

WARREN TOWNSHIP

AUG 19 2004

Assessor  
Marion County

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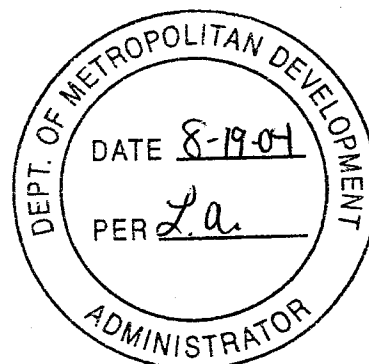
WANDA MARTIN  
MARION COUNTY RECORDER

**SECOND AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR STABLE CHASE ESTATES**

**CROSS REFERENCE: INSTRUMENT NOS. 1995-0153102; 2000-0098810**

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AUG 19 2004

*Martha Q. Womack*



**CROSS REFERENCE: INSTRUMENT NOS. 1995-0153102; 2000-0098810**

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR STABLE CHASE ESTATES**

THIS SECOND AMENDMENT TO DECLARATION (hereinafter, the "Second Amendment") made this 10th day of July, 2004 by Stable Chase Development Company, an Indiana corporation (the "Declarant").

WITNESSETH:

WHEREAS, Declarant developed a certain tract of real estate located in Marion County, Indiana known as Stable Chase Estates and in connection therewith, and executed that certain Declaration of Covenants, Conditions and Restrictions dated November 28, 1995 and recorded on November 28, 1995 as Instrument No. 1995-0153102 in the Office of the Recorder of Marion County, Indiana (the "Declaration"); and

WHEREAS, Declarant executed that certain First Amendment to Declaration of Covenants, Conditions and Restrictions dated June 22, 2000 and recorded on June 22, 2000 as Instrument No. 2000-0098810 in the Office of the Recorder of Marion County, Indiana (the "First Amendment"); and

WHEREAS, the Section One Real Estate, as described in the Declaration, is now known as Stable Chase Estates, Section One, as per plat thereof, recorded as Instrument No. 1995-0153103 in the Office of the Recorder of Marion County; and

WHEREAS, the Section Two Real Estate, as described in the First Amendment, is now known as Stable Chase Estates, Section Two, as per plat thereof, recorded as Instrument No. 2000-98810 in the Office of the Recorder of Marion County; and

WHEREAS, Declarant is in the process of platting additional real estate to be known as Stable Chase Estates, Section Three, which real estate is more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Section Three Real Estate"); and

WHEREAS, the Section Three Real Estate will be developed in a similar fashion to the Section One Real Estate and the Section Two Real Estate and together, the Section One Real Estate, the Section Two Real Estate and the Section Three Real Estate will be part of an integrated development, and therefore, Declarant desires to incorporate the Section Three Real Estate into the Declaration, as provided for in this Second Amendment.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. The Real Estate, as such term is defined and used in the Declaration, is hereby amended to include the Section Three Real Estate, as more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

2. Article IX, Section 10 is hereby amended by adding, "All backyard fences shall be constructed of either black wrought iron or black ornamental aluminum fencing. All backyard fences may not exceed 48 inches in height without approval by the Architectural Control Committee. Patio Fences may be installed and may be made of wood. Patio Fences shall not exceed 72 inches in height. All fencing must be approved by the Architectural Control Committee prior to installation and request for fencing approval must be accompanied by a site plan, landscape plan and product sample brochure."

3. Except as otherwise provided herein, all other terms and conditions of the Declaration shall remain the same, and are hereby ratified and confirmed. All capitalized terms used herein and not otherwise defined shall have the meaning given to them in the Declaration.

IN WITNESS WHEREOF, Declarant, by its President, has caused this Instrument to be executed as of the day and year first above written.

DECLARANT

STABLE CHASE DEVELOPMENT COMPANY,



Curtis, President

STATE OF INDIANA )  
 ) SS.  
COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared John R. Curtis, the President of Stable Chase Development Company, an Indiana corporation, and acknowledged the execution of the foregoing for and on behalf of said corporation.

Witness my hand and Notarial Seal this 10 day of July, 2004.



Notary Public

Sylvia D. Smith  
Printed

My Commission Expires:

Oct 25, 2006

My County of Residence:

Marion

This instrument prepared by: Jeffrey A. Abrams, Esq., DANN PECAR NEWMAN & KLEIMAN, P.C., 2300 One American Square, Box 82008, Indianapolis, Indiana 46282, (317) 632-3232.

STABLE CHASE-SECTION THREE

PART OF THE NORTHWEST AND SOUTHWEST QUARTERS OF SECTION 15, TOWNSHIP 15 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER SECTION, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF STABLE CHASE ESTATES SECTION ON THE PLAT OF WHICH IS RECORDED IN INSTRUMENT NUMBER 950153103 IN THE RECORDS OF THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA. THE NEXT THREE (3) COURSES FOLLOW THE SOUTHERLY LINE OF LAST SAID INSTRUMENT NUMBER; 1) THENCE NORTH 89 DEGREES 02 MINUTES 56 SECONDS EAST (BEARING BASED ON LAST SAID INSTRUMENT NUMBER) ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER SECTION 729.41 FEET; 2) THENCE NORTH 02 DEGREES 33 MINUTES 49 SECONDS WEST 71.74 FEET; 3) THENCE NORTH 87 DEGREES 26 MINUTES 11 SECONDS EAST 596.59 FEET TO THE EAST LINE OF THE WEST HALF OF SAID NORTHWEST QUARTER SECTION; THENCE SOUTH 01 DEGREE 02 MINUTES 23 SECONDS EAST ALONG LAST SAID EAST LINE 88.50 FEET TO THE NORTHEAST CORNER OF THE WEST HALF OF SAID SOUTHWEST QUARTER SECTION; THENCE SOUTH 01 DEGREE 07 MINUTES 41 SECONDS EAST ALONG THE EAST LINE OF THE WEST HALF OF SAID SOUTHWEST QUARTER SECTION 643.34 FEET; THENCE SOUTH 89 DEGREES 02 MINUTES 40 SECONDS WEST 761.15 FEET; THENCE SOUTH 01 DEGREE 09 MINUTES 20 SECONDS EAST 8.60 FEET; THENCE SOUTH 88 DEGREES 42 MINUTES 18 SECONDS WEST 562.43 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER SECTION ; THENCE NORTH 01 DEGREE 09 MINUTES 20 SECONDS WEST ALONG LAST SAID WEST LINE 655.38 FEET TO THE POINT OF BEGINNING CONTAINING 20.780 ACRES, MORE OR LESS, SUBJECT TO ALL PERTINENT RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS