



DAVID BRENTON'S TEAM

RE/MAX Select, REALTORS

48 N Emerson Ave Suite 600 Greenwood, IN 46143-8895

(317) 882-7210 Office • (317) 888-7201 Fax

www.move2indy.com

The covenants provided may or may not include any amendments made due to governing agencies (ie: national, state, city, local and neighborhood agencies). Please contact the Recorder's office for the county where the property is located to receive updated information.

The information is deemed reliable, but not guaranteed.

34
MARTHA A. WOMACKS
MARION COUNTY AUDITOR

615330 JAN 19 2006

DULY ENTERED FOR TAXATION
SUBJECT TO FINAL ACCEPTANCE
FOR TRANSFER

**DESIGNATION OF SUCCESSOR DECLARANT
UNDER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
OF WILDWOOD FARMS**

Cross-Reference: Declaration of Covenants, Conditions and Restrictions of Wildwood Farms, Instrument No. 1999-0146908; First Amendment to the Declaration of Covenants, Conditions and Restrictions of Wildwood Farms, Instrument No. 1999-0178134; Secondary Plat of Moeller Estates at Wildwood Farms, Section Four, Instrument No. 01046963; Second Supplement to the Declaration of Covenants Conditions and Restrictions of Wildwood Farms, Instrument No. 2002-0092977; Third Supplement to the Declaration of Covenants Conditions and Restrictions of Wildwood Farms, Instrument No. 2004-0148829; Secondary Plat of Moeller Estates at Wildwood Farms, Section Five, Instrument No. 2004-220916

THIS DESIGNATION OF SUCCESSOR DECLARANT UNDER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WILDWOOD FARMS, is executed this 1st day of January, 2006, FIVE POINTS DEVELOPMENT COMPANY, LLC, an Indiana limited liability company, successor in interest to CROSSMANN COMMUNITIES PARTNERSHIP, an Indiana general partnership ("Original Developer"), and accepted and consented to by C.P. MORGAN COMMUNITIES, L.P., an Indiana limited partnership ("Morgan").

Recitals:

A. On August 3, 1999, the Original Developer recorded a document entitled "Declaration of Covenants, Conditions and Restrictions of Wildwood Farms," in the office of the Recorder of Marion County, Indiana as Instrument No. 1999-0146908 (the "Declaration"). On September 21, 1999, the Original Developer recorded a document entitled "First Amendment to the Declaration of Covenants, Conditions and Restrictions of Wildwood Farms" in the office of the Recorder of Marion County, Indiana, as Instrument No. 1999-0178134 (the "First Amendment"). On May 16, 2002, the Original Developer recorded a document entitled "Second Supplement to the Declaration of Covenants Conditions and Restrictions of Wildwood Farms" in the office of the Recorder of Marion County, Indiana, as Instrument No. 2002-0092977 (the "Second Supplement"). On July 29, 2004, the Original Developer recorded a document entitled "Third Supplement to the Declaration of Covenants Conditions and Restrictions of

Wildwood Farms” in the office of the Recorder of Marion County, Indiana, as Instrument No. 2004-0148829 (the “Third Supplement”).

B. Morgan has purchased or will purchase from Original Developer all or part of the real estate which is subject to the Declaration, and in connection therewith, the Original Developer desires to name Morgan as the “Declarant” under the terms of the Declaration, First Amendment, Second Supplement and Third Supplement.

Terms:

NOW THEREFORE, the Original Developer and Morgan hereby agree as follows:

1. The Original Developer hereby designates Morgan as the successor Declarant, as such term is defined in Section 2.7 of the Declaration, and Morgan shall hereafter have all rights of Declarant thereunder.

2. With respect to the Wildwood Farms Homeowners Association, Inc., and the Wildwood Farms Exterior Maintenance Association, Inc., each being an Indiana nonprofit corporation which the Original Developer caused to be formed on March 15, 1999, and May 16, 2002, respectively, (collectively, the “Associations”), the Original Developer hereby represents and warrants to Morgan that: (i) The Associations were validly formed and are in existence under the laws of the State of Indiana; (ii) The Associations comply with all HUD or other federal and state guidelines and requirements; (iii) The Original Developer has paid to the Associations any dues or assessments with respect to any Developed Lot for the current calendar year; (iv) The Associations do not have any operating deficits; (v) the Associations are not a party to any contract or agreement, whether written or oral, that cannot be terminated upon 30-days (or less) written notice; (vi) The Associations have no debt and are not subject to any claim, contingent or otherwise; (vii) The Associations are the fee simple owner (free and clear of all liens and encumbrances) of all common areas which were platted as such; and (viii) The Associations have been operated by the Original Developer in accordance with the applicable Articles of Incorporation and Code of By-Laws of such Association, and the applicable Declaration(s).

