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RECORDER MONROE CO., IN

THIRD AMENDED DECLARATION
OF
GENTRY QUARTERS CONDOMINIUM
Phase IV Expansion

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of Monroe County, Indiana
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Consisting of 14 Pages,
Numbered 1 through 14,
and
Exhibits A to E

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THIRD AMENDED DECLARATION

OF

GENTRY QUARTERS CONDOMINIUM
Phase IV Expansion

THIS THIRD AMENDED DECLARATION, and the exhibits which are attached hereto and made a part hereof, are made and executed this 1st day of October, 1987, by Gentry Quarters Development Co., Inc. (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 29 of that certain Declaration of Expandable Condominium for Gentry Quarters Phase I Condominium duly filed for record on September 29, 1986, as Instrument No. 190327, in Miscellaneous Book 170 at pages 257 through 319, and First Amended Declaration of Gentry Quarters Condominium Phase II Expansion duly filed for record on May 28, 1987 as Instrument No. 200909, in Miscellaneous Book 176 at pages 441 through 452, and Second Amended Declaration of Gentry Quarters Condominium Phase III Expansion, duly filed for record on September 3, 1987 as Instrument No. 206006, in Miscellaneous Book 179, at pages 111 through 123, all in the Office of the Recorder of Monroe County, Indiana.

Statement of Purposes

By Declaration of Expandable Condominium dated September 25, 1986, and recorded on September 29, 1985 as Instrument No. 190327 in the office of the Recorder of Monroe County, Indiana (hereinafter referred to as the "Declaration"), the Declarant submitted certain real property to the provisions of the Horizontal Property Act of the State of Indiana, and created the condominium form of ownership with respect to an initial five (5) non-contiguous multi-unit residential buildings located on the real property described therein, containing an aggregate of thirty-six (36) 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 property designated as the "expansion area" and the approximate boundary of which was described in Exhibit F to said Declaration and thereby to add additional or new units to said condominium. The Declarant now 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 "expansion 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, for the purposes hereinafter set forth, pursuant to the provisions set forth in paragraph 29. of the Declaration hereinabove described, and in accordance with and by means of the powers therein reserved or conferred upon it, hereby amends and supplements said Declaration in the following respects:

1. Definition. The definitions used and set forth in the Declaration shall be applicable to this Second Amended Declaration; provided, however (i) the term "property" or "condominium property" shall for all purposes now be deemed to include the real property added hereby as Phase III and (ii) 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 hereby expressly declares 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 Gentry Quarters Condominium as if such had originally been included in the Declaration; and the same shall hereafter be held, transferred, sold and 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 hereto be incorporated herein by reference and made a part hereof as though fully set out herein.

3. Description of Phase I, Phase II, Phase III, and Phase IV 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 property described in the Declaration of Expandable Condominium for Gentry Quarters, Phase II property described in the First Amended Declaration of Gentry Quarters Condominium, the Phase III property described in the Second Amended Declaration of Gentry Quarters Condominium, and the Phase IV property described in Exhibit A attached hereto. The composite description of the Phase I, Phase II, Phase III and Phase IV real property is described and identified in Exhibit B attached hereto and made a part hereof.

4. Descriptions of Buildings. Paragraph 5. of the Declaration, as amended, is hereby further amended to reflect the addition of buildings and units as herein set forth:

Gentry Quarters Phase IV will consist of two (2) multi-unit residential buildings. The buildings are designated as "H" and "I", as shown on the Master Site Plan, a copy of which

is attached hereto and made a part hereof as Exhibit "C" which Master Site Plan shows the location of Phase IV and the location of the buildings on the real property described in Exhibit A attached hereto and constituting Phase IV of Gentry Quarters and its location with respect to every other building thereon and the ceiling and floor elevations of each unit. Building "H" contains a total of eight (8) separate units consisting of five (5) basic floor plan types including:

- 1FA = 600 sq. ft., 1 bedroom flat
- 1FC = 670 sq. ft., 1 bedroom flat
- 2FA = 840 sq. ft., 2 bedroom flat
- 2FE = 1000 sq. ft., 2 bedroom flat
- 2FC = 1230 sq. ft., 2 bedroom flat

Building "I" contains a total of eight (8) separate units consisting of five (5) basic floor plan types containing:

- 1FA = 600 sq. ft., 1 bedroom flat
- 1FC = 670 sq. ft., 1 bedroom flat
- 2FA = 840 sq. ft., 2 bedroom flat
- 2FE = 1000 sq. ft., 2 bedroom flat
- 2FC = 1230 sq. ft., 2 bedroom flat

The number of stories in each building, the number of units, the type of units and basements are as follows:

