which a quorum is present. The Board of Directors shall meet within 30 days after a Certificate of Incorporation is issued by the Secretary of State, for the purpose of adopting by-laws of the corporation. The by-laws of the corporation may provide that the Board of Directors may designate two or more of its members to constitute an Executive Committee, which committee, to the extent provided in the by-laws, shall have and exercise all of the authority of the Board of Directors in the management of the corporation, but the designation of such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors or any member thereof of any responsibility imposed upon it or him by any law of the State of Indiana.

(e) Suspension of Membership Privileges. The Board of Directors shall have the power, for cause, to suspend any membership privileges of any member, for any period not exceeding 90 days; no member may be expelled from membership in the club except upon vote of the voting members of the club, at an annual meeting of the members or at a meeting specially called for such purpose, at which a quorum is present, at which meeting not less than 3/4ths of the members present and voting vote in favor of so expelling such member.

(f) No Earnings to Inure to Any Member. No member of the corporation of any class shall have or receive any earnings from the corporation except that a member may be an officer, director or employee of the corporation, in which event such member may receive fair and reasonable compensation for his services as such, and except also that a member may receive principal and interest on moneys loaned or advanced to the corporation as may be permitted by law.
George M. Graesch
462 South 20th Street, Terre Haute, Ind

Dr. George J. Beck
113 McKinley, Terre Haute, Ind.

Charles C. Kimmerle
1802 South Brown, Terre Haute, Ind.

A minimum of three of the incorporators designated in Article 10 on page —c— should sign above.

STATE OF INDIANA
COUNTY OF....VIGO

Before me, Mary Alice McCreasaken, a Notary Public in and for said County and State, personally appeared

George M. Graesch

Dr. George J. Beck

Charles C. Kimmerle

and severally acknowledged the execution of the foregoing articles of incorporation.

WITNESS my hand and notarial seal this

28th day of January, 1954.

Mary Alice McCreasaken
Notary Public.

My commission expires June 7, 1967.

(Articles of incorporation must be prepared in triplicate on the form prescribed by the Secretary of State, by the incorporators and signed and acknowledged by at least three of them before a Notary Public, and shall be presented in triplicate to the Secretary of State at his office accompanied by the fees prescribed by law.)

This instrument was prepared by David L. Day, Jr.
STATE OF INDIANA
DEPARTMENT OF STATE
CERTIFICATE OF INCORPORATION
CHARLES O. HENDRICKS,
SECRETARY OF STATE

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, Articles of Incorporation, duly signed and acknowledged, showing no Capital Stock, having been filed in the office of the Secretary of State on the...30th...
day of...JANUARY...19...64, for the organization of the...

ROCKY FORK CLUB, INC.

under and in accordance with the provisions of "AN ACT" concerning domestic and foreign corporations not for profit, providing for fees, providing penalties for the violation thereof, and repealing certain laws." Approved March 7, 1935, as published at Page 557, Acts of 1935.

NOW THEREFORE, I, the Secretary of the State of Indiana, by virtue of the powers and duties vested in me by law, do hereby certify that the said organization is a body politic and corporate, authorized and empowered by the laws of the State of Indiana to proceed to carry out the objects of its organization.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the State of Indiana, at the City of Indianapolis, this...30th...day of...JANUARY...19...64...

CHARLES O. HENDRICKS, Secretary of State.

By...Deputy.
ARTICLES OF INCORPORATION

The undersigned, being three or more natural persons of lawful age, at least a majority of whom are citizens of the United States, do hereby adopt the following Articles of Incorporation, representing beforehand to the Secretary of State of the State of Indiana and all persons whom it may concern, that a membership list or lists of the above named corporation for which certificate of incorporation is hereby applied for, have heretofore been opened in accordance with law and that at least three (3) persons have signed such membership list.

Be it further remembered that the following Articles of Incorporation and all matters heretofore done or hereafter to be done are in accordance with "An Act concerning domestic and foreign corporations not for profit, providing for fees, providing penalties for the violation thereof, and repealing certain laws," approved March 7, 1885, and all acts amendatory thereof and supplemental thereto.

1. The name of this corporation shall be ROCKY FORK CLUB, INC.

2. The purpose or purposes for which it is formed are as follows:

(a) To conduct a club for the recreation of its members, including, but not limited to, owning and operating a lake or lakes and recreational activities in connection therewith.

(b) Owning, managing, supervising any and all forms of legitimate indoor or outdoor amusements, sports, entertainments, athletic exhibitions, all kinds of legitimate recreational activities and similar enterprises.

(c) To acquire, own, hold, use, lease, mortgage, pledge, sell, convey or otherwise dispose of property, real or personal, tangible or intangible; to borrow money and to issue, sell or pledge its obligations and evidences of debts, and mortgage its property to secure the payment thereof.

(d) To have all the general rights, privileges and powers conferred on Not-For-Profit Corporations under the laws of the State of Indiana, particularly Section 4 of Chapter 57 of the Acts of the General Assembly of 1935 as now in effect and as the same may be, from time to time, amended.

(e) To do any and all acts or things incidental, necessary or convenient to accomplish the foregoing purposes, or any of them.
3. The period during which it is to continue as a corporation is perpetual.

4. The post office address of its principal office is 1630 Plum Street, Terre Haute (City) Vigo (County) Indiana (State).

5. The name of its resident agent is William E. Miller, Sr.

6. The post office address of its resident agent is 1630 Plum Street, Terre Haute (City) Vigo (County) Indiana (State).

7. If the memberships are to be divided into classes the designations of the different classes, and a statement of the relative rights, preferences, limitations and restrictions of each class, together with a statement as to the voting rights of any such class:

(a) Classes of Members: Members shall be divided into the following classes:

(1) Voting Members. The corporation shall have a class of members to be called "Voting Members," each of whom shall be the owner of legal or equitable title (including ownership as a tenant by the entirety) of a lot or lots platted by Rocky Fork Recreation Corporation in proximity to said corporation's artificial lake, commonly known as Rocky Fork Lake in Jackson Township, Parke County, Indiana. Not more than one owner of any such lot, co-owned by more than one person, shall be a voting member of the corporation. The initial voting members shall be those members who sign the initial membership list of the corporation. Each voting member of the corporation shall be entitled to vote upon all questions and matters as to which the members of the corporation are entitled to vote; no other members of the corporation shall be entitled to vote on any such matters.

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(3) Honorary Members. The corporation may have a class of members, not to exceed 10 in number, to be known as "Honorary Members," none of whom shall have the right to vote.
8. The number of directors of this corporation shall be nine. (This must be an exact number and cannot be stated in the alternative.)