3. The Original Developer shall indemnify and hold Morgan harmless from and against all costs and damages (including attorneys' fees and court costs) (collectively, "Losses") incurred as a result of any breach of any representation or warranty by the Original Developer. In addition, the Original Developer shall indemnify and hold Morgan harmless from and against all Losses arising from or relating to the Original Developer's negligent acts or omissions in connection with development of the subdivision of which the Real Estate is a part, the construction of any improvements therein (including but not limited to single family residences constructed by the Original Developer or any affiliate thereof), and otherwise in connection with the sale of any lot or residence prior to the date of this Designation and within the subdivision of which the Real Estate is a part. All representations, warranties and indemnities set forth in this Designation shall survive the execution of this Designation.

IN WITNESS WHEREOF, the undersigned has caused this Designation to be executed as of the date written above.


FIVE POINTS DEVELOPMENT COMPANY, LLC
an Indiana limited liability company

By: *Thomas A Grant*
Printed: Thomas A Grant
Title: Member

Acknowledgement and Consent:

The undersigned hereby acknowledges and consents to the designation of C.P. Morgan Communities, L.P., an Indiana limited partnership, as Declarant under the Declaration, First Amendment, Second Supplement and Third Supplement referenced above.

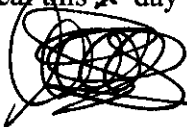
C.P. MORGAN COMMUNITES, L.P.
By: C.P. Morgan Co., Inc., General Partner

By: 
Mark W. Boyce, Vice President


STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared THOMAS A GRANT, MEMBER of Five Points Road Development Company, LLC, an Indiana limited liability company, who, having been duly sworn, executed the foregoing Designation of Successor Declarant for and on behalf of said entity, and stated that the representations contained therein are true.

Witness my hand and Notarial Seal this ^{29th} day of ^{DEC} ~~January~~, ²⁰⁰⁵ ~~2006~~.

() Notary Public

My Commission Expires: _____
My County of Residence is: _____

 WILLIAM B. OLSEN
My Comm. Exp : 06-30-08
Res. of Hamilton Co.

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Mark W. Boyce, the Vice President of C.P. Morgan Investment Co., Inc., the general partner of C.P. Morgan Communities, L.P., an Indiana limited partnership, who, having been duly sworn, executed the foregoing Designation of Successor Declarant for and on behalf of said partnership and stated that the representations contained therein are true.

Witness my hand and Notarial Seal this ^{29th} day of ^{Dec} ~~January~~, ²⁰⁰⁵ 2006.

()

) Notary Public

My Commission Expires:

My County of Residence is:



WILLIAM B. OLSEN
My Comm. Exp: 06-30-08
Res. of Hamilton Co.

This Instrument prepared by John J. Moore, Attorney-at-Law., Stark Doninger & Smith, Suite 700, 50 South Meridian Street, Indianapolis, Indiana 46204.

W:\G30\30876jm.doc

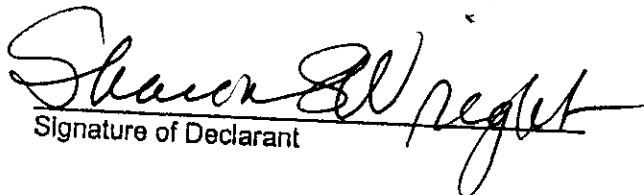
Declaration

This form is to be signed by the preparer of a document and recorded with each document in accordance with IC 36-2-7.5-5(a).

I, the undersigned preparer of the attached document, in accordance with IC 36-2-7.5, do hereby affirm under the penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under the penalties of perjury, that the foregoing declarations are true.


Signature of Declarant

Printed Name of Declarant

SHARON S WRIGHT

15

CROSS REFERENCE: Declaration of Covenants, Conditions and Restrictions of Wildwood Farms, recorded with the Recorder of Marion County as Instrument No. 99-146908.

FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF WILDWOOD FARMS

This First Amendment is made this 13th day of SEPTEMBER, 1999, by Crossmann Communities Partnership, an Indiana general partnership (hereafter "Declarant");

WITNESSETH:

WHEREAS, the Declarant recorded with the Recorder of Marion County, Indiana, the Declaration of Covenants, Conditions and Restrictions of Wildwood Farms, as Instrument No. 99-146908.

WHEREAS, prior to this First Amendment, (i) the term "Real Estate" as used throughout the Declaration referred to certain real estate located in Marion County, Indiana, which real estate is more particularly described in what is attached hereto and incorporated herein by reference as Exhibit "A", and (ii) the term "Additional Real Estate" as used throughout the Declaration referred to certain additional real estate located in Marion County, Indiana, which real estate is more particularly described in what is attached hereto and incorporated herein by reference as Exhibit "B".

WHEREAS, by this First Amendment, the Declarant is desirous of substituting (i) for Exhibit "A" that real estate located in Marion County, Indiana, which is more particularly described in what is attached hereto and incorporated herein by reference as Exhibit "A-1", and (ii) for Exhibit "B" that

09/21/99 12:32PM WANDA MARTIN MARION CTY RECORDER GAM 38.00 PAGES: 15

Inst # 1999-0178134

additional real estate located in Marion County, Indiana, which is more particularly described in what is attached hereto and incorporated herein by reference as Exhibit "B-1".

NOW THEREFORE, in consideration of the foregoing preambles and recitations, the Declaration is hereby amended as follows:

1. Preambles and Recitations - The foregoing preambles, recitations and definitions are made a part hereof as though fully set forth herein.

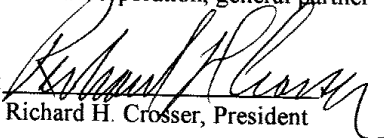
2. Real Estate - The term "Real Estate" as used throughout the Declaration shall mean and refer to that certain real estate located in Marion County, Indiana, which is more particularly described in what is attached hereto and incorporated herein by reference as Exhibit "A-1", and shall no longer mean and refer to that certain real estate located in Marion County, Indiana, more particularly described in what is attached hereto and incorporated herein by reference as Exhibit "A".

3. Additional Real Estate - The term "Additional Real Estate" as used throughout the Declaration shall mean and refer to that certain additional real estate located in Marion County, Indiana, which is more particularly described in what is attached hereto and incorporated herein by reference as Exhibit "B-1", and shall no longer mean and refer to that certain additional real estate located in Marion County, Indiana, more particularly described in what is attached hereto and incorporated herein by reference as Exhibit "B".

4. Full Force and Effect - All terms and conditions of the Declaration not hereby amended shall remain unchanged, and the Declaration, as hereby amended, shall remain in full force and effect.

CROSSMANN COMMUNITIES PARTNERSHIP
an Indiana general partnership

By: DELUXE HOMES, INC.
an Indiana Corporation, general partner

By: 
Richard H. Crosser, President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

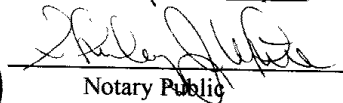
Before me the undersigned, a Notary Public in and for said County and State, personally appeared *Richard H. Crosser*, as President of Deluxe Homes, Inc., an Indiana Corporation, a general partner of Crossmann Communities Partnership, an Indiana general partnership, and having been duly sworn, acknowledged execution of this First Amendment to the Declaration of Covenants, Conditions and Restrictions of Wildwood Farms.

Witness my hand and Notarial Seal this 13th day of September, 1999.