<u>Building Designation</u>	<u>Number of Units by Type</u>	<u>Total Units in Building</u>	<u>Basement</u>	<u>Stories</u>
H	1 - 1FA	8	No	3
	3 - 1FC			
	2 - 2FA			
	1 - 2FC			
	1 - 2FE			
I	1 - 1FA	8	No	3
	3 - 1FC			
	2 - 2FA			
	1 - 2FC			
	1 - 2FE			

Said multi-unit buildings and the new units located therein are more particularly described and defined in the plans and specifications of said buildings, a copy of which plans and specifications is attached hereto and made a part hereof as Exhibit "D", shall in all particulars of the buildings, including the layout, number of stories, the number of rooms, the location, building designation, new unit numbers and dimensions of the units. Such plans bear the verified statement of Smith-Quillman

and Associates certify 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 the 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 designations of each condominium unit, both existing units and new units, the approximate area, number of rooms 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 area and facilities (both existing common areas and facilities and new common areas and facilities) are based upon the adjusted 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 adjusted square footage of all units. The percentage interest appurtenant to each unit based upon the aggregate units and the aggregate common areas and facilities, are as specified on each Exhibit "E" attached hereto.

The percentage interest in the aggregate common areas and facilities are calculated on the basis as set forth in paragraph 6. and paragraph 29(c) of the Declaration, and its reallocation is accomplished as follows:

(a) Declarant to the extent necessary, hereby exercises all rights of revocation conferred upon it by the Declaration by all unit owners of existing units, and thereby divests 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 obtain the percentage interest in the aggregate common areas and facilities in each new unit as shown on the aforesaid "E".

(b) Declarant, to the extent necessary, hereby exercises all powers-of-attorney reserved by it and hereby grants, conveys and sets over to each owner of each existing unit that share in the new common areas and facilities which is necessary to obtain for each existing unit that share in the aggregate common areas and facilities shown in aforesaid Exhibit "E".

The new units added hereby shall be designated for the purposes of identification in connection with all conveyances of the same as being a part of "Gentry Quarters Phase IV."

6. 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 Third Amended Declaration, the Second Amended Declaration, the First 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 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.

7. Floor Plans. The plans and specifications setting forth the layout, location, identification number, building designation and dimensions for all the new units in the property identified in this Third Amended Declaration are incorporated into the Declaration, as amended, 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. 3 on October 1, 1987, as Instrument No. 207193.

Except as set forth herein the Declaration and all exhibits hereto shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this Amended Declaration to be executed this day and year first above written.

GENTRY QUARTERS DEVELOPMENT CO, INC.

By Ronald J. Killion
Ronald J. Killion, President

By Ben A. Beard
Ben A. Beard, Secretary

EXHIBIT A

GENTRY QUARTERS PHASE IV EXPANSION

A part of the Southwest quarter of Section 2, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southwest corner of said quarter; thence South 88 degrees 21 minutes 38 seconds East along the south line of said quarter 181.55 feet; thence North 0 degrees 03 minutes 29 seconds West 155.15 feet to the point of beginning; thence continuing North 0 degrees 03 minutes 29 seconds West 243.62 feet to the southwest corner of Gentry Quarters Phase III (recorded in Plat Book 3, page 92); thence the next five (5) courses being along said Phase III: (1) North 89 degrees 51 minutes 48 seconds East 84.19 feet (2) South 0 degrees 08 minutes 12 seconds East 5.11 feet (3) North 89 degrees 51 minutes 48 East 20.12 feet (4) South 0 degrees 08 minutes 12 seconds East 11.29 feet (5) thence South 89 degrees 55 minutes 54 seconds East 70.59 feet; thence South 1 degree 35 minutes 21 seconds West 24.13 feet; thence South 5 degrees 17 minutes 19 seconds West 96.25 feet; thence South 29 degrees 57 minutes 59 seconds West 123.49 feet; thence South 89 degrees 45 minutes 00 seconds West 103.97 feet to the point of beginning, containing 0.84 acres, more or less.

EXHIBIT B

GENTRY QUARTERS PHASES I, II, III, and IV

A part of the Southwest quarter of Section 2, Township 8 North, Range 1 West, Monroe County, Indiana, more particularly described as follows:

COMMENCING at the southwest corner of said quarter; thence South 88 degrees 21 minutes 38 seconds East along the south line of said quarter 181.55 feet; thence leaving said south line North 0 degrees 03 minutes 29 seconds West 155.15 feet to the point of beginning; thence continuing along the same line North 0 degrees 03 minutes 29 seconds West 808.31 feet; thence South 88 degrees 06 minutes 45 seconds East 192.00 feet to the west right-of-way of College Mall Road; thence South 0 degrees 47 minutes 50 seconds East along said right-of-way 1.49 feet; thence continuing along said right-of-way South 1 degree 35 minutes 21 seconds West 597.45 feet; thence continuing along said right-of-way South 5 degrees 17 minutes 19 seconds West 96.25 feet; thence leaving said right-of-way South 29 degrees 57 minutes 59 seconds West 123.49 feet; thence South 89 degrees 45 minutes 00 seconds West 103.97 feet to the point of beginning, containing 3.24 acres, more or less.

