

8/25/76

79291.

BOOK 095 PAGE 59

AMENDED DECLARATION
OF
LaSALLE'S WOODS CONDOMINIUM
PHASE III EXPANSION

Filed For Record September 16, 1976
Recorded in Book 95,
Pages 59 Through 77,
In the Office of the Recorder
of Monroe County, Indiana.

Consisting of 18 Pages,
Numbered 1 Through 9,
And Exhibit "A" Through "E".

Prepared by

Glen B. Hardyman
KENNEDY, COVINGTON, LOBDELL & HICKMAN
3300 NCNB Plaza
Charlotte, North Carolina 28280

and

Randolph L. Foxworthy
HENDERSON, DAILY & FOXWORTHY
2450 One Indiana Square
Indianapolis, Indiana 46204

A.M. 10:25 P.M. _____

✓ SEP 14 1976 ✓
✓ Emily M. Wade
RECORDER MONROE CO., IND.

AMENDED DECLARATION

OF

LaSALLE'S WOODS CONDOMINIUM
PHASE III EXPANSION

THIS SECOND AMENDED DECLARATION, and the Exhibits which are attached hereto and made a part hereof, are made and executed this 16th day of Sept., 1976 by CASLON DEVELOPMENT COMPANY, an Indiana General Partnership composed of Lake Monroe Corporation, Indun Realty, Inc. and Reynwood Development Corporation, hereinafter called the "Declarant," for itself, its successors, grantees and assigns, pursuant to the provisions of the Indiana Horizontal Property Act and in accordance with the terms and provisions of Paragraph 30(c) of that certain Declaration of Condominium for LaSalle's Woods-Phase I Condominium duly filed for record on October 24, 1974 and recorded in Miscellaneous Book 88, at pages 117 through 188 of the Office of the Recorder of Monroe County, Indiana, and RANDOLPH L. FOXWORTHY, as "Attorney-in-Fact for Declarant" under reserved and irrevocable power of attorney set forth in said Paragraph 30(c) of said Declaration of Condominium hereinabove described.

Statement of Purpose

By Declaration of Condominium dated October 23, 1974 and recorded on October 24, 1974 as Document Number 62544 in the Office of the Recorder of Monroe County, Indiana in Miscellaneous Book 88 at pages 117 through 188 [hereinafter referred to (as amended as described below) as the "Declaration"] the Declarant submitted certain real property to the provisions of the Horizontal Property Act of the State of Indiana, Act 1963, Chapter 349, Sections 1 through 41 as amended and created the condominium form of ownership with respect to an initial four noncontiguous multi-unit residential buildings located on the real property described therein containing an aggregate of 38 separate Units all as more particularly described in Paragraph 5 of said Declaration. Under the terms of the Declaration, the Declarant reserved the right to annex certain real estate designated as the "Development Area" and described in Exhibit F to said Declaration and thereby to add additional or new Units to said Condominium. Pursuant to such reserved right the Declarant added certain real property and Condominium Units located thereon by means of "Amended Declaration of LaSalle's Woods Condominium, Phase II Expansion" dated March 9, 1975 and recorded on April 14, 1975 as Document Number 65710 in the Office of the

Recorder of Monroe County, Indiana in Miscellaneous Book 89 at pages 464 through 482 (the Declaration, as amended, being hereinafter referred to as the "Declaration"). The Declarant is the owner of and wishes to add to the "Present Condominium Area" the real property described in Paragraph 2 below, and the Condominium Units which have been constructed thereon, which such real estate is presently a part of the "Development Area" referred to in the Declaration thereby adding New Units and New Common Areas and Facilities to the Existing Units and Existing Common Areas and Facilities created by the Declaration.

NOW, THEREFORE, the Declarant, and its Attorney-in-Fact named herein, for the purposes hereinafter set forth, pursuant to the provisions set forth in Paragraph 30(c) of the Declaration hereinabove described and in accordance with and by means of the powers therein reserved or conferred upon it, and conferred upon its Attorney-in-Fact who has joined in the execution of this Agreement, hereby amends and supplements said Declaration in the following respects:

1. Definitions.

The definitions used and set forth in the Declaration shall be applicable to this Amended Declaration provided, however, the term "Property" or "Condominium Property" shall for all purposes now be deemed to include the real property added hereby as Phase III and references to Units and Common Areas and Facilities shall include the New Units and New Common Areas and Facilities as described and set forth herein.

2. Declaration.

Declarant and Declarant's Attorney-in-Fact hereby expressly declare that the real property described in and identified on Exhibit A attached hereto and the Buildings and other improvements erected and to be erected thereon and all articles of personal property intended for common use in connection therewith shall be and hereby are annexed to and shall be and hereby become a part of the LaSalle's Woods Condominium as if such had originally been included in the Declaration and the same shall hereafter be held, transferred, sold, conveyed and occupied subject to the covenants, restrictions and provisions of the Declaration, the Act, the Bylaws and Rules and Regulations as adopted from time to time in connection with the Condominium Property all as may be amended from time to time, said Declaration and the Exhibits attached thereto being incorporated herein by reference and made a part hereof as though fully set out herein.

3. Description of Phase I, Phase II and Phase III Property.

Paragraph 4 of the Declaration shall be deemed amended, and is hereby amended, so that henceforth the Condominium Property shall consist of the Phase I and Phase II property described in the Declaration and the Phase III property described in Exhibit A attached hereto (a composite description of the Phase I, Phase II and Phase III real property being attached hereto and made a part hereof as Exhibit B).

4. Description of Buildings.

The Buildings and Existing Units described in Paragraph 5 of the Declaration is hereby amended by adding the Buildings and New Units as herein set forth.