My Commission Expires:
May 31, 2001

Residing in Hendricks County




Notary Public

Shirley J. White
Printed Name


Prepared By: **Charles D. Frankenger**, NELSON & FRANKENBERGER, 3021 East 98th Street, Suite 220, Indianapolis, Indiana 46280 - (317) 844-0106 

EXHIBIT "A"

A part of the East Half of the Southeast Quarter of Section 25, Township 15 North, Range 4 East and a part of the West Half of the Northwest Fractional Quarter and a part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, all in Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said quarter section, from the three quarter inch bolt found at the Northwest corner of said quarter section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said quarter section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234 in the Office of the Recorder of Marion County; thence South 0 degrees 11 minutes 22 seconds West 3,541.89 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence South 53 degrees 12 minutes 10 seconds East 586.45 feet along said centerline to the POINT OF BEGINNING of this description; thence North 0 degrees 07 minutes 04 seconds East 574.11 feet; thence North 61 degrees 56 minutes 18 seconds East 1,630.66 feet along the North line of a 150 foot wide electric transmission easement, recorded in Deed Record 1868 Instrument No. 51920, in the Office of the Recorder of Marion County, to the East line of the West Half of the Northwest Fractional Quarter of said Section 30; thence South 0 degrees 26 minutes 52 seconds East 2,025.39 feet along said East line and along the East line of the West Half of the Southwest Fractional Quarter of said Section 30; thence North 53 degrees 05 minutes 10 seconds West 345.84 feet; thence North 53 degrees 12 minutes 10 seconds West 770.47 feet to the beginning of a non-tangent curve concave to the Northwest having a radius of 1,135.00 feet and subtended by a long chord having a bearing of South 30 degrees 45 minutes 52 seconds West and a length of 238.19 feet; thence Southwesterly 238.63 feet along said curve to a tangent line; thence South 36 degrees 47 minutes 15 seconds West 13.13 feet to a tangent curve concave to the Northeast having a radius of 25.00 feet and subtended by a long chord having a bearing of South 08 degrees 12 minutes 27 seconds East and a length of 35.35 feet; thence Southerly and Southeasterly 39.27 feet to the Northeastern right-of-way line of Southeastern Avenue; thence South 36 degrees 47 minutes 50 seconds West 50.00 feet to the centerline of Southeastern Avenue; thence North 53 degrees 12 minutes 10 seconds West 509.39 feet along said centerline to the POINT OF BEGINNING and containing 40.91 acres, more or less.

EXHIBIT "A", CONT.

TOGETHER WITH:

A part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, all in Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 25, Township 15 North, Range 4 East, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter Section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said Quarter Section to a point, which is the northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234 in the Office of the Recorder of Marion County; thence South 0 degrees 11 minutes 22 seconds West 3,541.89 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence South 53 degrees 12 minutes 10 seconds East 1,664.22 feet along said centerline to the POINT OF BEGINNING of this description; thence North 0 degrees 27 minutes 29 seconds West 198.78 feet; thence North 89 degrees 32 minutes 31 seconds East 203.98 feet; thence South 0 degrees 27 minutes 29 seconds East 354.19 feet to the centerline of Southeastern Avenue; thence North 53 degrees 05 minutes 10 seconds West 104.71 feet along said centerline; thence North 53 degrees 12 minutes 10 seconds West 151.72 feet along said centerline to the POINT OF BEGINNING and containing 1.29 acres, more or less.

ALSO TOGETHER WITH:

A part of the East Half of the Southeast Quarter of Section 25, Township 15 North, Range 4 East, in Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter Section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said Quarter Section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234 in the Office of the Recorder of Marion County; thence South 0 degrees 11 minutes 22 seconds West 3,541.89 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence South 53 degrees 12 minutes 10 seconds East 27.43 feet along said centerline to the POINT OF BEGINNING of this description; thence North 61 degrees 56

EXHIBIT "A", CONT.

minutes 18 seconds East 508.61 feet along the North line of a 150 foot wide electric transmission easement recorded in Deed Record 1868, Instrument No. 51920, in the Office of the Recorder of Marion County; thence South 0 degrees 07 minutes 04 seconds West 574.11 feet to the centerline of Southeastern Avenue; thence North 53 degrees 12 minutes 10 seconds West 559.02 feet along said centerline to the POINT OF BEGINNING, containing 2.95 acres, more or less.