EXHIBIT C
MASTER SITE PLAN
GENTRY QUARTERS PHASE IV EXPANSION

The Master Site Plan for Gentry Quarters Phase IV dated the 24th day of September, 1987, prepared by Stephen L. Smith, Registered Land Surveyor, entitled "Master Site Plan-Gentry Quarters Phase IV" and consisting of one (1) sheet, which was attached to this Third Amended Declaration at the time it was filed for record is duly filed in the office of the Recorder of Monroe County, Indiana in Horizontal Property Plan File No. 3 as Instrument No. 207193. Said Master Site Plan is incorporated herein by reference as though fully set out herein.

EXHIBIT D
PLANS AND SPECIFICATIONS
GENTRY QUARTERS PHASE IV EXPANSION

The plans and outline specifications for Gentry Quarters Phase IV more particularly described in the architectural and related drawings for Gentry Quarters Phase IV, were attached to this Third Amended Declaration at the time it was filed for record and are duly filed in the office of the Recorder of Monroe County, Indiana in Horizontal Property Plan File No. 3 at pages 17-49, 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

GENTRY QUARTERS PHASE I, PHASE II, PHASE III, and PHASE IV

<u>Unit Designation</u>		<u>Floor</u>	<u>Square</u>	<u>Percentage</u>	<u>Address</u>
<u>Bldg.</u>	<u>Unit</u>	<u>Plan</u>	<u>Footage</u>	<u>Interest</u>	
A	A-1	3THA	1,200	2.198	1202 College Mall Rd. Bloomington, Indiana
A	A-2	3THA	1,200	2.198	1204 College Mall Rd. Bloomington, Indiana
A	A-3	1FA	600	1.099	1206 College Mall Rd. Bloomington, Indiana
A	A-4	1FA	600	1.099	1208 College Mall Rd. Bloomington, Indiana
A	A-5	2FB	880	1.612	1210 College Mall Rd. Bloomington, Indiana
A	A-6	2FB	880	1.612	1212 College Mall Rd. Bloomington, Indiana
B	B-1	1FB	600	1.099	1222 College Mall Rd. Bloomington, Indiana
B	B-2	1FA	600	1.099	1224 College Mall Rd. Bloomington, Indiana
B	B-3	1FA	600	1.099	1226 College Mall Rd. Bloomington, Indiana
B	B-4	1FA	600	1.099	1228 College Mall Rd. Bloomington, Indiana
B	B-5	1FA	600	1.099	1230 College Mall Rd. Bloomington, Indiana
B	B-6	1FA	600	1.099	1232 College Mall Rd. Bloomington, Indiana
B	B-7	2FB	880	1.612	1234 College Mall Rd. Bloomington, Indiana
B	B-8	2FB	880	1.612	1236 College Mall Rd. Bloomington, Indiana
C	C-1	3THA	1,200	2.198	1242 College Mall Rd. Bloomington, Indiana
C	C-2	2FA	840	1.539	1244 College Mall Rd. Bloomington, Indiana
C	C-3	1FB	600	1.099	1246 College Mall Rd. Bloomington, Indiana
C	C-4	2FA	840	1.539	1248 College Mall Rd. Bloomington, Indiana
C	C-5	1FC	670	1.228	1250 College Mall Rd. Bloomington, Indiana
C	C-6	2FB	880	1.612	1252 College Mall Rd. Bloomington, Indiana
C	C-7	2FC	1,230	2.254	1254 College Mall Rd. Bloomington, Indiana
D	D-1	2FA	840	1.539	1262 College Mall Rd. Bloomington, Indiana

