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AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS OF THE COMMONS PROPERTY OWNERSHIP

This Amendment to the Declaration of Covenants and Restrictions of the Commons Property Ownership ("Declaration") recorded on July 28, 1992 in the office of the Recorder of Johnson County, Indiana, and located in Book 64, Page 884, is dated as of the 12th day of November, 1998, but effective as of December 2, 1996, and is being executed and filed by the undersigned in accordance with and having satisfied all requirements for the adoption of an Amendment of Declaration pursuant to the Paragraph 18 of the Declaration.

The Declaration is hereby amended as follows:

1. The meaning of the term "quorum", wherever such term shall be used throughout the Declaration or the by-laws or any documents incorporated therein or attached thereto, shall be amended to represent twenty-five percent (25%) of lot owners, in person or by proxy.
2. The number of lot owners required for any action by the Commons Homeowners Association, Inc. ("Association"), wherever such number shall be referred to throughout the Declaration or the by-laws or any documents incorporated therein or attached thereto, shall be amended to represent a majority of lot owners in person or by proxy at a meeting of the Association.
3. Paragraph 18(a)(vi) of the Declaration shall be amended as follows:

Additional Special Amendments. No amendment to this Declaration shall be adopted which imposes a right to first refusal or similar restriction or which changes (1) the method of voting, or (2) reserves for, and responsibility for, maintenance, repair and replacement of the Common Area, Landscape Islands, Landscape and Non-Access Easement and Pockets, or (3) right to use Common Areas, Landscape Islands, Landscape and Non-Access Easement and Right-of-Way pockets, or (4) annexation of property to the "TRACT" (other than as provided in Paragraph 19), or (5) the lease of Dwelling Units, or (6) termination of the applicability of this Declaration, or (7) any provisions which are for the express benefit of the Mortgagees without the consent of at least sixty-six and two thirds percent (66 2/3%) of the votes of the Owners for the first twenty (20) years after recording of this Declaration and thereafter at least a majority of the votes of Owners and the consent of Mortgagees holding mortgages on fifty percent (50%) of the Dwelling Units subject to mortgages.

4. All other terms of the Declaration shall remain in full force and effect.

Recorded Johnson County, Indiana
Jean Harmon, Recorder
Date 12/28/1998 Time 12:26:04 1 of 2 P:
Inst # 1998-037460 OFF
Fee Amt: 15.00

IN WITNESS WHEREOF, the undersigned have executed this Amendment to Declaration of Covenants and Restrictions of the Commons Property Ownership as of the date first above written.

COMMONS HOMEOWNERS ASSOCIATION, INC., an Indiana nonprofit corporation.

By: *Mark Egan*
MARK EGAN, President

By: *Darcy K. Troville*
Darcy K. Troville, Secretary/Treasurer

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared MARK EGAN and Darcy K. Troville, the President and Secretary/Treasurer, respectively, of Commons Homeowners Association, Inc., an Indiana corporation, who acknowledged the execution of the above and foregoing Amendment to Declaration of Covenants and Restrictions of the Commons Property Ownership on behalf of said corporation.

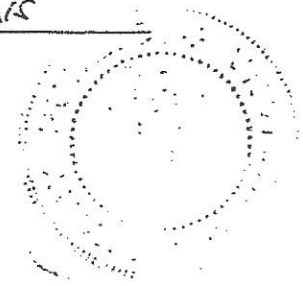
Witness my hand and Notarial Seal this 12th day of November, 1998.

Angela E. Stephens
(Signature) Notary Public

ANGELA E. STEPHENS
(Printed)

My Commission Expires:
10-15-06

My County of Residence:
Marion



This instrument prepared by Jeffrey A. Abrams, Attorney at Law, Dann Pecar Newman & Kleiman, 2300 One American Square, Box 82008, Indianapolis, Indiana 46282.