



**AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
ORCHARD ESTATES SECTION THREE**

The Declaration of Covenants, Conditions and Restrictions for Orchard Estates Section Three dated December 15, 1993, and recorded on February 1, 1994, in Book 139 Page 727 in the office of the Recorder of Hendricks County, Indiana (hereinafter the "Covenants"), are hereby amended as follows:

Article XVIII, titled Amendments or Revocation, shall be deleted in its entirety and replaced with the following:

XVIII. Amendments

1. **Amendment by Association.** Except as otherwise provided in this Declaration or by applicable statute, amendments to this Declaration shall be proposed and adopted in the following manner:
 - a. **Resolution.** A resolution to adopt a proposed amendment may be proposed by the Board or Owners by a petition having in the aggregate at least two-thirds (2/3) of the total voting power of the Association.
 - b. **Notice.** Notice of the subject matter of any proposed amendment shall be included in the notice of the meeting at which the proposed amendment is to be considered.
 - c. **Meeting.** The resolution concerning a proposed amendment must be adopted by the designated vote at a meeting of the members of the Association duly called and held in accordance with the provisions of the by-laws of the Association.
 - d. **Adoption.** Any proposed amendment to this Declaration must be approved by a vote of not less than two-thirds (2/3) of the Owners.
2. **Recording.** Each Amendment to the Declaration made pursuant to Section 1 above shall be executed by the President or Vice President and Secretary of the Association. All amendments shall be recorded in the Office of the Recorder of Hendricks County, Indiana, and no amendment shall become effective until so recorded.

**UNANIMOUS WRITTEN CONSENT TO RESOLUTIONS
BY THE BOARD OF DIRECTORS
OF
ORCHARD ESTATES SECTION THREE HOMEOWNERS ASSOCIATION INC.**

WHEREAS, the members of the Orchard Estates Section Three Homeowners Association Inc. (the “Association”) desire to amend the Declaration of Covenants, Conditions, and Restrictions for Orchard Estates Section Three (the “Covenants”); and

WHEREAS, the Board of Directors of the Association provided notice of the proposed amendment to every Owner of a Lot at least thirty (30) days prior to approving said amendment; and

WHEREAS, a majority of the Owners of the Association voted their approval; therefore it is:

RESOLVED, that the Covenants are hereby amended as follows:

Article XVIII, titled Amendments or Revocation, shall be deleted in its entirety and replaced with the following:

XVIII. Amendments

1. **Amendment by Association.** Except as otherwise provided in this Declaration or by applicable statute, amendments to this Declaration shall be proposed and adopted in the following manner:
 - e. **Resolution.** A resolution to adopt a proposed amendment may be proposed by the Board or Owners by a petition having in the aggregate at least two-thirds (2/3) of the total voting power of the Association.
 - f. **Notice.** Notice of the subject matter of any proposed amendment shall be included in the notice of the meeting at which the proposed amendment is to be considered.
 - g. **Meeting.** The resolution concerning a proposed amendment must be adopted by the designated vote at a meeting of the members of the Association duly called and held in accordance with the provisions of the by-laws of the Association.
 - h. **Adoption.** Any proposed amendment to this Declaration must be approved by a vote of not less than two-thirds (2/3) of the Owners.

2. **Recording.** Each Amendment to the Declaration made pursuant to Section 1 above shall be executed by the President or Vice President and Secretary of the Association. All amendments shall be recorded in the Office of the Recorder of Hendricks County, Indiana, and no amendment shall become effective until so recorded.

ADOPTED THIS 4th DAY OF March, 2023

BOARD OF DIRECTORS

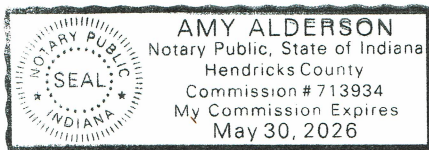
ORCHARD ESTATES SECTION THREE HOMEOWNERS ASSOCIATION INC.

<u>Name</u>	<u>Signature</u>	<u>Date</u>
Carol Hubbard President	<u>Carol Hubbard</u>	<u>3/4/2023</u>
Tom Roeder Vice President	<u>Tom Roeder</u>	<u>3/4/2023</u>
Jeanna Overbey Secretary/ Treasurer	<u>Jeanna Overbey</u>	<u>3/4/2023</u>

STATE OF INDIANA)
)SS:
COUNTY OF HENDRICKS)

Before me, a Notary Public in and for said County and State, on this 4 day of March, 2023 personally appeared Carol Hubbard, Jeanna Overbey, and Tom Roeder, the Board of Directors of Orchard Estates Section Three Homeowners Association Inc., who acknowledged the execution of the above and foregoing as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal.



Amy Alderson
Printed: Amy Alderson
Notary Public
County of Residence: Hendricks
My Commission Expires: May 30, 2026

This instrument was prepared by Gregory C. Irby of Irby Law LLC, 47 West Marion Street, Danville, Indiana 46122; Telephone: (317) 745-3301.

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY,
THAT I HAVE TAKEN REASONABLE CARE TO REDACT
EACH SOCIAL SECURITY NUMBER IN THIS
DOCUMENT, UNLESS REQUIRED BY LAW."

NAME Carol Hubbard
Carol Hubbard