9. The names and addresses of the first board of directors are as follows:

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Bank accounts of Rocky Forkers Club (unincorporated) amounting in total to $1,054.62, subject, however, to any miscellaneous unpaid bills of said Rocky Forkers Club which are estimated not to exceed $100.

12. Any other provisions, consistent with the laws of this state, for the regulation and conduct of the affairs of this corporation, and creating, defining, limiting or regulating the powers of this corporation, of the directors or of the members or any class or classes of members:

(a) Voting. Each voting member of the corporation shall have one vote on all matters as to which members of the corporation are entitled to vote.

(b) Board of Directors. The government and general management of the affairs of the corporation shall be vested in the Board of Directors. The Board of Directors shall have charge, control and management of the property, affairs and funds of the corporation. Each member of the Board of Directors shall be a voting member of the corporation. The Board of Directors shall be divided into three classes, three members in each class; of the first Board of Directors three members shall serve for a term of one year, and until their successors are elected and qualify; three members of such original Board shall serve for two years and until their successors are elected and qualify; and three members of said original Board shall serve for a period of three years, and until their successors are elected and qualify; three directors shall be elected each year thereafter for terms of three years and until their successors are elected and qualify, but any voting member elected a director to fill a vacancy shall be elected for the unexpired term of the director whose vacancy he fills; any vacancy occurring in the Board of Directors shall be filled temporarily by a majority vote of the remaining members of the Board, until the next annual meeting of the members, at which time a successor shall be elected to serve for the unexpired term of the director whose vacancy is being filled.

(c) Officers. The offices of the corporation shall consist of a President, a Secretary, a Treasurer and such other officers as may be prescribed by the by-laws. Each officer shall be elected by the Board of Directors at such time and in such manner and for
such terms as the by-laws of the corporation may prescribe. The officers need not be directors. The officers, however, shall be chosen from among the voting members of the corporation.

(d) **By-laws.** The power to make, alter, amend or repeal the by-laws of the corporation shall be vested in the Board of Directors; such by-laws may be made, altered, amended or repealed at any regular meeting of the Board or any special meeting of the Board called for all or any of such purposes; the by-laws may contain any provision for the regulation or management of the affairs of the corporation not inconsistent with these Articles of Incorporation and the laws of the State; however, any by-law enacted by the Board of Directors may be amended or repealed by a majority vote of the voting members present at any meeting of the voting members at which a quorum is present, and any by-law so adopted by the members may be amended or repealed only by a majority vote of the voting members at a meeting of the members at which a quorum is present. The Board of Directors shall meet within 30 days after a Certificate of Incorporation is issued by the Secretary of State, for the purpose of adopting by-laws of the corporation. The by-laws of the corporation may provide that the Board of Directors may designate two or more of its members to constitute an Executive Committee, which committee, to the extent provided in the by-laws, shall have and exercise all of the authority of the Board of Directors in the management of the corporation, but the designation of such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors or any member thereof of any responsibility imposed upon it or him by any law of the State of Indiana.

(e) **Suspension of Membership Privileges.** The Board of Directors shall have the power, for cause, to suspend any membership privileges of any member, for any period not exceeding 90 days; no member may be expelled from membership in the club except upon vote of the voting members of the club, at an annual meeting of the members or at a meeting specially called for such purpose, at which a quorum is present, at which meeting not less than 3/4ths of the members present and voting vote in favor of so expelling such member.

(f) **No Earnings to Inure to Any Member.** No member of the corporation of any class shall have or receive any earnings from the corporation except that a member may be an officer, director or employee of the corporation, in which event such member may receive fair and reasonable compensation for his services as such, and except also that a member may receive principal and interest on moneys loaned or advanced to the corporation as may be permitted by law.
George M. Graesch
George M. Graesch

Dr. George J. Beck

Charles C. Kimmerle

462 South 20th Street, Terre Haute, Ind

113 McKinley, Terre Haute, Ind.

1802 South Brown, Terre Haute, Ind.

A minimum of three of the incorporators designated in Article 10 on page — c — should sign above.

STATE OF INDIANA}
COUNTY OF VIGO

Before me, Mary Alice McGrisaken, a Notary Public in and for said County and State, personally appeared

George M. Graesch

Dr. George J. Beck

Charles C. Kimmerle

and severally acknowledged the execution of the foregoing articles of incorporation.

WITNESS my hand and notarial seal this

28th day of January, 1964.

Mary Alice McGrisaken

Notary Public.

My commission expires (June 7, 1967

(Articles of incorporation must be prepared in triplicate on the form prescribed by the Secretary of State, by the incorporators and signed and acknowledged by at least three of them before a Notary Public, and shall be presented in triplicate to the Secretary of State at his office accompanied by the fees prescribed by law.)

This instrument was prepared by David L. Day, Jr.
Rocky Fork Building Rules and Regulations

1) Before planning any construction, remodeling, or septic projects, it is your responsibility to review all requirements in the Covenants, the Rocky Fork Building Rules and Regulations, and the Rocky Fork Club, Inc., Property Improvement Application Form.

2) No building or structure shall be erected or altered until the building plans, specs, and plot plan showing the location of the building, well and septic have been approved in writing by the Board of Directors. The Board of Directors must approve or deny the plan within 90 days of receipt of said plans.

   a) Application process: Complete Property Improvement Application Form, which may be requested from the Building chairman or obtained on the website. The form must be returned to the Building chairman at least 14 days prior to the next Board Meeting. The chairman shall inspect plan and present to Board with recommendation to accept or reject. It is the owner's responsibility to obtain a Parke County Building Permit and submit a copy with their Rocky Fork Club, Inc., Property Improvement Application Form.

   b) Owner is to inform the adjoining property owners of his/her intent.

   c) Plans and specs should include: materials list, type of siding and roofing.

   d) Items not needing club approval are: decks, walkways and remodeling if the size of the structure is not changed. All new concrete will need approval unless it is replacing an existing drive, patio, etc.

3) Residential lots with lake frontage are permitted to have one dwelling house, a boat house, a wharf, a dock and a garage. A lot with NO lake frontage may contain one dwelling house and a garage.

   a) A garage shall be constructed of materials that are esthetically consistent with any residence located on the lot and the surroundings in which it is located. All garages shall be constructed with doors not to exceed 12 feet in height; shall be constructed with a concrete floor, shall not exceed 1,500 square feet and shall comply with all Parke County Zoning Set Back Requirements.

   b) Size of dwelling. A single story home excluding open porches and garages shall be at least 600 square feet, a story and a half or two story will be at least 800 square feet.
c) Temporary buildings must have board approval. Only one storage shed not larger than 200 sq. feet will be allowed per lot at Rocky Fork Lake. Existing sheds in excess of this rule will be grandfathered, but may not be replaced or expanded. The term “storage shed” as used in this paragraph shall not include sheds which are located on or adjacent to a dock and used for storage of a boat, fishing, or recreational equipment.