LaSalle's Woods-Phase III will consist of three (3) non-contiguous multi-unit residential Buildings. The Buildings are designated numerically 9, 10 and 11 as shown on the Master Site Plan, a copy of which is attached hereto and made a part hereof as Exhibit C, which such Master Site Plan further shows (i) the location of Phase I and Phase II and (ii) the location of each Building on the real property described in Exhibit A attached hereto and constituting Phase III of LaSalle's Woods and its location with respect to every other Buildings thereon and the ceiling and floor elevations of each New Unit. The three (3) Buildings contain a total of 19 separate New Units consisting of 12 basic floor plan types designated by the legend on the Plans and specifications attached hereto as Exhibit D as floor plan types A, B, C, C-M, D through G, PH-A, PH-B, PH-C and PH-D.

The number of stories in each of said Buildings, the number of New Units and the type of New Units and basements are as follows:

<u>Building Designation</u>	<u>No. of Units By Type</u>	<u>Total Units in Building</u>	<u>Basements</u>	<u>Stories</u>
9	1 Type E Unit	6	Yes	1st
	4 Type C-M Units		None	1st
	1 Type D Unit		Yes	1st
10	2 Type PH-A Units	6	None	1st
	2 Type PH-B Units		None	1st
	1 Type PH-C Unit		None	1st
	1 Type PH-D Unit		None	1st

11	1 Type A Unit	None	1st
	1 Type B Unit	None	2nd
	1 Type C Unit	None	1st
	1 Type D Unit	None	1st
	1 Type E Unit	None	1st
	1 Type F Unit	None	1st
	1 Type G Unit	None	2nd
	7		

Said multi-unit Buildings and the New Units located therein are more particularly defined and described in the Plans and specifications of said Buildings, a copy of which Plans and specifications are attached hereto and made apart hereof as Exhibit D, showing all particulars of the Buildings, including the layout, the number of stories, the number of rooms, the location, Building designations, New Unit numbers and dimensions of the New Units. Such Plans bear the verified statement of Maitland/Strauss, Architects, P.C. certifying that said Plans are actual copies of portions of the Plans of the Buildings as filed with and approved by the municipal or other governmental subdivision having jurisdiction over the issuance of permits for the construction of Buildings. For a more particular description of the Buildings reference is hereby made to the Plans and specifications filed herewith as Exhibit D.

5. Description of Units/Percentage Interest in Common Areas and Facilities.

Paragraph 6 of the Declaration is hereby amended to reflect the addition of New Units and New Common Areas and Facilities in the manner set forth herein.

The Unit designation of each Condominium Unit, both Existing Units and New Units, the approximate area, and other data concerning its proper identification are set forth in Exhibit E attached hereto and made a part hereof. The percentage interest of each Unit, both Existing Units and New Units in the Common Areas and Facilities (both Existing Common Areas and Facilities and New Common Areas and Facilities) are based upon the square footage of each Condominium Unit (both Existing Units and New Units) as shown on said Exhibit E attached hereto in relationship to the total square footage of all Units (except the square footage of garages associated with PH Type floor plans is excluded). The percentage interest appurtenant to each Unit based upon the Aggregate Units and the Aggregate Common Areas and Facilities are specified on said Exhibit E attached hereto.

The percentage interests in the Aggregate Common Areas and Facilities are calculated on the basis as set forth in Paragraph 6 and Paragraph 30(c) of the Declaration and this reallocation is accomplished as follows:

(a) Declarant, and Declarant's Attorney-in-Fact, to the extent necessary, hereby exercise all rights of revocation conferred upon it/him by the Declaration and all powers of attorney granted to it/him by all Unit Owners of Existing Units and thereby divest such Existing Unit Owners of that portion of that Unit's share in the Existing Common Areas and Facilities which must be allocated to the New Units to attain the percentage interest in the Aggregate Common Areas and Facilities in each New Unit as shown on the aforesaid Exhibit E.

(b) Declarant, and the said Randolph L. Foxworthy as Attorney-in-Fact under irrevocable power of attorney created by Paragraph 30(c) of said Declaration, to the extent necessary, hereby exercise all powers of attorney granted to it/him and powers of appointment reserved by it/him and hereby grant, convey and set over to each Owner of each Existing Unit that share in the New Common Areas and Facilities which is necessary to attain for each Existing Unit the share in the Aggregate Common Areas and Facilities shown in the aforesaid Exhibit E.

(c) Any other means supportable in law or equity on the basis of the Declaration, the Deeds issued to each purchaser of an Existing Unit and this Amended Declaration.

The New Units added hereby shall be designated for purposes of identification in connection with all conveyances of the same as being a part of "LaSalle's Woods-Phase III."

6. Special Provision Affecting PH Floor Plan Type Units.

All Units utilizing floor plan types PH-A through PH-D include a garage, courtyard, and fenced in rear yard area. The provisions of Paragraphs 6, 8 and 10 of the Declaration shall be deemed modified and amended, with respect to said floor plan types, in the following respects:

(a) All garages attached to Units utilizing floor plan types PH-A through PH-D shall be deemed to be a portion of the Unit for purposes of the Declaration and shall be owned by the Owner thereof.

(b) All enclosed or fenced in courtyards, fenced in rear yards and applicable fencing associated with a Unit utilizing floor plan types PH-A through PH-D shall be deemed Limited Common Areas and Facilities for purposes of the Declaration. An Owner of such a Unit shall, subject to compliance with the provisions of Article VI §14 of the Bylaws, be entitled to construct permanent improvements within such fenced in rear yard. Such Owner shall be responsible for maintaining insurance, of the type and kind designated by the Board of Administration with respect to any such improvements.

(c) For purposes of computing the percentage interest of each Unit utilizing a "PH" type floor plan, the square footage of the associated garage is excluded.

7. Acceptance and Ratification.

The acceptance of a deed of conveyance, or the act of occupancy of any Units, whether Existing Units or New Units, shall constitute an agreement that the provisions of this Amended Declaration, the Declaration, the Act, the Bylaws and any Rules and Regulations adopted pursuant thereto, as each may be amended from time to time, are accepted and ratified by such 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 any Unit or the Condominium Property as if such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease thereof.

