

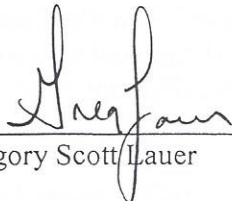


**NINTH AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF TAMARRON**

Recorded in the Office of the Recorder
of Monroe County, Indiana

Consisting of 7 pages,
including this cover page

I, Gregory Scott Lauer, 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.



Gregory Scott Lauer

This document prepared by Gregory Scott Lauer, Attorney at Law, Bloomington, Indiana

**NINTH AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF TAMARRON**

THIS NINTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF TAMARRON ("Ninth Amendment"), is made on this 4TH day of DECEMBER, 2018 by the **Tamarron Homeowner's Association, Inc.** ("Declarant"), shall be upon the recitals, terms and conditions contained herein.

RECITALS

WHEREAS, Declarant is the successor to Tamarron Limited Partnership, an Indiana limited partnership, and Thomas G. Bucci (collectively "Bucci");

WHEREAS, Bucci caused the original Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 214046 in Miscellaneous Book 216, Pages 19-57 on or about August 18, 1992 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused the First Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 411086 in Miscellaneous Book 227, Pages 133-141 on or about July 8, 1994 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused the Second Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 412340 in Miscellaneous Book 227, Pages 451-452 on or about July 29, 1994 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused the Third Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 415232 in Miscellaneous Book 228, Pages 570-572 on or about September 16, 1994 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused the Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 504135 in Miscellaneous Book 231, Pages 695-698 on or about April 11, 1995 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused a second Fourth Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 716576 in Miscellaneous Book 248, Pages 416-418 on or about October 1, 1997 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused the Fifth Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 717914 in Miscellaneous Book 248, Pages 414-415 on or about October 23, 1997 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused the Sixth Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 2003002948 on or about February 3, 2003 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused the Seventh Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 2004002873 on or about February 13, 2004 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, Bucci caused the Eighth Amendment to Declaration of Covenants, Conditions and Restrictions of Tamarron to be recorded as Instrument Number 2004002971 on or about February 17, 2004 in the Office of the Recorder, Monroe County, Indiana;

WHEREAS, the original Declaration of Covenants, Conditions and Restrictions of Tamarron and all of the aforementioned amendments thereto shall be collectively referred to herein as the "Declaration;"

WHEREAS, Declarant desires to again amend the Declaration as indicated herein in this Ninth Amendment;

WHEREAS, Declarant has the authority to amend the Declaration upon the approval of not less than seventy-five percent (75%) of the Owners in Tamarron as indicated by vote for that purpose; and

WHEREAS, at least seventy-five percent (75%) of the Owners in Tamarron have voted to approve this Ninth Amendment as indicated on the Secretary's Statement attached hereto as **Exhibit A** and incorporated herein;

NOW, THEREFORE, the Declarant, pursuant to the terms and conditions of Section 17.2 of the Declaration, hereby amends said Declaration as indicated in this Ninth Amendment.

TERMS AND CONDITIONS OF NINTH AMENDMENT

1. **Solar Devices.** Section 4.8 of the Declaration shall be amended by deleting the current Section 4.8 and replacing it with the following Section 4.8:

Section 4.8 Solar Devices. Subject to the prior written approval of the Board of Directors of Tamarron, certain solar devices designed for energy and/or heat collection/storage may be allowed upon or around a Building, Lot or Residence in Tamarron. Any request for approval must include a detailed design plan and such other information as may be required by

the Board of Directors of Tamarron. This Section 4.8 shall not prohibit the use of "passive" solar energy or geothermal loop systems which are buried in the ground.

2. **Notice.** Any and all sections of the Declaration, including but not limited to Sections 15.2 and 17.3 pertaining to notice of any type shall be amended by allowing for any such notice as follows:

All Applicable Sections **Notice.** Any notice required to be provided pursuant to the Declaration, in addition to any other notice manner allowed by the Declaration, may also be provided and sent by electronic mail addressed to the Owner at the last known electronic mail address of the person who appears as a Residence Owner in the applicable records of the Board of Directors of Tamarron.

3. **Voting.** Any and all sections of the Declaration, including but not limited to Sections 5, 15 and 17 pertaining to voting of any type shall be amended by allowing for any such voting as follows:

All Applicable Sections **Voting.** The Board of Directors of Tamarron shall be permitted to provide that any voting required or prescribed pursuant to the Declaration, in addition to any other voting manner allowed by the Declaration, may also be accomplished electronically in a form and manner as approved by the Board of Directors of Tamarron.

