FIRST SUPPLEMENTAL
DECLARATION OF CONDOMINIUM OWNERSHIP
OF
STONES BAY

THIS FIRST SUPPLEMENTAL DECLARATION, made this ___ day of February, 1999, by CJB STONES BAY, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

A. As of November 17, 1998, Declarant executed a certain Declaration of Condominium Ownership of Stones Bay, filed of record in the Office of the Recorder of Johnson County, Indiana on November 20, 1998 as Instrument No. 1998-032978, (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Stones Bay Owners Association, Inc. (the "Articles") and the Code of By-Laws of Stones Bay and Stones Bay Owners Association, Inc. (the "By-Laws");

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Stones Bay Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 2 ("Tract 2") in Exhibit "A", attached hereto and incorporated herein and Tract 2 is included in the area into which expansion of Stones Bay may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Stones Bay into Tract 2 have been met and Declarant, by execution of this First Supplemental Declaration, desires to subject Tract 2 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Stones Bay Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").
DECLARATION

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

   "Tract 2 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Building and Condominium Units located on Tract 2), as prepared and certified by Brian S. Tierney, a licensed professional engineer, under date of February 11, 1999, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

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

2. **Expansion of Stones Bay Condominium.** Declarant hereby expressly declares that Tract 2 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Stones Bay Condominium is thereby expanded to include Tract 2 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units on Tract 2 as of the date hereof, as shown on the Tract 2 Plans (the "Tract 2 Plans"). Such Building is identified on the Tract 2 Plans as Building 2. A description of the Building and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby
made a part hereof by this reference and the Tract 2 Plans shall be deemed part of the Plans as defined in the Declaration.

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

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant or occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 2 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this First Supplemental Declaration were recorded on the 3RD day of February, 1999, in the Office of the Recorder of Johnson County, Indiana as Document No. 1999007339.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT:  

CJB STONESBAY, L.L.C.

BY: Charles A. Burnworth, Managing Member

PLEASE SEE ACKNOWLEDGEMENT – NEXT PAGE
STATE OF INDIANA

COUNTY OF DELAWARE

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

Witness my hand and Notarial Seal this 15th day of FEBRUARY, 1999.


ROBERT WORDINGER, Notary Public

My County of Residence: Delaware

EXHIBIT "A"

(Perimeter Legal Description of "Tract 2" to consist of Building "2")

A part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 13 North, Range 3 East, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of said Quarter Quarter Section; thence South 00°04'01" East along the East line of said Quarter Quarter Section 1340.88 feet to the Southeast corner of said Quarter Quarter Section; thence South 88°17'26" West along the South line of said Quarter Quarter Section 1322.05 feet to the Southwest corner of said Quarter Quarter Section; thence North 00°04'14" West along the West line of said Quarter Quarter Section 889.89 feet to the Point of Beginning of the herein described real estate; thence continuing North 00°04'14" West along the West line of said Quarter Quarter Section 185.00 feet, thence North 90°00'00" East 259.72 feet; thence South 00°04'14" East a distance of 185.00 feet; thence North 90°00'00" West a distance of 259.72 feet to the Point of Beginning, containing 1.103 acres, more or less.
EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 2" as certified by project Engineer)
EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 12.50% as of the date of this First Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Stones Bay as provided in the Declaration.
CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 2, as defined in the above and foregoing Declaration, which mortgage was dated August 1, 1997, and recorded in the Office of the Recorder of Johnson County, Indiana on August 5, 1997, as Instrument No. 97-016998, and said Mortgage being Modified on August 26, 1998 in Instrument No. 98-24240 (the "Mortgage"), hereby consents to the recording of the above and foregoing First Supplemental Declaration and the submission of Tract 2 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 16th day of February, 1999.

GENEA LEASING ASSOCIATES, INC.

By: [Signature]

Printed: John F. Slade
Title: Vice President

STATE OF ILLINOIS

COUNTY OF Kane

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

Witness my hand and Notarial Seal, this 16th day of February, 1999.