8. Floor Plans.

The Plans and specifications setting forth the layout, location, identification number, Building designation and dimensions for all the New Units, and the Property identified in this Amended Declaration as Exhibit A, are incorporated into the Declaration, are added to the Plans heretofore filed with the Declaration, and have been filed in the Office of the Recorder of Monroe County, Indiana in Horizontal Property Plan File No. 1 on 9/16/76, 1976 as Instrument No. 79291.

Except as set forth herein, the Declaration and all Exhibits thereto shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this Declaration to be executed by its partners, and the said Attorney-in-Fact has hereunto set his hand and seal for the purposes herein set forth, all as of the day and year first above written.

CASLON DEVELOPMENT COMPANY, an
Indiana General Partnership, by

[CORPORATE SEAL]
ATTEST:

By

LAKE MONROE CORPORATION

By

President

[CORPORATE SEAL]
ATTEST:

By

INDUN REALTY, INC.

By

Vice President

[CORPORATE SEAL]

ATTEST:

By Richard A. Montano
SEC. Y.

REYNWOOD DEVELOPMENT CORPORATION

By Peter L. Strauss
President

"DECLARANT"

- and -

Randolph L. Foxworthy [SEAL]
RANDOLPH L. FOXWORTHY

"ATTORNEY-IN-FACT FOR DECLARANT"

STATE OF INDIANA)
COUNTY OF MONROE) SS:

Before me, a Notary Public in and for said County and State, personally appeared LeBRUN N. SMITH and GUINETTE K. McKNIGHT, by me known and known by me to be the President and Secretary respectively of LAKE MONROE CORPORATION, who acknowledged the execution of the above and foregoing Amended Declaration for and on behalf of said Corporation.

1976. WITNESS my hand and Notarial Seal this 10th day of Sept.

Jane P. Keelen
NOTARY PUBLIC

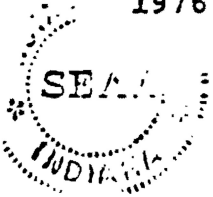
My Commission Expires:
JANE P. KEELLEN
My Commission Expires
August 6, 1978

STATE OF INDIANA)
COUNTY OF MARION) SS:

BOOK 085 PAGE 87

Before me, a Notary Public in and for said County and State, personally appeared Paul E. Prews and Jenora Love, by me known and known by me to be the Vice President and Assistant Secretary respectively of INDUN REALTY, INC., who acknowledged the execution of the above and foregoing Amended Declaration for and on behalf of said Corporation.

WITNESS my hand and Notarial Seal this 13th day of Sept., 1976.



Paul E. Prews
NOTARY PUBLIC

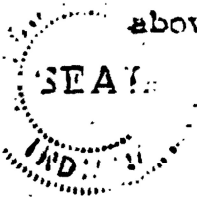
My Commission Expires:

June 30, 1980

STATE OF INDIANA)
COUNTY OF MARION) SS:

I HEREBY CERTIFY that on the 13th day of Sept., 1976, before me the subscriber a Notary Public in and for the State and County aforesaid, personally appeared RANDOLPH L. FOXWORTHY, who is personally well known to me as the person executing the foregoing Amended Declaration, and acknowledged the same to be his act and deed as Attorney-in-Fact for Declarant.

WITNESS my hand and Notarial Seal the day and year first above written.



Paul E. Prews
NOTARY PUBLIC

My Commission Expires:

June 30, 1980

STATE OF CONNECTICUT)
COUNTY OF FAIRFIELD)

SS: Greenwich

BOOK 085 PAGE 88

Before me, a Notary Public in and for said County and State, personally appeared PETER L. STRAUSS and RICHARD A. MAITLAND, by me known and known by me to be the President and Secretary respectively of REYNWOOD DEVELOPMENT CORPORATION, who acknowledged the execution of the above and foregoing Amended Declaration for and on behalf of said Corporation.

WITNESS my hand and Notarial Seal this 31st day of Aug, 1976.

William J. Maguire
NOTARY PUBLIC

My Commission Expires:

31 March 1978

CONSENT OF FIRST MORTGAGEE

BOOK 085 PAGE 89

The undersigned, being the owner and holder of a first mortgage and/or security interest in the Property described in Exhibit A attached hereto and made a part hereof does hereby consent to the recordation of this Amended Declaration and the imposing of the provisions hereof and the provisions of the Indiana Horizontal Property Act to said real property described in Exhibit A, and said mortgagee does hereby consent and agree that from and after this date, the provisions of the Declaration, this Amended Declaration, including all exhibits and amendments hereto, shall be superior to the lien of the undersigned's mortgage on said Property described in Exhibit A.

[CORPORATE SEAL]

INDIANA MORTGAGE CORPORATION

ATTEST:

[Signature]
Assistant Secretary

By [Signature] President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared G. Fredrick W. [Signature] and Lenore Lowe, by me known and known by me to be the President and Assistant Secretary, respectively, of INDIANA MORTGAGE CORPORATION, who acknowledged the execution of the above and foregoing Consent for and on behalf of said Corporation.

WITNESS my hand and Notarial Seal this 19th day of Sept., 1976.

[Signature]
NOTARY PUBLIC

My Commission Expires:

June 30, 1980

CONSENT OF SECOND MORTGAGEE

BOOK 085 PAGE 70

The undersigned, being the owner and holder of a second mortgage and/or security interest in the Property described in Exhibit A attached hereto and made a part hereof does hereby consent to the recordation of this Amended Declaration and the imposing of the provisions hereof and the provisions of the Indians Horizontal Property Act to said real property described in Exhibit A, and said mortgagee does hereby consent and agree that from and after this date, the provisions of the Declaration, this Amended Declaration, including all exhibits and amendments hereto, shall be superior to the lien of the undersigned's mortgage on said Property described in Exhibit A.

[CORPORATE SEAL]

INDUN REALTY, INC.

WITNESSETH:

James E. Love
Assistant Secretary

By

Karl E. Plesner
Vice President

STATE OF INDIANA)

) SS:

COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Karl E. Plesner and James E. Love, by me known and known by me to be the Vice President and Assistant Secretary, respectively, of INDUN REALTY, INC., who acknowledged the execution of the above and foregoing Consent for and on behalf of said Corporation.