IN WITNESS WHEREOF, Declarant has executed this Declaration on the date and year first above written.

TAMARRON HOMEOWNER'S ASSOCIATION, INC.

William Jones, President
William Jones, President and Board Member

David Gentry, Vice President
David Gentry, Vice President and Board Member

Marilyn Gregory, Secretary
Marilyn Gregory, Secretary and Board Member

Gary Chrzastowski, Treasurer
Gary Chrzastowski, Treasurer and Board Member

STATE OF INDIANA, COUNTY OF MONROE, SS:

Before me, a Notary Public, in and for said County and State, personally appeared William Jones, known by me to be President and a Member of the Board of Directors of Tamarron Homeowner's Association, Inc., who acknowledged the execution of the foregoing on behalf of said corporation and who having been duly sworn stated the truth of the foregoing representations.

WITNESS my hand and Notarial Seal this 3 day of December 2018.

My Commission Expires:

Oct. 8, 2025

 , Notary Public

Carole Damon
Printed Name

Residing In Monroe County

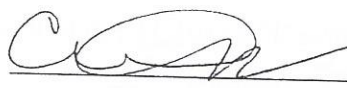
STATE OF INDIANA, COUNTY OF MONROE, SS:

Before me, a Notary Public, in and for said County and State, personally appeared David Gentry, known by me to be Vice President and a Member of the Board of Directors of Tamarron Homeowner's Association, Inc., who acknowledged the execution of the foregoing on behalf of said corporation and who having been duly sworn stated the truth of the foregoing representations.

WITNESS my hand and Notarial Seal this 4 day of December 2018.

My Commission Expires:

Oct. 8, 2025

 , Notary Public

Carole DAMON
Printed Name

Residing In Monroe County

STATE OF INDIANA, COUNTY OF MONROE, SS:

Before me, a Notary Public, in and for said County and State, personally appeared Marilyn Gregory, known by me to be Secretary and a Member of the Board of Directors of Tamarron Homeowner's Association, Inc., who acknowledged the execution of the foregoing on behalf of said corporation and who having been duly sworn stated the truth of the foregoing representations.

WITNESS my hand and Notarial Seal this 3 day of December 2018.

My Commission Expires:

Oct. 8, 2025

 , Notary Public

Carole Damon

Printed Name

Residing In monroe County


STATE OF INDIANA, COUNTY OF MONROE, SS:

Before me, a Notary Public, in and for said County and State, personally appeared Gary Chrzastowski, known by me to be Treasurer and a Member of the Board of Directors of Tamarron Homeowner's Association, Inc., who acknowledged the execution of the foregoing on behalf of said corporation and who having been duly sworn stated the truth of the foregoing representations.

WITNESS my hand and Notarial Seal this 3 day of December 2018.

My Commission Expires:

Oct. 8, 2025

 , Notary Public

Carole Damon

Printed Name

Residing In Monroe County

This document prepared by Gregory Scott Lauer, Attorney at Law, Bloomington, Indiana

**SECRETARY'S CERTIFICATE REGARDING
NINTH AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF TAMARRON**

I, Marilyn Gregory, attest as follows:

1. I am currently serving as Secretary of the Board of Directors of the Tamarron Homeowner's Association, Inc. (the "Association").
2. By affirmative vote, concluded on or about November 30, 2018, at least seventy-five percent (75%) of the Owners in Tamarron voted in favor of amending the original Declaration of Covenants, Conditions and Restrictions of Tamarron by a certain Ninth Amendment to the Declaration of Covenants, Conditions and Restrictions of Tamarron.
3. The above-referenced voting record is on record with the Professional Management of the Association.

Signature: Marilyn Gregory

Printed Name: Marilyn Gregory, Secretary
Tamarron Board of Directors for the Tamarron
Homeowner's Association, Inc.

STATE OF INDIANA, COUNTY OF MONROE) SS:

Before me, a Notary Public in and for said County and State, personally appeared Marilyn Gregory, Secretary of the Tamarron Board of Directors for the Tamarron Homeowner's Association, Inc. who acknowledged the execution of the foregoing Secretary's Certificate.

WITNESS my hand and Notarial Seal this 10 day of December, 2018.

My Commission Expires:

Oct. 8, 2025

Carole Damon
Notary Public,
Printed Name: Carole Damon
Residing in: Monroe County, Indiana

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.

Gregory Scott Lauer
Gregory Scott Lauer

This Document Prepared By: Gregory Scott Lauer, Attorney at Law