4) To provide adequate drainage, all private drives will have proper sized culverts of concrete, tile or metal pipe.

5) No garbage or trash piles are permitted. It is suggested that during construction a dumpster should be located on the building site. No construction trash is allowed in the club dumpster, due to trash removal company requirements. Violators will be subject to club citations.

6) Septic system installation or repair must be approved by the Parke County Department of Health prior to submitting a Rocky Fork Club, Inc., Property Improvement Application.

7) After starting construction, the exterior of a residential structure must be completed within 24 consecutive months from the date the building permit is issued.

8) The Board of Directors has the right to inspect the structure during construction and within 90 days after completion of construction of all structures for which the building permit was issued. It is the obligation of the owner to notify the Board of Directors that construction has been completed.

Revisions presented to Board August 12, 2006; Sept. 13, 2008; July 12, 2009; and August 15, 2009.
BYLAWS OF THE ROCKY FORK CLUB, INC.

AS ADOPTED BY THE BOARD OF DIRECTORS ON AUGUST 2, 1997

ARTICLE I - GENERAL PROVISIONS

Section 1.1. Name. The name of this organization shall be Rocky Fork Club, Inc. as provided in the Articles of Incorporation; the organization is hereinafter sometimes referred to as the "Corporation".

Section 1.2. Type of Organization. Rocky Fork Club, Inc. is a mutual benefit corporation as defined by the Indiana Nonprofit Corporation Act of 1991.

Section 1.3. Fiscal Year. The fiscal year of the Corporation shall begin on the first day of January of each year and end on the thirty-first day of December of the same year.

ARTICLE II - MEMBERS

Section 2.1. Members. All voting and participating members of the Corporation must be legal or equitable owners of a lot or lots in the Rocky Fork Subdivisions in Jackson Township, Parke County, Indiana, platted by the Rocky Fork Recreation Corporation, as shown by the records of said plats recorded in the office of the Recorder of Parke County, Indiana. Only one of the legal or equitable owners may act as the voting member for the particular lot or lots of an ownership unit at any given time.

Section 2.2. Ownership Unit. An ownership unit is composed of one voting member and one or more participating members who are legal or equitable owner(s) of title to a lot or lots in the Rocky Fork Subdivisions and who have been approved for membership in the Rocky Fork Club, Inc. by the Board of Directors upon the recommendation of the membership committee.

Section 2.3. Limitation of Number of Persons In An Ownership Unit. The number of members in an ownership unit must be limited due to the small size of Rocky Fork Lake in terms of boating and recreational usage, sanitation system requirements, and the effects of pollution. Therefore, effective January 1, 1998, membership shall only be granted in those instances where no more than two persons may apply for membership in the Rocky Fork Club, Inc. However, pursuant to the Article of Restrictions, Parke County Miscellaneous Record, Volume 24, page 91, this requirement shall not restrict the granting of membership to those persons who are related by blood or marriage to the grantor or seller from whom they acquired title.

Section 2.4. Membership Procedures. The Board of Directors shall establish, from among the members of the Corporation, a Membership Committee consisting of five (5) members, not less than two (2) of whom shall be Directors of the Corporation. The Membership Committee shall cause to be prepared application forms, which shall be prescribed by the Board. All applications for membership shall be first submitted to the Membership Committee, which shall investigate each application as promptly as

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practicable, and after investigation, the Committee shall submit the application to the Board of Directors, with the recommendation of the Membership Committee, for action. All members shall be elected by majority vote of the Board of Directors, and upon being so elected, shall be furnished appropriate membership identification. Any member who divests himself of legal or equitable title to a Rocky Fork lot shall immediately cease to be a member and shall be ineligible to hold any office, including that of director, in the Corporation. An application form and instrument of property transfer shall be on file for all members of the Corporation. All persons applying for membership in the Corporation, including those persons who are related by blood or marriage to the grantor or person from whom they acquired title to a lot or lots in the Rocky Fork Subdivisions, shall fill out an application form.

Section 2.5. Honorary members. Honorary members, if any, shall be elected by the Board of Directors, subject to the approval of the membership and may use the common areas of the Corporation. Honorary members, however, may not vote on any matter presented to the voting members of the Corporation at any annual or other meeting of the membership.

ARTICLE III - MEETINGS AND VOTING

Section 3.1. Annual Meeting of Members. The annual meeting of the members of the Corporation shall be held on the third Saturday in August of each year, upon call of the President who shall provide notice of the annual meeting date, time, and place to the membership. If such annual meeting, for any reason, is not held on such date, then the President shall call such annual meeting of the membership as soon after said date as practicable, but in no event for a date later than the last Sunday in August of each year. Election of members to the Board of Directors shall be held at the annual meeting. If the annual meeting is not held on the third Saturday in August, at least 15 days written notice must be given to the membership as to the date, time and location of the rescheduled annual meeting.

Section 3.2. Agenda for Annual Meeting. At least thirty days prior to any annual meeting of the membership, each member of the Corporation shall be provided with an agenda of the items, which at the time of mailing such notice, are anticipated to be on the agenda for the meeting. Any items not listed on the agenda that is distributed to the membership may be considered by the membership but no vote shall be taken on such matters unless a particular item is an emergency and is so designated by the President or a majority of the Board of Directors.

Section 3.3. Other Meetings of Members. Meetings of the membership, other than the annual meeting, may be had on the call of the President, a majority in number of the Board of Directors, or not less than ten percent (10%) of the total voting members of the Corporation. Written notice of other meetings of the membership shall be sent to the membership along with the agenda of items to be discussed or voted not less than 14 days before the date of such meeting.

Section 3.4. Quorum of the Membership. At the annual meeting, voting members of record in good standing who are present or voting by proxy shall constitute a quorum. For any meeting of the membership other than the annual meeting, fifty percent (50%) of the voting members of record in good standing must be present or voting by proxy to constitute a quorum, unless otherwise required by Indiana law.
Section 3.5. Votes. Each ownership unit, as defined in Section 2.2. of Article II, which is of record and has paid all outstanding dues, special assessments, and other monies due the Corporation, shall have one vote to be exercised by the voting member on all matters upon which members in good standing are entitled to vote. An ownership unit shall be considered of record thirty days following the Board of Director's final approval of the owner's membership application. A voting member may vote in person or by proxy. The Board of Directors may establish reasonable procedures governing the use of proxies. A majority vote by the required quorum of members shall be necessary for the transaction of any business at any meeting of the members unless a greater vote is required by law, by the Articles of Incorporation, or by these Bylaws.

