

Pat Haley
Monroe County Recorder IN
→ IN 2004002873 COV RES
02/13/2004 11:05:39 3 PGS
Filing Fee: \$13.00

SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF TAMARRON

THIS SEVENTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF TAMARRON is made on February 12, 2004, by TAMARRON LIMITED PARTNERSHIP, an Indiana limited partnership, and THOMAS G. BUCCI, of legal age, (collectively, "Declarant").

BACKGROUND FACTS:

- a. On August 18, 1992, Declarant caused to be recorded a *Declaration of Covenants, Conditions and Restrictions of Tamarron* as Instrument Number 214046 in Miscellaneous Record 216, page 19 ("Original Declaration").
- b. The Original Declaration was amended by subsequently recorded instruments on [1] July 8, 1994, as Instrument Number 411086 in Miscellaneous Record 227, page 133 ("First Amendment"); [2] July 29, 1994, as Instrument Number 412340 in Miscellaneous Record 227, page 451 ("Second Amendment"); [3] September 16, 1994, as Instrument Number 415232 in Miscellaneous Record 228, page 570 ("Third Amendment"); [4] April 11, 1995, as Instrument Number 504135 in Miscellaneous Record 231, page 695 ("Fourth Amendment"); [5] October 1, 1997, as Instrument Number 716576 in Miscellaneous Record 248, page 187 (another instrument entitled "Fourth Amendment" whose title was subsequently corrected by an instrument recorded on October 23, 1997, as Instrument Number 717914 in Miscellaneous Record 248, page 414 – "Fifth Amendment" – which Fifth Amendment attaches the erroneously titled Fourth Amendment as an Exhibit); and [6] February 3,

2003, as Instrument Number 2003002948 ("Sixth Amendment").
Collectively, these amendments are called the "Amended Declarations.

- c. All references to recording mean that the recording occurred in the office of the Recorder of Monroe County, Indiana.
- d. Collectively, the Original Declaration and the Amended Declarations are called the "Declaration."
- e. Declarant desires to amend further the Declaration by adding a restriction concerning leasing, which is referred to generally in Section 2.2 of the Original Declaration.
- f. Declarant desires to insert this new leasing amendment in Section 6 of the Declaration as a new provision called Section 6.20.

THE AMENDMENT:

NOW, THEREFORE, THE FOLLOWING AMENDMENT IS MADE:

- 1. Section 6.20 is added to the Declaration as follows: "The Owner of any Lot and/or Residence shall not enter into any lease or permit their Lot and/or Residence to be leased to any person or entity or combination thereof for a period exceeding one year of any three consecutive years without the prior written approval of the Board of Directors of the Association. Applications for exceptions shall be in writing and shall be submitted to the Board of Directors no less than 60 days prior to the beginning date of the proposed lease. It is the declared purpose of this restriction to establish Tamarron as owner-occupied, and no exceptions will be granted except for good and special cause shown."
- 2. All other provisions of the Declaration will remain unchanged.

DATED: FEBRUARY 12, 2004.

"DECLARANT"

Thomas G. Bucci
THOMAS G. BUCCI, President
Tamarron Development Corporation
General Partner of Tamarron Limited Partnership

Thomas G. Bucci
THOMAS G. BUCCI, individually

STATE OF INDIANA)
) SS:
COUNTY OF MONROE)

Subscribed and sworn to before me, a Notary Public in and for said county and state, on February 12, 2004, at which time THOMAS G. BUCCI, individually and in his representative capacity, personally appeared and acknowledged the execution of the above instrument.



Morris H. Erickson
Morris H. Erickson Notary Public
A resident of Monroe County, Indiana

This Instrument Prepared By
MORRIS H. ERICKSON, Attorney at Law
Sturbridge Center, 810 Auto Mall Road
Bloomington, Indiana 47401
Telephone: (812) 335-1111