My County of Residence: Kane

My Commission Expires: 7-15-02

"OFFICIAL SEAL"
TANYA M. BURNIDGE
Notary Public, State of Illinois
My Commission Expires 7/15/02
SECOND SUPPLEMENTAL DECLARATION OF CONDOMINIUM OWNERSHIP OF STONES BAY

THIS SECOND SUPPLEMENTAL DECLARATION, made this 6th day of August, 1999, by CJB STONES BAY, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS


B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Stones Bay Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 3 ("Tract 3") in Exhibit "A", attached hereto and incorporated herein and Tract 3 is included in the area into which expansion of Stones Bay may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Stones Bay into Tract 3 have been met and Declarant, by execution of this Second Supplemental Declaration, desires to subject Tract 3 to the Declaration in order to include certain completed buildings, condominium units and other
improvements and land in the Stones Bay Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

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

"Tract 3 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Building and Condominium Units located on Tract 3), as prepared and certified by Gregory S. Snelling, a licensed professional engineer, under date of August 5, 1999, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

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

2. **Expansion of Stones Bay Condominium.** Declarant hereby expressly declares that Tract 3 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Stones Bay Condominium is thereby expanded to include Tract 3 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

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

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

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant or occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 3 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Second Supplemental Declaration were recorded on the 128th day of August, 1999, in the Office of the Recorder of Johnson County, Indiana as Document No. 124024495.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB STONES BAY, L.L.C.

BY: Charles J. Burnworth, Managing Member

PLEASE SEE ACKNOWLEDGEMENT – NEXT PAGE
STATE OF INDIANA )
COUNTY OF DELAWARE )

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

Witness my hand and Notarial Seal this 6th day of AUGUST, 1999.


[Signature]
ROBERT WORDINGER, Notary Public

My County of Residence: Delaware

EXHIBIT "A"

(Perimeter Legal Description of "Tract 3" to consist of Building "3")

A part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 13 North, Range 03 East of the Second Principal Meridian, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter of the Northeast Quarter of said Section 14; thence on and along the East line of said Quarter-Quarter Section, South 00°04'01" East 1340.88 feet to the Southeast corner of said Quarter-Quarter Section; thence on the South line of said Quarter-Quarter Section, South 88°17'26" West 1322.05 feet to the Southwest corner of said Quarter-Quarter Section; thence on the West line of said Quarter-Quarter Section, North 00°04'14" West 889.89 feet; thence South 90°00'00" East 259.72 feet; thence parallel with the West line of said Quarter-Quarter Section, North 00°04'14" West 185.00 feet to the Point of Beginning of the herein described real estate; thence continuing North 00°04'14" West 273.60 feet to a point in the North line of said Quarter-Quarter Section; thence on and along said North line, North 88°17'00" East 257.31 feet; thence South 00°04'01" East 281.31 feet; thence South 90°00'00" West 257.19 feet to the Point of Beginning, containing 1.638 acres, more or less.
EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 3" as certified by project Engineer)
EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 8.333% as of the date of this Second Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Stones Bay as provided in the Declaration.
CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 3, as defined in the above and foregoing Declaration, which mortgage was dated August 1, 1997, and recorded in the Office of the Recorder of Johnson County, Indiana on August 5, 1997, as Instrument No. 97-016998, and said Mortgage being Modified on August 26, 1998 in Instrument No. 98-24240 (the "Mortgage"), hereby consents to the recording of the above and foregoing Second Supplemental Declaration and the submission of Tract 3 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 6th day of AUGUST, 1999.

GENEVA LEASING ASSOCIATES, INC.

By: ________________________________
Printed: John F. Slade
Title: Senior Vice President

STATE OF ILLINOIS )
COUNTY OF KANE ) SS:

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

Witness my hand and Notarial Seal, this 6th day of AUGUST, 1999.