<u>Unit Designation</u>		<u>Floor</u>	<u>Square</u>	<u>Percentage</u>	<u>Address</u>
<u>Bldg.</u>	<u>Unit</u>	<u>Plan</u>	<u>Footage</u>	<u>Interest</u>	
D	D-2	1FA	600	1.099	1264 College Mall Rd. Bloomington, Indiana
D	D-3	1FC	670	1.228	1266 College Mall Rd. Bloomington, Indiana
D	D-4	2FA	840	1.539	1268 College Mall Rd. Bloomington, Indiana
D	D-5	2FD	1,200	2.198	1270 College Mall Rd. Bloomington, Indiana
D	D-6	2FC	1,230	2.254	1272 College Mall Rd. Bloomington, Indiana
D	D-7	2FB	880	1.612	1274 College Mall Rd. Bloomington, Indiana
E	E-1	1FA	600	1.099	1282 College Mall Rd. Bloomington, Indiana
E	E-2	1FB	600	1.099	1284 College Mall Rd. Bloomington, Indiana
E	E-3	1FA	600	1.099	1286 College Mall Rd. Bloomington, Indiana
E	E-4	1FA	600	1.099	1288 College Mall Rd. Bloomington, Indiana
E	E-5	1FA	600	1.099	1290 College Mall Rd. Bloomington, Indiana
E	E-6	1FA	600	1.099	1292 College Mall Rd. Bloomington, Indiana
E	E-7	2FB	880	1.612	1294 College Mall Rd. Bloomington, Indiana
E	E-8	2FB	880	1.612	1296 College Mall Rd. Bloomington, Indiana
F	F-1	1FA	600	1.099	1302 College Mall Rd. Bloomington, Indiana
F	F-2	1FD	715	1.310	1304 College Mall Rd. Bloomington, Indiana
F	F-3	1FD	715	1.310	1306 College Mall Rd. Bloomington, Indiana
F	F-4	1FA	600	1.099	1308 College Mall Rd. Bloomington, Indiana
F	F-5	1FA	600	1.099	1310 College Mall Rd. Bloomington, Indiana
F	F-6	1FD	715	1.310	1312 College Mall Rd. Bloomington, Indiana
F	F-7	1FD	715	1.310	1314 College Mall Rd. Bloomington, Indiana
F	F-8	1FA	600	1.099	1316 College Mall Rd. Bloomington, Indiana
F	F-9	2FE	1,000	1.832	1318 College Mall Rd. Bloomington, Indiana
F	F-10	2FE	1,000	1.832	1320 College Mall Rd. Bloomington, Indiana

<u>Unit Designation</u>		<u>Floor</u>	<u>Square</u>	<u>Percentage</u>	<u>Address</u>
<u>Bldg.</u>	<u>Unit</u>	<u>Plan</u>	<u>Footage</u>	<u>Interest</u>	
G	G-1	1FE	680	1.250	1322 College Mall Rd. Bloomington, Indiana
G	G-2	1FE	680	1.250	1324 College Mall Rd. Bloomington, Indiana
G	G-3	1FA	600	1.099	1326 College Mall Rd. Bloomington, Indiana
G	G-4	1FE	680	1.250	1328 College Mall Rd. Bloomington, Indiana
G	G-5	1FE	680	1.250	1330 College Mall Rd. Bloomington, Indiana
G	G-6	1FA	600	1.099	1332 College Mall Rd. Bloomington, Indiana
G	G-7	2FB	880	1.612	1334 College Mall Rd. Bloomington, Indiana
G	G-8	2FB	880	1.612	1336 College Mall Rd. Bloomington, Indiana
H	H-1	1FC	670	1.228	1342 College Mall Rd. Bloomington, Indiana
H	H-2	2FA	840	1.539	1344 College Mall Rd. Bloomington, Indiana
H	H-3	1FA	600	1.099	1346 College Mall Rd. Bloomington, Indiana
H	H-4	1FC	670	1.228	1348 College Mall Rd. Bloomington, Indiana
H	H-5	2FA	840	1.539	1350 College Mall Rd. Bloomington, Indiana
H	H-6	1FC	670	1.228	1352 College Mall Rd. Bloomington, Indiana
H	H-7	2FE	1000	1.832	1354 College Mall Rd. Bloomington, Indiana
H	H-8	2FC	1230	2.254	1356 College Mall Rd. Bloomington, Indiana
I	I-1	2FA	840	1.539	1362 College Mall Rd. Bloomington, Indiana
I	I-2	1FC	670	1.228	1364 College Mall Rd. Bloomington, Indiana
I	I-3	1FC	670	1.228	1366 College Mall Rd. Bloomington, Indiana
I	I-4	2FA	840	1.539	1368 College Mall Rd. Bloomington, Indiana
I	I-5	1FC	670	1.228	1370 College Mall Rd. Bloomington, Indiana
I	I-6	1FA	600	1.099	1372 College Mall Rd. Bloomington, Indiana
I	I-7	2FC	1230	2.254	1374 College Mall Rd. Bloomington, Indiana
I	I-8	2FE	1000	1.832	1376 College Mall Rd. Bloomington, Indiana
			54,580	100.000	