Section 3.6. Items Requiring Membership Consultation or Vote. Whereas the Board of Directors is given broad powers to manage the corporation, it shall provide the membership advance consideration, either at an annual or other meeting, or by questionnaire, of:

(i) any increase in the amount of the dues in a given year of more than thirty-three percent (33%);
(ii) any change in the method of assessing dues;
(iii) any special assessment of more than an amount equal to the annual dues;
(iv) any change in the voting rights of members;
(v) any change in rules or regulations which would limit or restrict prior granted recreational benefits, such as a change in permitted hours or water levels.

The following items require a vote of the membership as provided by the Articles of Incorporation or by Indiana law:

(i) any denial of membership privileges for a period of more than 90 days in any given calendar year as provided by Article 12(e) of the Articles of Incorporation;
(ii) any proposed amendment or change in the Articles of Incorporation.

Section 3.7. Voting by Mail or Meeting Without Action. In addition to the items specified in Article III, Section 3.6 above, the Board of Directors, may in their discretion, refer any matter of general interest to the entire membership by mail in order to obtain either an advisory opinion in the form of a questionnaire or to solicit a vote of the membership on such matter. If a vote by mail is called for, and if a quorum of a majority of the ownership units of record in good standing shall vote, and if the Board then takes action which is not consistent with the vote of a majority, then such matter may be voted on again at any future annual or special meeting of the membership.

ARTICLE IV - DUES, ASSESSMENTS, AND MEMBERSHIP APPLICATION FEES

Section 4.1. Dues and Special Assessments. Annual dues and special assessments will be assessed upon ownership units. Membership dues shall be in the amount fixed by the Board of Directors, but may be amended by a majority vote of voting members present in person or by proxy at the annual meeting of the members. Membership dues may be different for each class of members.

Section 4.2. Dues Structure. Effective January 1, 1998, the following dues structure shall be in effect: (i) all ownership units consisting of one voting member or one voting member and one participating member shall be assessed one full dues amount; (ii) all ownership units consisting of one voting member and more than one participating member not related by blood or marriage to the grantor or seller from whom they acquired title shall be assessed one full dues
amount, plus an additional fifty percent (50%) for each additional participating member; (iii) any ownership unit which has more than one residence on its lots shall be assessed one full dues amount for each residence unless the dues assessed for the total number of members in the ownership unit exceeds that of the dues assessed based on the additional residence, in which case the greater amount shall be assessed. A garage or other building that is not being used as a dwelling shall not be considered a residence.

Section 4.3. Application Fee for Membership. The application fee for membership in the Corporation shall be in an amount fixed by the Board of Directors, but may be amended by a majority vote of voting members present in person or by proxy at the annual meeting of the members.

ARTICLE V - BOARD OF DIRECTORS

Section 5.1. Board of Directors. The affairs of the Corporation shall be regulated and controlled by the Board of Directors, consisting of nine (9) voting members, elected by a majority of the quorum of voting members at the annual meeting of the Corporation. Each director shall be a citizen of the United States or the Dominion of Canada, and a majority of the directors shall, at the time of their election, either be residents of the State of Indiana or shall reside in the State of Indiana at least five months of the year. Each director shall take office on the first day of January in the calendar year following the year in which the election occurred and shall serve until his or her successor is duly elected and qualified. To prevent any undue concentration of voting power, each director shall be considered the voting member representing his/her ownership unit and no other legal or equitable owner of that ownership unit shall be eligible to serve as a director or officer at the same time.

Section 5.2. Quorum of the Board of Directors. Five (5) members of the Board shall constitute a quorum. The act of a majority of the required quorum of directors shall be the act of the Board of Directors unless a greater number is required by law, the Articles of Incorporation, or these Bylaws.

Section 5.3. Notice. Three (3) days advance written notice of Board meetings shall be given by the President or Secretary by regular U.S. Mail. However, Board members may waive notice of, in writing, and consent to the holding of any meeting of the Board. Attendance at any meeting in person shall constitute a waiver of notice of the meeting. A member of the Board of Directors may participate in a Board meeting through the use of any means of communication by which all Directors participating may simultaneously hear each other during the meeting and a Director that is participating in this manner shall be considered present in person at the meeting. Members of the Board of Directors may not vote by proxy.

ARTICLE VI - BOOKS & RECORDS, DELINQUENT ACCOUNTS, COMPENSATION

Section 6.1. Books and Records. The Board shall cause full and complete books and records to be kept which shall show at all times the financial condition of the corporation and a separate financial account of each member. Such books and records shall be open for inspection by any member for proper purposes at any reasonable time. The books and records of the Corporation must be subject to internal audit annually, and must be subject to an external audit or review by a qualified person at least every five (5) years.
Section 6.2. Delinquencies. Any monies due the Corporation that are delinquent after one (1) month will be charged interest at the rate of one and one half percent (1 1/2 \%) per month on the unpaid balance for the first year. Thereafter, delinquent monies due the Corporation will be subject to the maximum interest rate permitted by Indiana law, but in no case less than one and one-half percent (1 1/2 \%) per month. In the event that litigation is filed to collect any monies due the Corporation, the Corporation shall be entitled to recover its costs of collection, including reasonable attorneys fees. Payments will be applied first to interest and then to principal. Effective January 1, 2004 late payments will be assessed a $50 late fee for any payment not received by the due date. The Board retains the right to waive this in extenuating circumstances.

Section 6.3. Compensation. No member of the Corporation shall receive any earnings from the Corporation except that a member may be an officer, director, or employee of the Corporation and for services rendered receive fair and reasonable compensation for such services, and a member may receive principal or interest on monies loaned or advanced to the Corporation. Under no circumstances shall any advancement on account of services to be performed in the future be made nor shall any loan of money or property be made to any Officer or Director of the Corporation.

ARTICLE VII - OFFICERS

Section 7.1. Officers. The officers of the Corporation shall be elected by the Board of Directors and shall consist of a President, Vice President, Treasurer, and Secretary, each of whom shall serve until their successors are duly elected and qualified. Each officer so elected shall take office on the first day of January in the calendar year following the year in which such person was elected. An officer may be elected for a term of office of not more than two years, provided that such person shall not be eligible to serve more than two successive terms of office. This restriction on the term of office shall not apply to the Secretary or Treasurer of the Corporation who shall be limited to ten successive years in office. More than one (1) office may be held by the same person, except the duties of the President and the Secretary shall not be performed by the same person. Whenever any vacancies occur in any of the officers of the Corporation by reason of death, resignation, disqualification, removal or otherwise, the office may be filled by the Board of Directors at a regular or special meeting of the Board. Any person so elected by the Board to fill a vacancy shall serve the remainder of the term of office of his or her predecessor and until his or her successor is duly elected and qualified. Any officer of the Corporation elected or appointed by the Board of Directors may be removed by the Board of Directors whenever, in its judgment, the best interest of the Corporation would be best served by such removal. With exception of the President, in the circumstances described in Section 7.2 of Article VII, no officer, in his capacity as an officer, shall vote on any matter brought before the Board.