WITNESS my hand and Notarial Seal this 13 day of Sept., 1976.

Pauline Marie Dougherty
NOTARY PUBLIC

My Commission Expires:

June 30, 1980

EXHIBIT A

TO AMENDED DECLARATION OF
LaSALLE'S WOODS CONDOMINIUM
FOR PHASE III EXPANSION

BOOK 085 PAGE 71

[Metes and Bounds Description of Phase III Property]

Part of the East Half of Section 22, Township 7 North, Range 1 West, situated in Clear Creek Township, Monroe County, Indiana, more particularly described as follows:

Commencing at an existing stone taken as the center of Section 22, Township 7 North, Range 1 West; thence North $00^{\circ} 16' 05''$ East along the West line of said East Half 666.178 feet to a point; thence North 90° East 722.514 feet to a monument marking the point of beginning of the herein described tract; thence North $56^{\circ} 42' 27''$ East 211.24 feet to a monument; thence North $77^{\circ} 42' 09''$ East 350.157 feet to a monument; thence North $84^{\circ} 35' 15''$ East 245.662 feet to a monument; thence South $02^{\circ} 01' 16''$ West 71.083 feet to a monument; thence South $23^{\circ} 28' 36''$ West 64.622 feet to a monument; thence South $16^{\circ} 30' 17''$ West 56.498 feet to a monument; thence South $06^{\circ} 19' 04''$ West 62.138 feet to a monument; thence South $07^{\circ} 12' 23''$ West 60.00 feet to a monument; thence North $62^{\circ} 40' 13''$ West 89.48 feet to a monument; thence South $33^{\circ} 00' 00''$ West 40.00 feet to a monument; thence South $43^{\circ} 35' 31''$ East 55.913 feet to a monument; thence South $04^{\circ} 31' 24''$ East 163.00 feet to a monument; thence South $63^{\circ} 28' 36''$ West 81.914 feet to a monument; thence South $80^{\circ} 53' 31''$ West 108.418 feet to a monument; thence North $00^{\circ} 57' 23''$ West 296.42 feet to a monument at the point of curvature for a non-tangential curve to the right; thence Southeasterly along said curve having a radius of 245.807 feet and a chord of 139.626 feet and bearing South $73^{\circ} 31' 00''$ East for an arc distance of 141.574 feet to a monument at the point of tangency; thence North $33^{\circ} 00' 00''$ East 40.00 feet to a monument at the point of curvature for a non-tangential curve to the left; thence Northwesterly along said curve having a radius of 285.807 feet and a chord of 162.347 feet and bearing North $73^{\circ} 30' 00''$ West for an arc distance of 164.613 feet to a monument at the point of tangency; thence North $90^{\circ} 00' 00''$ West 155.00 feet to a monument at the point of curvature for a tangent curve to the left; thence Southwesterly along said curve having a radius of 234.484 feet and a chord of 176.411 feet and bearing South $67^{\circ} 54' 12''$ West for an arc distance of 180.861 feet to a monument at the point of tangency; thence South $45^{\circ} 48' 24''$ West 50.20 feet to a monument; thence North $51^{\circ} 09' 26''$ West 10.00 feet to a monument; thence South $37^{\circ} 54' 36''$ West 173.948 feet to a monument; thence South $28^{\circ} 52' 07''$ East 10.68 feet to a monument; thence South $40^{\circ} 35' 34''$ West 80.73 feet to a monu-

(cont'd. on Page 2)

ment at the point of curvature for a tangent curve to the left; thence Southwesterly along said curve having a radius of 123.00 feet and a chord of 126.37 feet and bearing South 09° 40' 56" West for an arc distance of 132.715 feet to a monument at the point of tangency; thence South 16° 56' 00" East 123.718 feet to a monument at the point of curvature for a tangent curve to the right; thence Southwesterly along said curve having a radius of 97.71 feet and a chord of 155.037 feet and bearing South 33° 54' 27" West for an arc distance of 179.063 feet to a monument at the point of tangency; thence South 86° 05' 08" West 104.26 feet to a monument; thence North 02° 35' 32" West 84.00 feet to a monument; thence North 01° 03' 28" West 199.268 feet to a monument; thence North 87° 03' 22" East 145.129 feet to a monument; thence North 17° 35' 52" East 86.556 feet to a monument; thence North 40° 35' 34" East 97.063 feet to a monument; thence North 00° 04' 44" West 237.199 feet to the point of beginning, containing 5.25 acres and subject to all legal easements and rights-of-way.

The term monument as used in the above description is a 5/8" steel pin with an aluminum cap stamped LS No. 7749 thereon.

TO AMENDED DECLARATION OF
 LASALLE'S WOODS CONDOMINIUM
 FOR PHASE III EXPANSION

BOOK 085 PAGE 73

COMPOSITE LEGAL DESCRIPTION BY METES AND BOUNDS OF
 LASALLE'S WOOD'S SECTIONS I, II & III.

PART OF THE EAST HALF OF SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 WEST, SITUATED IN CLEAR CREEK TOWNSHIP, MONROE COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCING AT AN EXISTING STONE MARKING THE CENTER OF SAID SECTION 22, TOWNSHIP 7 NORTH, RANGE 1 WEST; THENCE NORTH 00°-16'-05" EAST ALONG THE WEST LINE OF SAID EAST HALF 885.067 FEET TO A MONUMENT; THENCE SOUTH 89°-48'-00" EAST 1484.754 FEET TO A MONUMENT MARKING THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACTS;