My Country of Residence: Kane

Notary Public - Signature: ________________________________
Notary Public - Printed: TANYA M. BURNIDGE

My Commission Expires: ________________________________
THIRD SUPPLEMENTAL DECLARATION OF CONDOMINIUM OWNERSHIP OF STONES BAY

THIS THIRD SUPPLEMENTAL DECLARATION, made this 8 day of September, 1999, by CJB STONES BAY, L.L.C., an Indiana limited liability company (the "Declarant"),

RECATALS


B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Stones Bay Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 4 ("Tract 4") in Exhibit "A", attached hereto and incorporated herein and Tract 4 is included in the area into which expansion of Stones Bay may be made by Declarant under Paragraph 16 of the Declaration;
D. All conditions relating to the expansion of Stones Bay into Tract 4 have been met and Declarant, by execution of this Third Supplemental Declaration, desires to subject Tract 4 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Stones Bay Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

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

"Tract 4 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Building and Condominium Units located on Tract 4), as prepared and certified by Gregory S. Snelling, a licensed professional engineer, under date of September 3, 1999, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

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

2. Expansion of Stones Bay Condominium. Declarant hereby expressly declares that Tract 4 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Stones Bay Condominium is thereby expanded to include Tract 4 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.
3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units on Tract 4 as of the date hereof, as shown on the Tract 4 Plans (the "Tract 4 Plans"). Such Building is identified on the Tract 4 Plans as Building 4. A description of the Building and the Condominium Units contained therein is set forth in **Exhibit "B"**, attached hereto and hereby made a part hereof by this reference and the Tract 4 Plans shall be deemed part of the Plans as defined in the Declaration.

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

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant or occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 4 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Third Supplemental Declaration were recorded on the 17th day of September, 1999, in the Office of the Recorder of Johnson County, Indiana as Document No. 1999-027481.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB STONES LLP, L.L.C.

BY: Charles J. Burnworth, Managing Member

PLEASE SEE ACKNOWLEDGEMENT – NEXT PAGE
STATE OF INDIANA
COUNTY OF DELAWARE

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

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


ROBERT WORDINGER, Notary Public

My County of Residence: Delaware

EXHIBIT "A"

(Perimeter Legal Description of "Tract 4" to consist of Building "4")
A part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 13 North, Range 3 East, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter of the Northeast Quarter of said section 14; thence on and along the East line of said Quarter-Quarter section, South 00°04'01" East 1340.86 feet to the Southeast corner of said Quarter Quarter Section; thence on the South line of said Quarter Quarter Section South 86°17'26" West 1322.05 feet to the Southwest corner of said Quarter Quarter Section; thence on the West line of said Quarter Quarter Section North 00°04'14" West 869.99 feet; thence South 90°00'00" East 253.72 feet to the POINT OF BEGINNING; thence North 00°04'14" West 185.00 feet, thence North 90°00'00" East 257.19 feet to a point on the West line of land described in a Deed to Mount Asylum Methodist Church, recorded in Deed Book 125, page 527 in the office of the Johnson County Recorder; thence on said West line, South 00°04'01" East 10.09 feet to the Southwest corner of said land; thence continuing South 00°04'01" East 174.31 feet; thence South 90°00'00" West 257.18 feet to the Point of Beginning, containing 1.092 acres, more or less, subject to rights-of-way easements, and restrictions.
EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 4" as certified by project Engineer)
EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 6.25% as of the date of this Third Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Stones Bay as provided in the Declaration.
CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 4, as defined in the above and foregoing Declaration, which mortgage was dated August 1, 1997, and recorded in the Office of the Recorder of Johnson County, Indiana on August 5, 1997, as Instrument No. 97-016998, and said Mortgage being Modified on August 26, 1998 in Instrument No. 98-24240 (the “Mortgage”), hereby consents to the recording of the above and foregoing Third Supplemental Declaration and the submission of Tract 4 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 7th day of SEPTEMBER, 1999.

GENEVA LEASING ASSOCIATES, INC.

By: ____________________________
Printed: John F. Slade
Title: Senior Vice President

STATE OF ILLINOIS
) SS:
COUNTY OF KANE

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

Witness my hand and Notarial Seal, this 7th day of SEPTEMBER, 1999.