Section 7.2. President. The President shall act as Chairman of all meetings of the Board of Directors. The President shall be the Chief Executive Officer of the Corporation, shall appoint all committee chairpersons subject to the consent of the Board of Directors, and shall perform such other duties as may be prescribed by the Board of Directors. Unless the President shall also have been elected by the Membership to the Board, the President shall not, under ordinary circumstances vote on matters brought before the Board. In the event that any matter is brought to the Board of Directors and the vote on such matter shall be deadlocked, then the President shall be authorized to cast a vote to resolve the matter. However, to prevent more than one (1) vote per ownership unit, no person shall be eligible to be elected President if any other legal or equitable owner of the same ownership unit shall be serving on the Board of Directors at the same time.
Section 7.3. Vice President. The Vice President shall act in place of the President in case of the absence or disability of the President, and shall perform such other duties as may be prescribed, from time to time, by the Board of Directors.

Section 7.4. Secretary. The Secretary shall prepare or cause to be prepared and maintain minutes of the meetings of the Board of Directors and the membership, shall prepare or cause to be prepared and mailed the notices and agendas for the meetings of the Board of Directors and the membership, shall keep the rolls of membership in cooperation with the Membership Chairman, shall issue all notices authorized by the Board of Directors, or as directed by the President, in accord with these bylaws, and shall perform such other duties as may be prescribed by the Board of Directors.

Section 7.5 Treasurer. The Treasurer shall be in charge of the monies and financial records of the Corporation, shall draw or cause to be drawn all checks on funds of the Corporation upon the order of the Board of Directors or President of the Corporation, and shall perform such other duties as may be vested in the Treasurer by order of the Board of Directors. As a protection for the Treasurer, all checks shall be co-signed by one (1) other officer of the Corporation unless the Corporation shall have hired a non-member to draw checks on behalf of the Corporation, in which case such non-member shall comply with all requirements and restrictions imposed by the Board of Directors.

ARTICLE VIII - COMMITTEES AND POSITIONS

Section 8.1 Committees and Posts. The Board of Directors shall cause the appointment of the following standing committees, sub-committees, and positions which shall have such authority as may be determined by resolution of the Board of Directors: (i) Budget/Finance Committee; (ii) Building Regulations & Restrictions Committee; (iii) Common Property Committee; (iv) Corporation and Lake Rules Committee and its sub-committee, the Safety Patrol; (v) Lake Management Committee and its sub-committees: Aquatic Vegetation Management, Fish Stocking & Cover, and Lake Conservation Projects; (vi) Maintenance Committee; (vii) Membership Committee; (viii) Newsletter Editor; (viii) External Legal Counsel. The Board of Directors shall cause the appointment of the following special committees: (i) Nominating Committee; (ii) Election Committee; (iii) Annual Picnic Committee. Each Chairman shall determine the membership of his Committee and inform the Board of Directors in writing as to such membership.

Section 8.2. Membership Committee. The Membership Committee, referred to in Section 2.4 of Article II of these bylaws, shall be composed of five (5) voting members of the Corporation, at least two (2) of whom shall be members of the Board of Directors at the time of their appointment.

Section 8.3. Executive Committee. The Board of Directors may, by resolution adopted by the majority of the whole Board pursuant to this provision of the bylaws, designate three (3) members of the Board of Directors to constitute an Executive Committee, which committee, to the extent provided in the resolution of the Board, may have and exercise all of the authority of the Board of Directors, but the designation of such committee and the delegation thereto of authority shall not operate to relieve the Board, or any member thereof, of any responsibility imposed upon it or him/her by law.
Section 8.4. Nominating Committee. The Nominating Committee shall be composed of three (3) members of the Corporation, at least two (2) of whom shall be members of the Board of Directors at the time of their appointment and none of whom shall be candidates for the election of directors. The function of this Committee shall be to select and present to the Board of Directors for their approval a slate of qualified nominees to be placed on the ballot for election of directors at the Annual Meeting of the Members.

Section 8.5. Election Committee. The Election Committee shall consist of at least three members who shall not be candidates for the election of directors, who shall be prepared to distribute and collect the voting and ballot envelopes and to tabulate the ballots cast for the election of directors and any questions to be voted at a meeting of the members, as needed.

ARTICLE IX - RULES OF THE CORPORATION, LAKE, AND COMMON PROPERTY

Section 9.1. Rules of the Corporation, Lake, and Other Common Properties. The Board of Directors shall prescribe rules and regulations for the safety, protection and mutual benefit of all persons using Rocky Fork Lakes, and the roadways and other common properties of the Corporation. The Board may cause such rules and regulations to be recommended by its Corporation and Lake Rules Committee, and such rules, as may be approved and prescribed by the Board of Directors, shall be observed by all persons whomsoever using said lakes, and all members shall assist in the enforcement of such rules and regulations.

Section 9.2. Violation of Corporation, Lake, and Common Property Rules. Members of the Board of Directors, Safety Patrol, and other members or personnel so designated by the Board of Directors, have authority to issue a Notice of Rule Violation. With advance notice to the membership, the Board of Directors has the authority to issue fines for first and second Notices of Violations of the safety and security rules and regulations of the Corporation. Continued violation of the rules and regulations, after notice of such violation has been given, may result, on vote of two-thirds of the Board of Directors, in the temporary denial to any offender of use of the facilities of the lake, including the swimming beaches, picnic areas, boating facilities, fishing, skiing, and other activities in and on the lake and on common properties for such period of time as may be deemed advisable by the Board, provided that such period shall not exceed ninety (90) days in any given calendar year as provided in Article 12(e) of the Articles of Incorporation.

Section 9.3. Amendment of Corporation and Lake Rules. Any rule or regulation with respect to the corporation, lake, and other common properties, enacted by the Board of Directors may be amended or repealed by a majority of the members of the Corporation present at any meeting of the membership, duly called and held, at which a quorum is present.

ARTICLE X - INDEMNIFICATION

Section 10.1 Indemnification. The Corporation shall indemnify any director or officer of the Corporation against expenses actually and reasonable incurred (and for which no insurance coverage shall be in effect) in connection with the defense of any action, suit or proceeding, including any judgment awarded, in which he or she is made a party by reason of being or having been a director or officer except in relation to matters as to which he or she shall be adjudged in such action, suit or proceeding, to be libel for gross negligence or willful misconduct in the
performance of his or her duties. The Corporation may also reimburse any director or officer of
the Corporation for the reasonable expenses and costs of settlement of any such action, suit or
proceeding, if it shall be found by a majority of the directors not involved in the matter in
controversy (whether or not a quorum) that it was in the best interests of the Corporation that such
settlement be made and that such director or officer was not guilty of gross negligence or willful
misconduct. Such rights of indemnification and reimbursement shall not be exclusive of any other
rights to which such director or officer may be entitled under bylaw, agreement, vote of members
or otherwise. The term "director" or "officer" shall, for purposes of this provision, also include
any former director or officer, any member of the Corporation acting as legal or financial adviser
to the Board, any Committee Chairman, any member of a committee, and any other person duly
authorized to act on behalf of the Corporation.

ARTICLE XI - AMENDMENT OF BYLAWS

Section 11.1 Enactment and Amendment of Bylaws. These Bylaws may be amended,
repealed, modified, or otherwise changed at any regular meeting of the Board of Directors, duly
called and held, or by vote of the members as provided in Article 12(d) of the Articles of Incorporation.

Revisions Since Adoption Date of August 2, 1997

Article VI. Section 6.2 lines 4 through 7 added language regarding collections
of legal fees and language in bold regarding late fee at end of section.
Article VII. Section 7.2 line 3 delete the words “and committees”
Article VIII. Section 8.1 last sentence.
A. GENERAL CLUB RULES

1. Rocky Fork Lake is a privately owned lake. As such, it is not subject to the boating, fishing, skiing/towing laws of the State of Indiana. The Club makes and enforces its own Rules, which apply to all lot owners, members, their families, and guests. Penalties for violations of these rules are set forth in Section J of these Rules.

2. The use of firearms, including pellet guns and air rifles, is prohibited, unless special permission is obtained from the Board of Directors to exterminate nuisance animals.

3. The use of fireworks is restricted to those approved by the State of Indiana.

B. VEHICLES AND ROADS

1. All vehicles and drivers using Club roads that are required by Indiana law to be licensed must be so licensed.

2. There is a 15 MPH speed limit on Club roads. This applies to all vehicles using Club roads.

3. No trucks in excess of five (5) tons are permitted on lake roads between January 1 and April 1.

4. All motor vehicles and trailers under the jurisdiction of the U.S. Department of Transportation (D.O.T.) or unlicensed and/or not in running condition shall not be parked on club or private property at Rocky Fork Lake for a period exceeding 48 hours within any 30-day period without prior approval of the Board of Directors. This provision shall not apply to golf carts or off-road vehicles.

5. Off-road motor vehicles (including but not limited to all-terrain vehicles and golf carts) may operate on Club roads in accordance with the following requirements:

   a. All such vehicles are driven solely at the operator’s risk.

   b. The owner of such a vehicle must maintain liability insurance on the vehicle.

   c. The lot number of the owner must be displayed on the vehicle. Such numbers shall be a minimum of three (3) inches in height and of a color which contrasts with the background.

   d. An elevated warning flag must be mounted on the vehicle.

   e. Headlights and tail lights must be turned on between sunset and sunrise.

   f. An unlicensed driver must be closely supervised by a licensed driver.
g. Muffler systems must be maintained in proper working order to eliminate excessive noise.

h. Riding on the slopes of the dams or spillway, in the picnic/beach area, or on other common areas of the lake is not permitted.

i. The operation of such vehicles shall be solely at the driver’s risk and responsibility.

6. The cost of repairing any damage to Club property, including its roads, will be the responsibility of the owner of the vehicle.

7. Lot identification tags must be prominently displayed on all vehicles stopped or parked on Rocky Fork property, either hanging from the rear view mirror, on the dashboard, or other place of visibility.

C. GUESTS

1. The lake is to be used for recreational purposes only by the owners of lots in the development who are members of the Club, their families, houseguests, and honorary members. The lot owner or a member of the lot owner’s family (i.e., husband, wife, children, and parents of both spouses) must be present at the lake. Houseguests may use lake facilities and common areas only if the lot owner or a lot owner’s family member is present and available at the lake.

2. Lot owners and family members are responsible for informing their guests of the Club and Lake Rules and shall bear full responsibility for the conduct of guests.

D. GENERAL LAKE RULES

1. Access to the lake for members of the Club whose property does not have lake frontage will be via the Club facilities which include the boat ramp, and/or Club docks. Private boathouses and private docks will not be permitted on Club property. Docks on private waterfront property are for the exclusive use of the lot owners, and other Club members may park there only with permission of the lot owner.

2. To protect lake quality:

   a. Leaves, ashes, plants, and grass clippings should not be raked or dumped into lake waters. If leaves are burned on the exposed shoreline when the water level has been lowered, the ashes should be promptly removed.

   b. Fertilizer should not be used on waterfront slopes or within 20 feet of the shoreline.

   c. Eroded or decaying trees near the waterfront should be cut by the lot owner rather than being allowed to uproot. A large tree which has been cut or has fallen may remain in the lake for fish cover unless it protrudes more than 20 feet from the shoreline or presents a hazard, as determined by the Board of Directors. If, for reasons of safety, a tree must be removed from the lake, the lot owner will be
notified by the President or other authorized representative of the Board to remove it by a certain date. If this is not done, the Club will have it removed and bill the lot owner for the cost.

3. The use of seawalls and other erosion control structures and methods is recommended to protect the lake from soil erosion, sediment buildup, and contamination. For guidance on materials and methods for protecting shorelines and for information regarding the recommended height and depth of seawalls, members should contact the Chairperson of the Lake Management or Building Rules and Regulations Committee. Rock or bedding materials must be clean and free of petroleum-based contaminants. Materials such as concrete, steel, aluminum, plastic, and untreated lumber are encouraged for use for any part of a structure that is located below normal lake level.

4. It is the ongoing responsibility of lot owners to maintain their property. This responsibility includes providing and maintaining an adequate septic system that does not pollute the lake.

5. A septic dye test will be performed on each septic system within the subdivision every five years on the board schedule regardless of when the previous test was performed. The test must be performed by the county sanitary or an approved agent of the board.

6. Individual lot owners shall not use chemicals to treat the lake. All chemical treatment of the lake for the control of weeds and algae is to be done only by persons authorized by the Board of Directors.

7. Snowmobiles or any other powered vehicles are not permitted on the lake when it is frozen.

8. A permanent dock, boathouse, or pier may not extend into the lake more than twenty (20) feet from the shoreline. If such structure interferes with access to the lake from other property or creates a safety hazard, then a shorter length may be required. Permanent docks, boathouses, and piers shall not take up more than 50% of the width of an inlet or cove. This limitation includes space used for mooring of boats. Along the main waterway, boathouses may be required to be constructed parallel to the shoreline. All installations shall be subject to the approval of the Building Rules and Regulations Committee and the Board of Directors.