THENCE NORTH 68°-52'-22" EAST 60.00 FEET TO A MONUMENT; THENCE SOUTH 41°-34'-54" EAST 184.693 FEET TO A MONUMENT; THENCE SOUTH 00°-28'-07" EAST 146.36 FEET TO A MONUMENT; THENCE SOUTH 29°-50'-47" EAST 204.38 FEET TO A MONUMENT; THENCE SOUTH 22°-54'-28" EAST 200.609 FEET TO A MONUMENT; THENCE SOUTH 13°-46'-17" WEST 299.746 FEET TO A MONUMENT; THENCE SOUTH 26°-11'-04" WEST 77.586 FEET TO A MONUMENT; THENCE SOUTH 51°-37'-24" WEST 102.631 FEET TO A MONUMENT; THENCE SOUTH 68°-05'-38" WEST 92.204 FEET TO A MONUMENT; THENCE NORTH 42°-23'-20" WEST 107.97 FEET TO A MONUMENT; THENCE NORTH 10°-06'-32" WEST 144.027 FEET TO A MONUMENT; THENCE NORTH 68°-45'-10" WEST 48.933 FEET TO A MONUMENT; THENCE NORTH 46°-13'-35" WEST 166.512 FEET TO A MONUMENT; THENCE NORTH 36°-57'-36" WEST 182.765 FEET TO A MONUMENT; THENCE NORTH 06°-06'-23" WEST 28.502 FEET TO A MONUMENT; THENCE NORTH 00°-57'-23" WEST 296.42 FEET TO A MONUMENT; THENCE NORTH 90° WEST 155.00 FEET TO A MONUMENT AT THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 194.483 FEET AND A CHORD OF 146.317 FEET AND BEARING SOUTH 67°-54'-12" WEST FOR AN ARC DISTANCE OF 150.008 FEET TO A MONUMENT AT THE POINT OF TANGENCY; THENCE SOUTH 00°-46'-12" EAST 173.585 FEET TO A MONUMENT; THENCE SOUTH 65°-44'-46" WEST 35.50 FEET TO A MONUMENT; THENCE SOUTH 41°-07'-34" WEST 80.50 FEET TO A MONUMENT; THENCE NORTH 49°-24'-26" WEST 85.12 FEET TO A MONUMENT; THENCE NORTH 28°-52'-07" WEST 53.396 FEET TO A MONUMENT; THENCE SOUTH 40°-35'-34" WEST 80.73 FEET TO A MONUMENT AT THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE LEFT; THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 123.00 FEET AND A CHORD OF 126.37 FEET AND BEARING SOUTH 09°-40'-56" WEST FOR AN ARC DISTANCE OF 132.715 FEET TO A MONUMENT AT THE POINT OF TANGENCY; THENCE SOUTH 16°-56'-00" EAST 123.718 FEET TO A MONUMENT AT THE POINT OF CURVATURE FOR A TANGENT CURVE TO THE RIGHT; THENCE SOUTHWESTERLY ALONG SAID CURVE HAVING A RADIUS OF 97.71 FEET AND A CHORD OF 155.037 FEET AND BEARING SOUTH 33°-54'-27" WEST FOR AN ARC DISTANCE OF 179.063 FEET TO A MONUMENT AT THE POINT OF TANGENCY; THENCE SOUTH 86°-05'-08" WEST 104.26 FEET TO A MONUMENT; THENCE NORTH 02°-35'-32" WEST 84.00 FEET TO A MONUMENT; THENCE NORTH 01°-03'-28" WEST 199.268 FEET TO A MONUMENT; THENCE NORTH 87°-03'-22" EAST 145.129 FEET TO A MONUMENT; THENCE NORTH 17°-35'-52" EAST 86.556 FEET TO A MONUMENT; THENCE NORTH 40°-35'-34" EAST 97.063 FEET TO A MONUMENT; THENCE NORTH 00°-04'-44" WEST 237.199 FEET TO A MONUMENT; THENCE NORTH 56°-42'-27" EAST 211.24 FEET TO A MONUMENT; THENCE NORTH 77°-42'-09" EAST 350.157 FEET TO A MONUMENT; THENCE NORTH 84°-35'-15" EAST 245.662 FEET TO THE POINT OF BEGINNING, CONTAINING 14.833 ACRES.

THE TERM MONUMENT AS USED IN THE ABOVE DESCRIPTION IS A 5/8 INCH STEEL PIN WITH AN ALUMINUM CAP STAMPED LS No. 7749 THEREON.

PREPARED BY:

Gene W. Darnall

GENE W. DARNALL R.P.L.S. 77749

707 CLIFTY DR.

COLUMBUS, IN. 47201

AUGUST 4, 1976

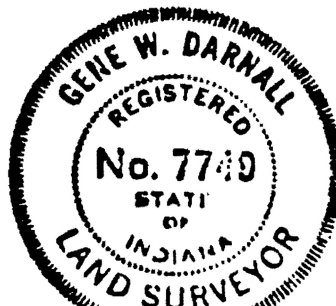


EXHIBIT C

TO AMENDED DECLARATION OF
LaSALLE'S WOODS CONDOMINIUM
FOR PHASE III EXPANSION

BOOK 085 PAGE 74

[Master Site Plan]

The plat of survey for LaSalle's Woods-Phase III dated JULY 13,
1976 prepared by Gene W. Darnell, Registered Land Surveyor, en-
titled "Master Site Plan, LaSalle's Woods-Phase III" and consist-
ing of one sheet, which was attached to this Declaration at the
time it was filed for record in the Office of the Recorder of
Monroe County, Indiana in Horizontal Property Plan File No. 1
as Instrument No. 79290 and said Master Site Plan as so filed
is incorporated herein by reference as though fully set out herein.

EXHIBIT D

TO AMENDED DECLARATION OF
LaSALLE'S WOODS CONDOMINIUM
FOR PHASE III EXPANSION

BOOK 085 PAGE 75

[As-Built Plans of LaSalle's Woods-Phase III]

The Plans and outline specifications for LaSalle's Woods-Phase III more particularly described in the architectural and related drawings for LaSalle's Woods-Phase III were attached to this Declaration at the time it was filed for record and are duly filed in the Office of the Recorder for Monroe County, Indiana in Horizontal Property Plan File No. ____/____ as Instrument No. 79291, reference to which is hereby made and said Plans and outline specifications as so filed are incorporated herein by reference as though fully set out herein.