My County of Residence: Kane

My Commission Expires:

TANYA M. BURNIDGE
Notary Public - Signature

Notary Public - Printed
FOURTH SUPPLEMENTAL DECLARATION OF CONDOMINIUM OWNERSHIP OF STONES BAY

THIS FOURTH SUPPLEMENTAL DECLARATION, made this 23rd day of November, 1999, by CJB STONES BAY, L.L.C., an Indiana limited liability company (the "Declarant"),

RECITALS

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Stones Bay Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 5 ("Tract 5") in Exhibit "A", attached hereto and incorporated herein and Tract 5 is included in the area into which expansion of Stones Bay may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Stones Bay into Tract 5 have been met and Declarant, by execution of this Fourth Supplemental Declaration, desires to subject Tract 5 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Stones Bay Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

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

"Tract 5 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Building and Condominium Units located on Tract 5), as prepared and certified by Gregory S. Snelling, a licensed professional engineer, under date of November 24, 1999, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).

The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.
2. **Expansion of Stones Bay Condominium.** Declarant hereby expressly declares that Tract 5 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Stones Bay Condominium is thereby expanded to include Tract 5 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units on Tract 5 as of the date hereof, as shown on the Tract 5 Plans (the "Tract 5 Plans"). Such Building is identified on the Tract 5 Plans as Building 5. A description of the Building and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 5 Plans shall be deemed part of the Plans as defined in the Declaration.

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

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant or occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 5 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Fourth Supplemental Declaration were recorded on the 9th day of November, 1999, in the Office of the Recorder of Johnson County, Indiana as Document No. 1999-034993.
IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT:  
CJB STONES BAY, L.L.C.

BY:  
Charles J. Burnworth, Managing Member

STATE OF INDIANA  )
SS:  )
COUNTY OF DELAWARE )

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

Witness my hand and Notarial Seal this 23rd day of NOVEMBER, 1999.

ERYN MASSEY-BIBBEE, Notary Public

My County of Residence: Delaware

EXHIBIT "A"

(Perimeter Legal Description of "Tract 5" to consist of Building "9")

A part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 13 North, Range 3 East, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter of the Northeast Quarter of said section 14; thence on and along the East line of said Quarter-Quarter section, South 00°04'01" East 1340.88 feet to the Southeast corner of said Quarter Quarter Section; thence on the South line of said Quarter Quarter Section South 88°17'26" West 1322.05 feet to the Southwest corner of said Quarter Quarter Section; thence on the West line of said Quarter Quarter Section North 00°04'14" West 518.01 feet to the POINT OF BEGINNING; thence North 00°04'14" West 371.88 feet, thence North 90°00'00" East 200.00 feet; thence South 00°04'14" East 157.69 feet; thence North 90°00'00" East 59.53 feet; thence South 00°00'00" West 214.19 feet; thence South 90°00'00" West 259.26 feet to the Point of Beginning, containing 2.00 acres, more or less, subject to rights-of-way easements, and restrictions.
EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 5" as certified by project Engineer)
EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 5.00% as of the date of this Fourth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Stones Bay as provided in the Declaration.
CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 5, as defined in the above and foregoing Declaration, which mortgage was dated August 1, 1997, and recorded in the Office of the Recorder of Johnson County, Indiana on August 5, 1997, as Instrument No. 97-016998, and said Mortgage being Modified on August 26, 1998 in Instrument No. 98-24240 (the "Mortgage"), hereby consents to the recording of the above and foregoing Fourth Supplemental Declaration and the submission of Tract 5 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 29th day of November, 1999.

GENEVA LEASING ASSOCIATES, INC.

By: [Signature]
Printed: John P. Slade
Title: Senior Vice President

STATE OF ILLINOIS

COUNTY OF KANE

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

Witness my hand and Notarial Seal, this 29th day of NOVEMBER, 1999.