E. LAKE WATER LEVEL RULES

1. The Water Level Marker. The post by the main boat ramp is the official water level marker. Normal lake level is when the water is even with the weir of the dam, which is the V-shaped concrete in front of the spillway. When the entire top of the weir is dry and water is no longer flowing over it, the lake is at “normal” level.

2. Fast Boating. The white area on the water level marker, which is six inches above to twelve inches below normal water level, indicates levels at which fast boating and skiing are permitted.

3. Winter Water Levels. Each winter, the water level of Rocky Fork Lake will be lowered five (5) feet below its normal level. The outlet valve of the dam will be opened on October 24 and remain open until the level of the lake has dropped five feet. Then the
valve will be closed, and the level maintained until the ice danger has passed. The outlet
valve of the dam will not be opened when ice is present on the lake. Beginning in
October 1995, and every fifth year thereafter, the Board has the option to lower the lake
level by eight (8) feet below the normal lake water level and to maintain that level until
January 1 of the following year, to enable members to work on shorelines and docks, or
for other unforeseeable reasons that affect the majority of the members. In any year that
the Board elects to lower the lake level eight (8) feet below the normal lake water level,
the membership will be notified of this decision by no later than the Annual Meeting.

F. BOATING RULES

1. Each boat or craft of any type (motorized and non-motorized) used on Rocky Fork lakes
must display the owner's lot number and an RFL sticker which has been affixed by a
Board member after proper registration. Lot numbers and letters shall be a MINIMUM
OF THREE (3) INCHES in height, be of a color which contrasts with the background,
and shall be located on both sides of the boat. A sticker will be placed on all boats on the
right side near the lot numbers, indicating that the boat has been registered and is a boat
owned by a Rocky Fork Club member. All new boats to Rocky Fork must be registered
with the club PRIOR to launching of the watercraft into the lake. Only boats with stickers
provided by the club will be permitted to use the lake. Members placing boats in Rocky
Fork Lake without a required stickers and lot numbers will be fined $100 for a non-
motored boat and $200 for a motored boat.

2. Only two (2) motorized boats per ownership shall be in use on the lake at any one time.
No lot owner shall permit guests to bring boats to Rocky Fork Lake. Ownership of a boat
in common with a non-lot owner shall not give the non-lot owner the right to use that
boat on Rocky Fork Lake.

3. Serious problems can result from the transfer of nuisance plants, fish, and animals (such
as zebra mussels) from one body of water to another. Therefore, any boat or trailer which
has been in any other lakes or rivers must be thoroughly washed and meticulously
inspected for foreign materials before being launched at Rocky Fork Lake. Live wells
and minnow buckets used in other lakes or rivers must be emptied and rinsed prior to use
at the Rocky Fork lakes.

4. Temporary docking of boats is permitted at available Club docking facilities. Overnight
docking at the South Club dock by the beach is prohibited. Only North Lake members
are permitted to dock overnight at the North Club dock.

5. BOAT EQUIPMENT - All persons boating on the lake should be familiar with the
boating laws of the State of Indiana, as these provide important guidelines for boating.
The following equipment is required on all boats:

- a USCG approved flotation device for each occupant;
- a fire extinguisher on motorized boats;
- a tow line (approximately 25 feet) and an oar or paddle;
- a horn, bell, or whistle on motorized boats; and
- a light to warn those approaching at night.
6. BOAT OPERATION
   a. Lot owners are responsible for the safe operation of their boat(s). If children, young adults, or guests are allowed to operate boats, they must be familiar with and follow Club rules.
   b. Every person operating a boat shall operate it in a careful and prudent manner with due regard for the rights, safety, and property of themselves and others.
   c. No person shall operate any type of boat or be towed on any water sport device while under the influence of alcohol or drugs.
   d. Unlicensed drivers are not allowed to operate a motorized boat on the main water during fast boating hours, unless accompanied by a licensed driver over the age of 18.
   e. No occupant shall sit on the sides of a boat when the boat is in motion.
   f. All boats entering the main waterway of the lake shall turn to the right. All boats in the main waterway during fast boating hours shall keep to the right.
   g. Any driver of a boat pulling any kind of device behind the boat must be a licensed driver over the age of 18.
   h. No person shall sit on the front of a boat with feet, legs, hands, arms, or head dangling off the boat while the boat is in motion at any time.

7. FAST BOATING
   a. Engine Size – Maximum boat engine size is limited to seventy-five (75) horsepower, regardless of boat type.
   b. Fast Boating Hours – Rocky Fork Lake shall be open for fast boating in the main waterway from 10:30 A.M. to 6:30 P.M. Monday through Thursday and 10:30 A.M. to 7:00 P.M. on Friday, Saturday, Sunday and legal holidays.
   c. Fast Boating Water Levels – Lake levels must be within the white area on the official water level marker to permit fast boating.
   d. All fast boating shall occur in the main waterway, which is the area of the lake located between the north and south "No Wake-Idle Speed" buoy signs and twenty-five (25) feet from the shoreline of the lake. Fast boating is not allowed in any of the coves of the lake. The south buoy shall be located at mid-lake, even with the point edge of the docks on Lots W-8 and E-9; the north buoy shall be located at mid-lake, even with the center of the ravine on Lot W-71 and the property line between Lots E-71 and E-72. These buoys shall be placed by the Lake Rules Chairperson or his/her designee and shall not be moved by any other Club member.
e. Motorized boats causing a wake must stay twenty-five (25) feet from docks and shorelines.