EXHIBIT E

TO AMENDED DECLARATION OF LaSALLE'S WOODS CONDOMINIUM FOR PHASE III EXPANSION

BOOK 085 PAGE 70

UNIT DESIGNATION		UNIT TYPE	Approximate		
<u>Building</u>	<u>Unit</u>	<u>Floor Plan</u>	<u>Sq. Feet</u>	<u>Floor</u>	<u>Percentage</u>
1	D-1	D	1,852	1st	1.26580
1	C-2	C	1,478	1st	1.01018
1	C-3	C	1,478	1st	1.01018
1	C-4	C	1,478	1st	1.01018
1	A-5	A	938	1st	.64110
1	B-5	B	1,225	2nd	.83726
1	C-6	C	1,478	1st	1.01018
1	C-7	C	1,478	1st	1.01018
1	D-8	D	1,852	1st	1.26580
2	D-1	D	1,852	1st	1.26580
2	D-2	D	1,852	1st	1.26580
2	C-3	C	1,478	1st	1.01018
2	A-4	A	938	1st	.64110
2	B-4	B	1,225	2nd	.83726
2	D-5	D	1,852	1st	1.26580
2	D-6	D	1,852	1st	1.26580
2	D-7	D	1,852	1st	1.26580
3	F-1	F	1,470	1st	1.00471
3	G-1	G	1,735	2nd	1.18583
3	F-2	F	1,470	1st	1.00471
3	G-2	G	1,735	2nd	1.18583
3	F-3	F	1,470	1st	1.00471
3	G-3	G	1,735	2nd	1.18583
3	F-4	F	1,470	1st	1.00471
3	G-4	G	1,735	2nd	1.18583
3	F-5	F	1,470	1st	1.00471
3	G-5	G	1,735	2nd	1.18583
3	F-6	F	1,470	1st	1.00471
3	G-6	G	1,735	2nd	1.18583
3	F-7	F	1,470	1st	1.00471
3	G-7	G	1,735	2nd	1.18583
3	F-8	F	1,470	1st	1.00471
3	G-8	G	1,735	2nd	1.18583
4	E-1	E	2,058	1st	1.40659
4	D-2	D	1,852	1st	1.26580
4	C-3	C	1,478	1st	1.01018
4	D-4	D	1,852	1st	1.26580
4	E-5	E	2,058	1st	1.40659
5	E-1	E	2,058	1st	1.40659
5	D-2	D	1,852	1st	1.26580
5	D-3	D	1,852	1st	1.26580
5	E-4	E	2,058	1st	1.40659

UNIT DESIGNATION Building	Unit	UNIT TYPE Floor Plan	Approximate Sq. Feet	BOOK Floor	085 Percentage
6	E-1	E	2,058	1st	1.40659
6	D-2	D	1,852	1st	1.26580
6	C-S-3	C-S	1,551	1st	1.06001
6	D-4	D	1,852	1st	1.26580
6	E-5	E	2,058	1st	1.40659
7	E-1	E	2,058	1st	1.40659
7	D-2	D	1,852	1st	1.26580
7	D-3	D	1,852	1st	1.26580
7	A-4	A	938	1st	.64110
7	B-4	B	1,225	2nd	.83726
7	C-M-5	C-M	1,551	1st	1.06007
7	D-6	D	1,852	1st	1.26580
7	E-7	E	2,058	1st	1.40659
8	F-1	F	1,470	1st	1.00471
8	G-1	G	1,735	2nd	1.18583
8	F-2	F	1,470	1st	1.00471
8	G-2	G	1,735	2nd	1.18583
8	F-3	F	1,470	1st	1.00471
8	G-3	G	1,735	2nd	1.18583
8	F-4	F	1,470	1st	1.00471
8	G-4	G	1,735	2nd	1.18583
8	F-5	F	1,470	1st	1.00471
8	G-5	G	1,735	2nd	1.18583
9	E-1*	E	2,403	1st	1.64239
9	C-M-2	C-M	1,551	1st	1.06007
9	C-M-3	C-M	1,551	1st	1.06007
9	C-M-4	C-M	1,551	1st	1.06007
9	C-M-5	C-M	1,551	1st	1.06007
9	D-6*	D	2,230	1st	1.52415
10	PH-A-1	PH-A	1,266	1st	.86528
10	PH-A-2	PH-A	1,266	1st	.86528
10	PH-B-3	PH-B	1,425	1st	.97395
10	PH-B-4	PH-B	1,425	1st	.97395
10	PH-C-5	PH-C	1,541	1st	1.05324
10	PH-D-6	PH-D	2,387	1st	1.63146
11	A-1	A	938	1st	.64110
11	B-2	B	1,225	2nd	.83726
11	C-3	C	1,478	1st	1.01018
11	D-4	D	1,852	1st	1.26580
11	E-5	E	2,058	1st	1.40659
11	F-6	F	1,470	1st	1.00471
11	G-7	G	1,735	2nd	1.18583
14	E1-1	E1	989	1st	.67596
14	E2-1	E2	1,077	2nd	.73610
14	A-2	A	938	1st	.64110
14	B-2	B	1,225	2nd	.83726
14	C-M-3	C-M	1,551	1st	1.06007
14	D1-4	D1	989	1st	.67596
14	D2-4	D2	941	2nd	.64314

*Denotes Basement.

EXHIBIT E - Page 2

80033

FIRST AMENDMENT

095 PAGE 175

TO

AMENDED DECLARATION

OF

LaSALLE'S WOODS CONDOMINIUM
PHASE III EXPANSION

Filed For Record October 2, 1976
Recorded in Book 95,
Pages 125 Through 183,
In the Office of the Recorder
of Monroe County, Indiana.

Cross Reference to: Amended Declaration of
LaSalle's Woods Condominium Phase III Expansion

Recorded on September 16, 1976
Instrument No. 79291
Book 095, Pages 59 through 77
Office of Recorder of Monroe County, Indiana

Prepared by

Glen B. Hardyman
KENNEDY, COVINGTON, LOBDELL & HICKMAN
3300 NCNB Plaza
Charlotte, North Carolina 28280

and

Randolph L. Foxworthy
ENDERSON, DAILY & FOXWORTHY
2450 One Indiana Square
Indianapolis, Indiana 46204

A.M. 9:25 P.M.