My County of Residence: KANE
My Commission Expires: 7/15/02

Notary Public - Signature
Tanya M. Burnidge
Notary Public - Printed

[Seal]
FIFTH SUPPLEMENTAL DECLARATION OF CONDOMINIUM OWNERSHIP OF STONES BAY

THIS FIFTH SUPPLEMENTAL DECLARATION, made this 15th day of January, 2001, by CJB STONES BAY, L.L.C., an Indiana limited liability company (the "Declarant"),

RECATALS

of Incorporation of Stones Bay Owners Association, Inc. (the "Articles") and the Code of By-Laws of Stones Bay and Stones Bay Owners Association, Inc. (the "By-Laws");

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Stones Bay Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 6 ("Tract 6") in Exhibit "A", attached hereto and incorporated herein and Tract 6 is included in the area into which expansion of Stones Bay may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Stones Bay into Tract 6 have been met and Declarant, by execution of this Fifth Supplemental Declaration, desires to subject Tract 6 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Stones Bay Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

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

"Tract 6 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Building and Condominium Units located on Tract 6), as prepared and certified by Jonathon P. Moen, a licensed professional engineer, under date of January 9, 2001, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration).
The Declaration, the Articles and the By-Laws are incorporated herein by this reference and all capitalized terms used herein and not otherwise herein defined shall have the meaning ascribed to such terms in the Declaration, as amended.

2. **Expansion of Stones Bay Condominium.** Declarant hereby expressly declares that Tract 6 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Stones Bay Condominium is thereby expanded to include Tract 6 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units on Tract 6 as of the date hereof, as shown on the Tract 6 Plans (the "Tract 6 Plans"). Such Building is identified on the Tract 6 Plans as Building 10. A description of the Building and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 6 Plans shall be deemed part of the Plans as defined in the Declaration.

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

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant or occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit as if those provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 6 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the
buildings affected by this Fifth Supplemental Declaration were recorded on the 29th day of January, 2001, in the Office of the Recorder of Johnson County, Indiana as Document No. 2001-062489.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: CJB STONES BAY, L.L.C.

BY: [Signature]

Charles J. Burnworth, Managing Member

STATE OF INDIANA )
)
COUNTY OF DELAWARE )

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

Witness my hand and Notarial Seal this 15th day of JANUARY, 2001.

My Commission Expires: 3/25/2008

ERYN P. MASSEY, Notary Public

My County of Residence: Fountain

EXHIBIT "A"

(Perimeter Legal Description of "Tract 6" to consist of Building "10")

LAND DESCRIPTION TRACT 6

A part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 13 North, Range 3 East, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter of the Northeast Quarter of said section 14; thence on and along the East line of said Quarter-Quarter section, South 00°04'01" East 1340.88 feet to the Southeast corner of said Quarter Quarter Section; thence on the South line of said Quarter Quarter Section South 88°17'26" West 1322.05 feet to the Southwest corner of said Quarter Quarter Section; thence on the West line of said Quarter Quarter Section North 00°04'14" West 518.01 feet; thence North 90°00'00" East 259.26 feet to the POINT OF BEGINNING; thence North 00°00'00" West 214.19 feet, thence North 90°00'00" East 171.35 feet; thence South 41°21'23" East 119.73 feet; thence South 00°00'00" East 128.58 feet; thence South 90°00'00" West 255.06 feet to the Point of Beginning, containing 1.172 acres, more or less, subject to rights-of-way easements, and restrictions.
EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 6" as certified by project Engineer)
EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 4.00% as of the date of this Fifth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Stones Bay as provided in the Declaration.
CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 6, as defined in the above and foregoing Declaration, which mortgage was dated August 1, 1997, and recorded in the Office of the Recorder of Johnson County, Indiana on August 5, 1997, as Instrument No. 97-016998, and said Mortgage being Modified on August 26, 1998 in Instrument No. 98-24240 (the “Mortgage”), hereby consents to the recording of the above and foregoing Fifth Supplemental Declaration and the submission of Tract 6 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 25th day of January, 2001.

GENEVA LEASING ASSOCIATES, INC.

