



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

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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 (hereafter the "Covenants"), are hereby amended as follows:

The following Article XX, titled Accessory Storage Buildings (Mini Barns), shall be added to the Covenants:

**XX. Accessory Storage Buildings (Mini Barns)**

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

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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 Homeowners Association (the "Covenants"); and

The following Article XX, titled Accessory Storage Buildings (Mini Barns), shall be added to the Covenants:

WHEREAS, the Declaration governs the use and development of lots within Orchard Estates – Section Three; and

WHEREAS, the proposed amendment was presented and considered at a duly called membership meeting of the Orchard Estates Section Three Homeowners Association held on July 15, 2026; and

WHEREAS, the Owners / Members of the Association have considered a proposal to permit certain accessory storage buildings, commonly referred to as "mini barns," subject to specific size, placement, design, construction, maintenance, and approval requirements; 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, following consideration of the proposed amendment, the required approval of not less than two-thirds (2/3) of the Owners was obtained, with twenty one (21) affirmative votes from the twenty-nine (29) Owners; it is therefore:

RESOLVED, that the Covenants are hereby amended as follows:

WHEREAS, Article XVIII of the Declaration provides the procedure for amendment of the Declaration and requires an adopted amendment to be executed by the President or Vice President and the Secretary of the Association and recorded with the Recorder of Hendricks County, Indiana;

NOW, THEREFORE, pursuant to Article XVIII of the Declaration, the Declaration is hereby amended to permit accessory storage buildings (hereafter "Mini Barns") subject to the following requirements:

#### 1. PRIOR APPROVAL

All Mini Barns shall receive prior written approval from the Architectural Review Committee ("ARC") before installation.

Each request submitted to the ARC shall include:

- Plans or specifications for the proposed Mini Barn;
- Proposed materials and color scheme;
- Exact dimensions, including length, width, and height; and
- A rough sketch or site plan showing the proposed placement of the Mini Barn on the lot.

#### 2. SIZE RESTRICTIONS

A Mini Barn shall:

- Have a maximum footprint of twelve (12) feet by twenty (20) feet;
- Have a minimum footprint of six (6) feet by eight (8) feet;
- Have walls with a maximum height of nine (9) feet; and

- Have walls with a minimum height of four (4) feet measured from the floor to the ceiling, excluding the roof.

### 3. PLACEMENT

Mini Barns shall be located in the rear yard only.

The specific location of each Mini Barn on the lot shall be subject to prior written approval by the ARC.

No more than one (1) Mini Barn shall be permitted per lot.

### 4. DESIGN AND MATERIALS

Mini Barns shall be permanent structures constructed of quality materials, including wood or masonry.

The exterior materials, colors, and architectural style shall be consistent with the exterior of the primary residence and/or the established standards of Orchard Estates – Section Three.

The roof shall be of the same general style and color as the primary residence.

Mini Barn doors shall be a minimum of three (3) feet and a maximum of six (6) feet in width.

Overhead garage-style doors shall not be permitted.

Windows and porches are permitted but are not required.

## 5. EXTERIOR AND LANDSCAPING REQUIREMENTS

There shall be no visible open space between the Mini Barn structure and the ground.

Appropriate wood-type skirting may be used to conceal any such space.

All Mini Barns shall be appropriately landscaped and painted or otherwise finished within sixty (60) days of installation, weather permitting.

## 6. MAINTENANCE

The Owner of the lot shall be responsible for maintaining the Mini Barn in good condition, including its repair, cleanliness, appearance, paint or finish, landscaping, and structural integrity.

## 7. COMPLIANCE WITH GOVERNMENTAL REQUIREMENTS

All Mini Barns shall comply with all applicable City, County, and State laws, ordinances, zoning regulations, building requirements, permits, and other governmental requirements.

Approval by the ARC or the Association shall not relieve an Owner from obtaining any permit or approval otherwise required by governmental authorities.

## 8. ARCHITECTURAL REVIEW COMMITTEE AUTHORITY

ARC approval shall be required before construction or installation of any Mini Barn. The ARC shall review proposed Mini Barns for compliance with this Amendment and the applicable covenants, restrictions, and community standards.

## 9. EFFECTIVE DATE

This Amendment has been adopted in accordance with Article XVIII of the Declaration and, upon execution by the authorized officers of the Orchard Estates Section Three Homeowners Association – and recording with the Recorder of Hendricks County, Indiana, shall constitute an amendment to the Declaration.

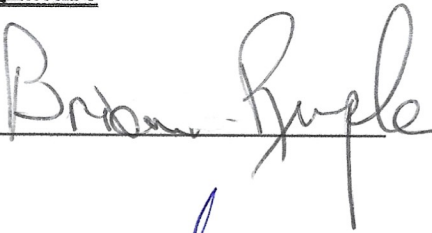
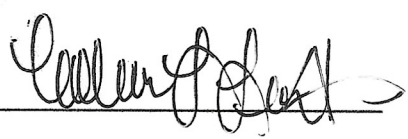
This Amendment shall become effective upon recording.

IN WITNESS WHEREOF, the undersigned authorized officers of the Orchard Estates Property Owners Association – Phase 3 execute this Amendment pursuant to Article XVIII of the Declaration.

ADOPTED THIS 2nd DAY OF October, 2026.

BOARD OF DIRECTORS

ORCHARD ESTATES SECTION THREE HOME OWNERS ASSOCIATION INC.

|                                                     | <u>Signature</u>                                                                     | <u>Date</u>    |
|-----------------------------------------------------|--------------------------------------------------------------------------------------|----------------|
| <b>Brian Rumble</b><br><b>President</b>             |  | <u>10.2.26</u> |
| <b>Nic Steadman</b><br><b>Vice President</b>        |   | <u>10.2.26</u> |
| <b>Coleen Leath</b><br><b>Secretary / Treasurer</b> |  | <u>10.2.26</u> |

NOTARY ACKNOWLEDGMENT

State of Indiana       )  
                                  )SS:  
County of Hendricks )

Before me, a Notary Public in and for said County and State, on this 2<sup>nd</sup> day of October, 2026, personally appeared Brian Rumple, Nic Steadman, and Coleen Leath, the Board of Directors of the Orchard Estates Section Three Home Owners Association, Inc, who acknowledged the execution of the above and foregoing instrument on behalf of the Association as their free and voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal this 2<sup>nd</sup> day of October, 2026.

Printed Name: Sharon L. Rumple

Notary Public Sharon L. Rumple

County of Residence: \_\_\_\_\_

Commission Number: \_\_\_\_\_



My Commission Expires: \_\_\_\_\_

This instrument was prepared by Coleen Leath, Secretary / Treasurer of the Orchard Estates Section Three Home Owners Association, Inc, 518 Apple Blossom Way, Danville, IN, 317-626-3375, on October 2, 2026.

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

NAME Coleen Leath  
Coleen L Leath