OCT 7 1975

FIRST AMENDMENT TO AMENDED DECLARATION

OF

095 PAGE 176

LaSALLE'S WOODS CONDOMINIUM
PHASE III EXPANSION

This First Amendment to the Second Amended Declaration of LaSalle's Woods Condominium, and the exhibits attached hereto are made and executed this 6th day of October 1976 by Caslon Development Company, an Indiana general partnership, composed of Lake Monroe Corporation, Indun Realty, Inc., and Reynwood Development Corporation, hereinafter called the "Declarant", for itself, its successors, grantees and assigns, pursuant to the provisions of the Indiana Horizontal Property Act, and in accordance with the terms and provisions of Paragraph 30 of that certain Declaration of Condominium for LaSalle's Woods - Phase I Condominium duly filed for record on October 24, 1974, and recorded in Misc. Book 88 at pages 117 through 188 in the office of the Recorder of Monroe County, Indiana, and Randolph L. Foxworthy as "Attorney-In-Fact for Declarant" under reserved irrevocable power of attorney set forth in said Paragraph 30 of said Declaration of Condominium.

Statement of Purpose

By Amended Declaration of LaSalle's Woods Condominium - Phase III Expansion recorded on September 16, 1976, as Instrument Number 79291 in the office of the Recorder of Monroe County, Indiana, in Misc. Book 095 at pages 59 through 77 (hereinafter referred to as the Second Amended Declaration) the Declarant submitted certain

real property as therein described to the provisions of the Horizontal Property Act of the State of Indiana, and created the condominium form of ownership with respect to three noncontiguous multi-unit residential buildings located on the real property described in the Second Amended Declaration containing an aggregate of nineteen separate units. Attached to the Second Amended Declaration as Exhibit C was a Master Site Plan, LaSalle's Woods - Phase III consisting of one sheet which reflected the location and unit designation of the various units composing LaSalle's Woods - Phase III. By scriviner's error, certain unit designations on such Master Site Plan were incorrect and one purpose of this First Amendment is to file a new Exhibit C Master Site Plan to correct those unit designations. Also attached to the Second Amended Declaration as Exhibit E was a unit designation for each condominium unit within all phases of LaSalle's Woods reflecting the approximate area and the appropriate identification of the unit together with its percentage interest in Common Areas and Facilities. By scriviner's error, certain unit designations and square footage figures with respect to units in buildings 10 and 11 were incorrect and the second purpose of this First Amendment is to file a new Exhibit E containing correct information.

NOW, THEREFORE, the Declarant, and its Attorney-In-Fact named herein, for the purposes above set forth and in accordance with and by means of the powers reserved hereby further amend the Amended Declaration of LaSalle's Woods Condominium - Phase III Expansion as follows:

1. Substitution of Exhibits.

The Declarant hereby deletes from the Second Amended Declaration Exhibit C Master Site Plan originally filed therewith and substitutes Exhibit C Master Site Plan attached hereto and by reference made a part hereof.

The Declarant hereby deletes from the Second Amended Declaration Exhibit E originally filed therewith and substitutes Exhibit E attached hereto and by reference made a part hereof.

2. Except as set forth herein, the Second Amended Declaration and all exhibits thereto shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this Declaration to be executed by its partners, and the said Attorney-In-Fact has hereunto set his hand and seal for the purpose herein set forth, all as of the day and year first above written.

CASLON DEVELOPMENT COMPANY, an
Indiana General Partnership

By:
LAKE MONROE CORPORATION

[CORPORATE SEAL]

ATTEST:

By [Signature]

By

[Signature]

President

" D E C L A R A N T "

- and -

Randolph L. Foxworthy

RANDOLPH L. FOXWORTHY

[SEAL]

"ATTORNEY-IN-FACT FOR DECLARANT"

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

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Before me, a Notary Public in and for said County and State, personally appeared LeBRUN N. SMITH and GUINETTE K. MCKNIGHT, by me known and known by me to be the President and Secretary, respectively, of LAKE MONROE CORPORATION, a general partner of Caslon Development Company, who acknowledged the execution of the above and foregoing First Amendment to Amended Declaration for and on behalf of said Corporation as general partner of Caslon Development Company.

WITNESS my hand and Notarial Seal this 6th day of

October, 1976.

Jill Ann Woods
Notary Public

My Commission Expires:

October 14, 1979

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared RANDOLPH L. FOXWORTHY, who is personally well known to me as the person executing the foregoing First Amendment to Amended Declaration, and acknowledged the same to be his act and deed as Attorney-In-Fact for the Declarant.

WITNESS my hand and Notarial Seal the day and year first above written.

My Commission Expires:

JUNE P. KEELER

My Commission Expires

August 5, 1979

June P. Keeler
Notary Public

CONSENT OF SECOND MORTGAGE

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The undersigned, being the owner and holder of a second mortgage and/or security interest in the Property described in Exhibit A attached hereto and made a part hereof does hereby consent to the recordation of this First Amendment to Amended Declaration and the imposing of the provisions hereof and the provisions of the Indiana Horizontal Property Act to said real property described in Exhibit A, and said mortgagee does hereby consent and agree that from and after this date, the provisions of the Declaration, the original Amended Declaration and this First Amendment, including all exhibits and amendments hereto, shall be superior to the lien of the undersigned's mortgage on said Property described in Exhibit A.

[CORPORATE SEAL]

INDUN REALTY, INC.

ATTEST:

Senora Lowe
Assistant Secretary

By: James D. Faust
Vice President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared James D. Faust and Senora Lowe, by me known and known by me to be the Assistant Vice President and Assistant Secretary, respectively, of INDUN REALTY, INC., who acknowledged the execution of the above and foregoing Consent for and on behalf of said Corporation.

WITNESS my hand and Notarial Seal this 1st day of

October, 1976.

