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(Flat Note)

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BOOK 231 Pg. 695

RECORDED
A.M. 11:35 P.M.
APR 11 1995
J. J. J. J.
RECORDER MONROE CO., IN

**FOURTH AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF
TAMARRON**

FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS made this 7 day of April, 1995, by Tamarron Limited Partnership, an Indiana limited partnership, and Thomas G. Bucci, hereinafter collectively referred to as ("Declarant").

Recitals

(A) On August 18, 1992, Declarant caused to be recorded a Declaration of Covenants, Conditions and Restrictions of Tamarron, in the office of the Recorder of Monroe County, Indiana, as Instrument No. 214046 in Miscellaneous Record No. 216 at pages 19 through 57, and subsequently amended by First Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron, recorded July 8, 1994 as Instrument No. 411086 in Miscellaneous Record 227. Pages 133-141, and Second Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron, recorded July 29, 1994 as Instrument No. 412340 in Miscellaneous Record 227, Pages 451-452, and Third Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron, recorded September 16, 1994 as Instrument No. 415232 in Miscellaneous Record 228, Pages 570-571, all in the Office of the Recorder of Monroe County, Indiana.

(B) This Fourth Amendment is being recorded for the purpose of amending Tract 1 of the legal description of Exhibit A attached to the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

Tract 1

All that portion of the South half of the Northeast quarter of Section Thirty-five (35) in Township Number Nine (9) North of Range One (1) West and lies North of Range One (1) West and lies North of the Morgantown Road supposing to contain Seventy (70) acres.

A part of the Northeast quarter of Section Thirty-five (35), Township Number Nine (9) North of Range One (1) West, containing about One (1) acre, more or less and lying West of the road leading from Bloomington Nashville in Brown County, Indiana, beginning as follows, to-wit: Commencing at about where the road enters said Northeast quarter, thence in a Northerly direction about twenty-six (26) rods, thence running in an Eastern direction to the center of said road; thence along and with said road to the place of beginning.

EXCEPTING THEREFROM the following described real estate as follows, to-wit: A strip of ground ten (10) rods in width off of the entire West side of the South half of the Northeast quarter of Section Number Thirty-five (35), Township Nine (9) North, Range One (1)

West, described as follows, to-wit: Commencing at the Northwest corner of the South half of the Northeast quarter of said Section Number Thirty-five (35); thence East along the line dividing the North and South halves of said Northeast quarter section a distance of ten (10) rods; thence South to the South line of said quarter section; thence West Ten (10) rods, more or less along the South line of said quarter section to the West line of said Northeast quarter of said Section Thirty-five (35), thence North along said quarter section line to the place of beginning and containing in said exception Five (5) acres, more or less.

ALSO EXCEPTING THEREFROM the following described real estate as follows, to-wit: A part of the Northeast quarter of Section 35, Township 9 North, Range 1 West, Bloomington Township, Monroe County, Indiana, being more particularly described as follows:

Commencing at the Northeast corner of said Northeast quarter section; thence on the East line of said quarter section South 00 degrees 00 minutes 00 seconds East 2325.25 feet; thence leaving said East line North 90 degrees 00 minutes 00 seconds West 1016.62 feet to the Southwest corner of Tamarron Phase I, Section Two as recorded in Instrument No. 215827, Plat Cabinet "C", Envelope 49 in the Office of the Recorder of Monroe County, Indiana, being the true point of beginning; thence South 53 degrees 19 minutes 01 seconds West 112.12 feet to the centerline of State Road 45; thence coincident with said centerline the following ten (10) courses and distances 1) North 83 degrees 02 minutes 53 seconds West 84.21 feet; 2) South 88 degrees 55 minutes 29 seconds West 178.39 feet; 3) South 85 degrees 31 minutes 16 seconds West 398.21 feet; 4) South 85 degrees 04 minutes 05 seconds West 152.15 feet; 5) South 84 degrees 07 minutes 43 seconds West 120.12 feet; 6) South 82 degrees 19 minutes 24 seconds West 68.48 feet; 7) South 80 degrees 14 minutes 45 seconds West 67.47 feet; 8) South 78 degrees 37 minutes 55 seconds West 182.78 feet; 9) South 81 degrees 38 minutes 45 seconds West 112.15 feet; 10) South 85 degrees 17 minutes 56 seconds West 63.85; thence leaving said centerline North 01 degrees 48 minutes 07 seconds East 1319.15 feet; thence South 87 degrees 23 minutes 11 seconds East 164.97 feet; thence South 87 degrees 23 minutes 11 seconds East 155.48 feet; thence South 11 degrees 51 minutes 52 seconds East 233.02 feet; thence South 05 degrees 12 minutes 45 seconds East 280.10 feet; thence South 87 degrees 11 minutes 51 seconds East 143.66 feet; thence South 78 degrees 36 minutes 07 seconds East 271.42 feet; thence South 61 degrees 45 minutes 01 seconds East 79.38 feet; thence South 40 degrees 56 minutes 47 seconds East 89.59 feet; thence South 66 degrees 33 minutes 43 seconds East 185.79 feet; thence South 72 degrees 13 minutes 43 seconds West 79.12 feet; thence North 81 degrees 56 minutes 12 seconds East 121.01 feet; thence South 74 degrees 16 minutes 05 seconds East 133.71 feet; thence North 44 degrees 52 minutes 22 seconds East 142.60 feet to the Westerly line of Tamarron Phase I as recorded in Instrument No. 214045, Plat Cabinet "C", Envelope 45, in the Office of the Recorder of Monroe County, Indiana; thence with said Westerly line the following three (3) courses and distances: 1) South 00 degrees 50 minutes 56 seconds East 270.03 feet; 2) South 82 degrees 41 minutes 39 seconds West 78.64 feet; 3) South 05 degrees 42 minutes 38 seconds East 140.70 feet to the point of

beginning, containing 25.38 acres, more or less.

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TAMARRON LIMITED PARTNERSHIP

By: TAMARRON DEVELOPMENT CORPORATION, General Partner

By: Thomas G. Bucci
Thomas G. Bucci, President

Thomas G. Bucci
Thomas G. Bucci, Individually

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Before me, a Notary Public, in and for said County and State, personally appeared Thomas G. Bucci, President of Tamarron Development Corporation, the General Partner of Tamarron Limited Partnership who acknowledged the execution of this *Fourth Amendment to Declaration of Covenants, Conditions and Restrictions* for and on behalf of Tamarron Limited Partnership and who having been duly sworn, stated that all facts set forth are true to the best of his knowledge, information and belief.

Dated this 7 day of April, 1995.

Name Printed:

Bernadette C. Mielski
BERNADETTE C. MIELSKI
Notary Public

I reside in Monroe County, Indiana.
My commission expires: 9-6-98

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 Thomas G. Bucci who acknowledged the execution of this *Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron* and who having been duly sworn, stated that all facts set forth are true to the best of his knowledge, information and belief.

Dated this 7 day of April, 1995.



Name Printed: Bernadette C. Melick
BERNADETTE C. MELICK
Notary Public

I reside in Monroe County, Indiana.
My commission expires: 9-6-98

This Instrument Prepared By: Rebecca T. Clendening, Mallor Clendening Grodner & Bohrer, 511 Woodscrest Drive, Post Office Box 5787, Bloomington, Indiana 47407-5787 (812) 336-0200.

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