

97014612

97 JUL -8 AM 11:39

**AMENDMENT TO DECLARATION OF COVENANTS**  
**CONDITIONS AND RESTRICTIONS**  
**FOR**  
**ASHTON PARKE SECTION 2**

THIS AMENDMENT made this 1<sup>st</sup> day of July, 1997 by SENTRY DEVELOPMENT, INC. and SENTRY HOMES, INC., Rick W. French, President, ("Declarant") to the Declaration of Covenants Conditions and Restrictions for ASHTON PARKE SECTION 2, recorded in the Office of the Recorder of Johnson County, Indiana, on December 20, 1996 as Instrument No. 96028147, Book D, Page 15 A&B ("Declaration"), and rerecorded on February 7, 1997 as Instrument No. 97002431, Book D, Page 15 C&D and rerecorded on February 14, 1997 as Instrument No. 97003000, Book D, Page 15E&F, **WITNESSETH THAT:**

WHEREAS, Declarant platted a portion of the real estate subject to this Declaration as Ashton Parke Section 2 on December 19, 1996, and recorded in the Office of the Recorder of Johnson County on December 20, 1996, as Instrument No. 96028147, Plat Book D, Page 15 A&B ("Declaration"); and rerecorded on February 7, 1997 as Instrument No. 97002431, Book D, Page 15 C&D, and rerecorded on February 14, 1997 as Instrument No. 97003000, Book D, Page 15 E&F, and

WHEREAS, Sentry Development, Inc. and Sentry Homes, Inc. was the Declarant in the above-mentioned Declaration; and

WHEREAS, Section 36 of the Declaration provides for amendment of the Declaration at any time by the Owners of at least two-thirds of the Lots; and

WHEREAS, Declarant is Owner of at least two-thirds of the Lots within Ashton Parke Section 2 on the date hereof;

NOW, THEREFORE, pursuant to Section 36 of the Declaration, the Declarant hereby amends the Declaration as follows:

Section 38 shall be added as follows:

Upon the transfer of ownership of all platted Lots, Declarant shall transfer control of the Building Committee and ownership of all Common Areas as designated on the recorded plat to Ashton Parke Homeowners Association, Inc., an Indiana nonprofit corporation, to assume the rights and duties of the Building Committee as described in the Declaration, maintain all Common Areas, enforce and administer the Covenants, assess and collect maintenance expenses, and any other duties specified in the Declaration, as amended from time to time.