By: /s/ John F. Slade

Its: Senior Vice President

STATE OF ILLINOIS

) SS:

COUNTY OF DUPAGE

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


TANYA M. BURNIDGE, Notary Public

My Commission expires: 07/15/02
My County of Residence: Kane
SIXTH SUPPLEMENTAL DECLARATION OF CONDOMINIUM OWNERSHIP OF STONES BAY

THIS SIXTH SUPPLEMENTAL DECLARATION, made this 3rd day of October, 2001, by CJB STONES BAY, L.L.C., an Indiana limited liability company (the "Declarant"),

REQUITALS

of Stones Bay dated January 15, 2001 and recorded in the Recorders Office of Johnson County, Indiana on January 29, 2001 as Instrument No. 2001-002490 and Tract 6 Floor Plans recorded in the Office of the Recorder of Johnson County, Indiana on January 29, 2001 as Instrument No. 2001-002489; (as amended, the "Declaration"), which Declaration incorporates by reference the Articles of Incorporation of Stones Bay Owners Association, Inc. (the "Articles") and the Code of By-Laws of Stones Bay and Stones Bay Owners Association, Inc. (the "By-Laws");

B. Pursuant to Paragraph 16 of the Declaration and I.C. 32-1-6-12.1 of the Indiana Horizontal Property Law, the Stones Bay Condominium is an expandable horizontal property regime;

C. Declarant is the sole owner of the fee simple title to that portion of Real Estate more particularly described as Tract 7 ("Tract 7") in Exhibit "A", attached hereto and incorporated herein and Tract 6 is included in the area into which expansion of Stones Bay may be made by Declarant under Paragraph 16 of the Declaration;

D. All conditions relating to the expansion of Stones Bay into Tract 7 have been met and Declarant, by execution of this Sixth Supplemental Declaration, desires to subject Tract 7 to the Declaration in order to include certain completed buildings, condominium units and other improvements and land in the Stones Bay Condominiums, an Indiana horizontal property regime created by the Declaration pursuant to the Act (the "Regime").

DECLARATION

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

"Tract 7 Plans" means the site plan (depicting the general plan of development, the property being subjected to the Act, and the areas into which expansion of the condominium development may be made), and the floor plans (showing the layout, elevation, location, unit numbers and dimensions of the Building and Condominium Units located on Tract 7), as prepared and certified by Jonathon P. Moen, a licensed professional engineer, under date of September 28, 2001, copies of which are attached as Exhibit "B"; which Exhibit "B" supplements and amends Exhibit "D" to the Declaration (which Exhibit "D" to the
Declaration may be further supplemented and amended to reflect the further addition of Buildings and Condominium Units as contemplated by Paragraph 16 of the Declaration.

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

2. **Expansion of Stones Bay Condominium.** Declarant hereby expressly declares that Tract 7 and any and all Condominium Units, Buildings, Common Areas and Limited Areas located thereon are hereby made a part of and subject to the Declaration as if such originally had been included in the Declaration and shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Articles, the By-Laws and the rules and regulations as adopted by the Board of Directors, as each may be amended from time to time, and the Stones Bay Condominium is thereby expanded to include Tract 7 and all such Condominium Units, Buildings, Common Areas and Limited Areas located thereon as part of the Tract as defined in the Declaration.

3. **Description of Buildings.** There is one (1) Building containing four (4) Condominium Units on Tract 7 as of the date hereof, as shown on the Tract 7 Plans (the "Tract 7 Plans"). Such Building is identified on the Tract 7 Plans as Building 22. A description of the Building and the Condominium Units contained therein is set forth in Exhibit "B", attached hereto and hereby made a part hereof by this reference and the Tract 7 Plans shall be deemed part of the Plans as defined in the Declaration.

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

5. **Acceptance and Ratification.** The acceptance of a deed of conveyance or the act of occupancy of a Condominium Unit shall constitute an agreement that the provisions of this Supplemental Declaration, the Declaration, the Articles, the By-Laws and any rules and regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by each Owner, tenant or occupant, and all such provisions shall be covenants running with the land and shall bind any person having at any time any interest or estate in a Condominium Unit as if those
provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

6. **Tract 7 Floor Plans.** Pursuant to Indiana Code 32-1-6-12, the floor plans of the buildings affected by this Sixth Supplemental Declaration were recorded on the _____ day of October, 2001, in the Office of the Recorder of Johnson County, Indiana as Document No. _____________.