8. WATER SKIING AND TOWING SPORTS DURING FAST BOATING HOURS

a. Any person skiing or being towed behind a boat must wear a USCG approved life vest.

b. A “spotter” (other than the driver) is required when skiing or towing to watch the person(s) behind the boat. The spotter is required to wave an orange flag when a skier or tuber is down in the water.

c. A fallen skier should hold up a hand or ski to be more visible to oncoming boats or boats behind the skier.

d. Skiers and persons being towed on any device must stay at least 25 feet from docks, shorelines, and other boats.

e. Skiers should start in the straightaways, thus avoiding congestion in the major turnaround areas. Inexperienced skiers should start in the wider areas of the main waterway to avoid congestion in the turn areas.

f. Skiers who start or stop skiing behind the north and south idle speed zones may:
   1) begin when the front of the boat is just behind the sign; and
   2) drop off in idle zones as soon as the skier has passed the sign. During the drop off, the boat must drive straight into the idle zone and reduce to idle speed as soon as the skier has passed the sign.

g. Do not dock a boat with ski ropes, etc., in the water. Ski ropes should be recovered when a skier stops skiing.

h. If possible, do not stop your boat in the traffic pattern. Drivers should pull over to the side of the lake or go above or below the established pattern if they have trouble or decide to rest.

i. No driver of a boat shall cause the boat to go in repeated circular turns, also known as donuts, if there is MORE than one other fast boat anywhere on the lake. Boats must remain 25 feet from the shore.

j. No more than two devices shall be pulled behind any boat. No more than a total of three (3) persons shall be on those two devices.

k. Towing passengers on inner tubes, rubber rafts, or any device not specifically designed and manufactured to be towed by boats is prohibited.

l. Tubing rules are as follows:
   1) The LENGTH of the tow rope should be 45 feet or less from attachment to the boat. (A normal ski rope is 75 feet long.)
2) The BOAT SPEED SHOULD NOT EXCEED 15 MPH when towing children or 25 MPH when towing adults.

3) Remember that it is the boat driver who controls where the tube goes. This is different from skiing, where the skier can maintain control. Drivers towing devices should be familiar with the lake, the turns, and how tubes maneuver.

9. SLOW BOATING

   a. Slow boating is required on the entire lake between 6:30 P.M. and 10:30 A.M. the following morning.

   b. Slow boating, or idle speed, means that the boat is operating with no wash, no wake, and proceeding at the slowest possible speed without the engine dying.

   c. When there is fast boating, any boat or watercraft at anchor or operating at slow or idle speed should stay close to shore, in the coves, or a safe distance from such fast boating activity. See 8.f.2. above in regard to fast boats.

10. Sailing is not permitted during fast boating hours, when there is fast boating activity.

11. Jet skis, or any jet-powered vehicles, are prohibited on the lake.

G. FISHING

1. Only members, members’ families, and houseguests are permitted to fish at Rocky Fork lakes.

2. All persons fishing at the Rocky Fork lakes shall comply with any restrictions approved by the Board of Directors regarding the types, sizes, and numbers of fish to be kept.

3. No goldfish, carp, or other rough fish minnow shall be used as bait for fishing in the lake at any time.

4. Ice holes for fishing shall be no more than eight (8) inches in diameter.

5. Unattended fishing lines with bobbers that keep fishing line on or near the surface of the water should not extend more than twenty (20) feet from shore, if they would cause a hazard to the propellers of other boats.

6. Any lot owner wishing to place trees or other approved items for fish cover in the lake should do so only after consultation with, and the approval of, the Chairperson of the appropriate committee and the Board of Directors.

H. SWIMMING

1. Only members, members’ families, and houseguests are permitted to swim at Rocky Fork lakes.
2. During fast boating hours, swimmers from lots located along the main waterway must stay within their lot boundaries and within twenty (20) feet of the shoreline.

3. Distance swimming shall be permitted only during slow boating hours. Swimmers must be accompanied by a person in a boat that stays within twenty (20) feet of the swimmer, and such person accompanying the swimmer must have an extra life preserver.

4. Swimming in the slow areas beyond the buoys will be allowed. Swimmers must stay within twenty (20) feet of the shore or within 25 feet of an anchored boat.

I. TRASH DISPOSAL

1. Club dumpsters are to be used by members only.

2. All trash and garbage put into the dumpsters must be bagged.

3. Items left outside the dumpsters must be labeled with the NAME and LOT NUMBER of the person leaving such items, who will be billed for the extra handling fee.

4. The following items SHALL NOT be disposed of at the dumpsters:
   a. Toxic or hazardous materials (paints, turpentine, oil, etc.)
   b. Refrigerators, freezers, air conditioners, or any appliance containing Freon.
   c. No vehicle (acid core) batteries or tires.

J. VIOLATIONS OF THE RULES AND PENALTIES

1. A Safety Patrol will be appointed by the Board of Directors. The Safety Patrol is authorized to issue citations for violations of these Rules and will notify the Board when citations have been issued.

2. For violations of the Rules and Regulations of the subdivisions, as set out in the Article of Restrictions, the Articles of Incorporation, the Building Regulations and Restrictions, the Bylaws, and the General Club and Lake Rules, in addition to other remedies available, the Board may conduct hearings and impose penalties pursuant to the following procedure:
   a. Upon notification by the Safety Patrol or otherwise that the Rules or Regulations may have been violated, or upon receipt of a written complaint filed by a member, the Board must notify the alleged violator in writing of the complaint. The Board will determine whether the alleged violation or complaint warrants a hearing.
   b. If a hearing is to be held on the matter, the Board must notify the alleged violator of the date, time, and location of the hearing, which will be at the next regularly-scheduled Board meeting or at a special meeting called for that purpose. Notice of the date, time, and location of the hearing will be sent by certified mail, return receipt requested, at least twenty (20) days before the hearing.
c. The Board must consider the matter on the date of the scheduled hearing. If the matter cannot be resolved at that time, the matter may be postponed until the next regularly-scheduled Board meeting or special meeting called for that purpose. Only one such postponement is allowed, and then the matter must be resolved.

d. A quorum of the Board must be present at the hearing, and a minimum of five (5) votes is required to impose a continuing monetary penalty or temporarily suspend privileges.

e. A fine of not more than $250.00 may be assessed by the Board for a one-time, single violation. For violations that are ongoing, the Board may, at its option, impose a fine for the first day of the violation and, in addition, assess a fine of not more than $25.00 per day for each day that the violation continues.

f. The Board is empowered to deny the use of the lake and the common property for a period not to exceed ninety (90) days in any given calendar year for any continuing violation. A two-thirds (2/3) vote of the total Board is required to deny any member such use of the lake and common property. If the owner is not present at the time of the decision, the lot owner will be notified of such action by certified mail, return receipt requested. If, in addition to the denial of use of the lake and common property, the Board recommends that a member be expelled from membership in the Club, then such action must be approved by the membership at an annual meeting or other meeting of the members as provided by Article 12(c) of the Articles of Incorporation.

3. All fines, costs, interest charges, annual dues, and any special assessments shall be a personal obligation of the owner and/or violator. A lien against the real estate owned by such person may be filed for the collection of these obligations. Fines for violations by guests are attributable to the host and the host's property. At least annually, liens for nonpayment of these obligations will be recorded in the Miscellaneous Records, Parke County Recorder's Office. Nonpayment will be grounds for denying use of all common properties, even if such liens are released by judicial action, such as bankruptcy or tax sale. All costs or fees associated with the filing and clearing of such liens shall be the responsibility of the person originally responsible for payment.


/John Doe/ August 2012