Cludia M. Laugher
Notary Public

My Commission Expires:

June 30, 1980

EXHIBIT C

TO AMENDED DECLARATION OF
LaSALLE'S WOODS CONDOMINIUM
FOR PHASE III EXPANSION

[Amended Master Site Plan]

The plat of survey for LaSalle's Woods-Phase III dated 10-7-76, 1976, prepared by Gene W. Darnell, Registered Land Surveyor, entitled "Master Site Plan, LaSalle's Woods-Phase III" and consisting of one sheet, which was attached to this First Amendment to Amended Declaration at the time it was filed for record in the Office of the Recorder of Monroe County, Indiana in Horizontal Property Plan File No. 80032 as Instrument No. 80032 and said Amended Master Site Plan as so filed is incorporated herein by reference as though fully set out herein.

EXHIBIT E

TO AMENDED DECLARATION OF
 LaSALLE'S WOODS CONDOMINIUM
 FOR PHASE III EXPANSION

095 182

UNIT DESIGNATION		UNIT TYPE	Approximate	Floor	Percentage
<u>Building</u>	<u>Unit</u>	<u>Floor Plan</u>	<u>Sq. Feet</u>		
1	D-1	D	1,852	1st	1.26580
1	C-2	C	1,478	1st	1.01018
1	C-3	C	1,478	1st	1.01018
1	C-4	C	1,478	1st	1.01018
1	A-5	A	938	1st	.64110
1	B-5	B	1,225	2nd	.83726
1	C-6	C	1,478	1st	1.01018
1	C-7	C	1,478	1st	1.01018
1	D-8	D	1,852	1st	1.26580
2	D-1	D	1,852	1st	1.26580
2	D-2	D	1,852	1st	1.26580
2	C-3	C	1,478	1st	1.01018
2	A-4	A	938	1st	.64110
2	B-4	B	1,225	2nd	.83726
2	D-5	D	1,852	1st	1.26580
2	D-6	D	1,852	1st	1.26580
2	D-7	D	1,852	1st	1.26580
3	F-1	F	1,470	1st	1.00471
3	G-1	G	1,735	2nd	1.18583
3	F-2	F	1,470	1st	1.00471
3	G-2	G	1,735	2nd	1.18583
3	F-3	F	1,470	1st	1.00471
3	G-3	G	1,735	2nd	1.18583
3	F-4	F	1,470	1st	1.00471
3	G-4	G	1,735	2nd	1.18583
3	F-5	F	1,470	1st	1.00471
3	G-5	G	1,735	2nd	1.18583
3	F-6	F	1,470	1st	1.00471
3	G-6	G	1,735	2nd	1.18583
3	F-7	F	1,470	1st	1.00471
3	G-7	G	1,735	2nd	1.18583
3	F-8	F	1,470	1st	1.00471
3	G-8	G	1,735	2nd	1.18583
4	E-1	E	2,058	1st	1.40659
4	D-2	D	1,852	1st	1.26580
4	C-3	C	1,478	1st	1.01018
4	D-4	D	1,852	1st	1.26580
4	E-5	E	2,058	1st	1.40659
5	E-1	E	2,058	1st	1.40659
5	D-2	D	1,852	1st	1.26580
5	D-3	D	1,852	1st	1.26580
5	E-4	E	2,058	1st	1.40659

UNIT DESIGNATION		UNIT TYPE	Approximate		095 PAGE 183
Building	Unit	Floor Plan	Sq. Feet	Floor	Percentage
6	E-1	E	2,058	1st	1.40659
6	D-2	D	1,852	1st	1.26580
6	C-S-3	C-S	1,551	1st	1.06001
6	D-4	D	1,852	1st	1.26580
6	E-5	E	2,058	1st	1.40659
7	E-1	E	2,058	1st	1.40659
7	D-2	D	1,852	1st	1.26580
7	D-3	D	1,852	1st	1.26580
7	A-4	A	938	1st	.64110
7	B-4	B	1,225	2nd	.83726
7	C-M-5	C-M	1,551	1st	1.06007
7	D-6	D	1,852	1st	1.26580
7	E-7	E	2,058	1st	1.40659
8	F-1	F	1,470	1st	1.00471
8	G-1	G	1,735	2nd	1.18583
8	F-2	F	1,470	1st	1.00471
8	G-2	G	1,735	2nd	1.18583
8	F-3	F	1,470	1st	1.00471
8	G-3	G	1,735	2nd	1.18583
8	F-4	F	1,470	1st	1.00471
8	G-4	G	1,735	2nd	1.18583
8	F-5	F	1,470	1st	1.00471
8	G-5	G	1,735	2nd	1.18583
9	E-1*	E	2,403	1st	1.64239
9	C-M-2	C-M	1,551	1st	1.06007
9	C-M-3	C-M	1,551	1st	1.06007
9	C-M-4	C-M	1,551	1st	1.06007
9	C-M-5	C-M	1,551	1st	1.06007
9	D-6*	D	2,230	1st	1.52415
10	PH-D-1	PH-D	2,387	1st	1.63146
10	PH-A-2	PH-A	1,266	1st	.86528
10	PH-B-3	PH-B	1,425	1st	.97395
10	PH-B-4	PH-B	1,425	1st	.97395
10	PH-A-5	PH-A	1,266	1st	.86528
10	PH-C-6	PH-C	1,541	1st	1.05324
11	E-1	E	2,058	1st	1.40659
11	D-2	D	1,852	1st	1.26580
11	C-3	C	1,478	1st	1.01018
11	A-4	A	938	1st	.64110
11	B-4	B	1,225	2nd	.87726
11	F-5	F	1,470	1st	1.00471
11	G-5	G	1,735	2nd	1.18583
14	E1-1	E1	989	1st	.67596
14	E2-1	E2	1,077	2nd	.73610
14	A-2	A	938	1st	.64110
14	B-2	B	1,225	2nd	.83726
14	C-M-3	C-M	1,551	1st	1.06007
14	D1-4	D1	989	1st	.67596
14	D2-4	D2	941	2nd	.64314