IN WITNESS WHEREOF, the undersigned has caused this Declaration to be executed the date and year first above written.

DECLARANT: 

CJB STONES BAY, L.L.C.

BY: [Signature]

Charles J. Burnworth, Managing Member

STATE OF INDIANA )

)SS:

COUNTY OF DELAWARE )

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

Witness my hand and Notarial Seal this 3rd day of OCTOBER, 2001.

My Commission Expires: 12/08/2006

ROBERT WORDINGER, Notary Public

My County of Residence: Delaware
This Instrument prepared by Kay B. McClure, Closing Department Manager, CJB Enterprises, Inc., Agent for CJB Stones Bay, LLC, 3417 West Bethel Avenue, Suite "E", Muncie, Indiana 47304, (765) 286-4444.
EXHIBIT "A"

(Perimeter Legal Description of "Tract 7" to consist of Building "22")

LAND DESCRIPTION TRACT 7

A part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 13 North, Range 3 East, Johnson County, Indiana, being more particularly described as follows:

COMMENCING at the Northeast corner of the Northeast Quarter of the Northeast Quarter of said section 14; thence on and along the East line of said Quarter-Quarter section, South 00°04'01" East 1340.88 feet to the Southeast corner of said Quarter Quarter Section; thence on the South line of said Quarter Quarter Section South 88°17'26" West 1322.05 feet to the Southwest corner of said Quarter Quarter Section; thence on the West line of said Quarter Quarter Section North 00°04'14" West 393.85 feet to the POINT OF BEGINNING; thence continuing on the West line of said Quarter Quarter Section North 00°04'14" West 124.16 feet; thence North 90°00'00" East 258.84 feet; thence South 00°00'00" West 124.16 feet; thence South 90°00'00" West 258.69 feet to the POINT OF BEGINNING, containing 0.738 acres, more or less, subject to rights-of-way easements and restrictions..
EXHIBIT "B"
(Site Plan and Floor Plans of Building on "Tract 7" as certified by project Engineer)
EXHIBIT "C"

The Percentage Interest appertaining to each of the respective Condominium Units is 3.14% as of the date of this Sixth Supplemental Declaration. Such Percentage Interest shall be subject to adjustment and alteration upon further expansion of Stones Bay as provided in the Declaration.
CONSENT OF MORTGAGEE

THE UNDERSIGNED, Geneva Leasing Associates, Inc. being the holder of an existing mortgage on Tract 7, as defined in the above and foregoing Declaration, which mortgage was dated August 1, 1997, and recorded in the Office of the Recorder of Johnson County, Indiana on August 5, 1997, as Instrument No. 97-016998, and said Mortgage being Modified on August 26, 1998 in Instrument No. 98-24240 (the “Mortgage”), hereby consents to the recording of the above and foregoing Sixth Supplemental Declaration and the submission of Tract 7 to the provisions of the Horizontal Property Act of the State of Indiana, and further agrees that the Mortgage shall be subject to the provisions of the Act and the above and foregoing Declaration, the Exhibits attached thereto, and the documents incorporated therein as well as to future Amendments adding additional phases to the Regime pursuant to the expandable provisions of said Declaration. This Consent is not intended to constitute as a release of the Mortgage as to the real estate described in the Mortgage. The Mortgage shall remain in full force and effect as to said real estate therein described, as such description is modified and made subject to the Declaration of Horizontal Property Ownership.

EXECUTED this 4th day of October, 2001.

GENEVA LEASING ASSOCIATES, INC.

By: [Signature]
Printed: John F. Slade
Title: Senior Vice President

STATE OF ILLINOIS
COUNTY OF DuPage

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

Witness my hand and Notarial Seal, this 4th day of OCTOBER, 2001.

My County of Residence: Kane
Notary Public - Signature: [Signature]
My Commission Expires: 7-15-02

My Commission Expires: 7-15-02