ALSO TOGETHER WITH:

A part of the Northeast Quarter and a part of the Southeast Quarter of Section 30, Township 15 North, Range 5 East, Marion County, Indiana, described as follows:

Beginning at the railroad spike marking the Southwest corner of the Northeast Quarter of said Section; thence North 00 degrees 59 minutes 39 seconds West, 1,755.37 feet along the West line of the Northeast Quarter of said Section; thence North 89 degrees 00 minutes 21 seconds East 16.50 feet to the East line of the right-of-way of Franklin Road, thence North 14 degrees 31 minutes 19 seconds East 103.76 feet along the East line to the Southwestern line of the right-of-way of Interstate 74; thence South 86 degrees 19 minutes 28 seconds East 35.36 feet along said Southeastern line; thence South 41 degrees 19 minutes 28 seconds East 2,462.21 feet along said Southwestern line to the South line of the Northeast Quarter of said Section; thence South 89 degrees 50 minutes 46 seconds West 332.58 feet along said South line to the Northeast corner of the West Half of the Southeast Quarter of said Section; thence South 01 degrees 02 minutes 15 seconds East 150.02 feet along the East line of the West Half of the Southeast Quarter of said Section to the Northeast corner of August Place Addition, the plat of which is recorded in Plat Book 32, page 377, in the Office of the Recorder of Marion County, thence South 89 degrees 50 minutes 46 seconds West 1,340.37 feet along the North line of said Addition to the West line of the Southeast Quarter of said Section; thence North 01 degrees 07 minutes 46 seconds West 150.02 feet along said West line to the point of beginning, containing 41.837 acres, more or less.

EXHIBIT "A", CONT.

ALSO TOGETHER WITH:

A part of the East Half of the Northeast Quarter of Section 25, Township 15 North, Range 4 East, Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter Section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said Quarter Section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234, in the Office of the Recorder of Marion County; thence South 00 degrees 11 minutes 22 seconds West 953.75 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the POINT OF BEGINNING of this description; thence North 89 degrees 08 minutes 16 seconds east 467.15 feet; thence South 00 degrees 07 minutes 04 seconds West 1,612.98 feet along the East line of said Moeller land; thence North 89 degrees 52 minutes 56 seconds West 469.10 feet to the West line of said Moeller land; thence North 00 degrees 11 minutes 22 seconds East 1,604.99 feet along said West line and parallel with the East line of said Section 25 to the POINT OF BEGINNING, containing 17.290 acres, more or less.

ALSO TOGETHER WITH:

A part of the East Half of the Northeast Quarter of Section 25 Township 15 North, Range 4 East, and a part of the West Half of the Northwest Fractional Quarter and a part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, all in Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds east 521.40 feet along said North line of said Quarter Section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234, in the Office of the Recorder of Marion County; thence South 00 degrees 11 minutes 22 seconds West 953.75 feet along the West line of said Moeller land and parallel with the East line of said Section 25; thence North 89 degrees 08 minutes 16 seconds

EXHIBIT "A", CONT.

East 467.15 feet to the POINT OF BEGINNING of this description, which point is a point on the East line of said Moeller land; thence North 89 degrees 08 minutes 16 seconds East 187.50 feet; thence South 00 degrees 51 minutes 44 seconds East 42.29 feet; thence Southerly, and Southeasterly 460.48 feet along an arc to the left and having a radius of 970.00 feet and subtended by a long chord having a bearing of South 14 degrees 27 minutes 43 seconds East and a length of 456.17 feet; thence South 28 degrees 03 minutes 42 seconds East 630.48 feet; thence Southeasterly, and Southerly 625.87 feet along an arc to the right and having a radius of 1,030.00 feet and subtended by a long chord having a bearing of South 10 degrees 39 minutes 14 seconds East and a length of 616.29 feet; thence South 06 degrees 45 minutes 14 seconds West 372.62 feet to a point on the North line of a 150 foot wide electric transmission easement, recorded in Deed Record 1868, Instrument No. 51920, in the Office of the Recorder of Marion County; thence South 61 degrees 56 minutes 18 seconds West 73.08 feet along said North line; thence North 06 degrees 45 minutes 14 seconds East 414.34 feet; thence Northerly 21.93 feet along an arc to the left and having a radius of 970.00 feet and subtended by a long chord having a bearing of North 06 degrees 06 minutes 22 seconds East and a length of 21.93 feet; thence North 89 degrees 52 minutes 56 seconds West 658.63 feet to a point on the East line of said Moeller land; thence North 00 degrees 07 minutes 04 seconds East 1,612.98 feet along said East line to the POINT OF BEGINNING, containing 17.940 acres, more or less.

ALSO TOGETHER WITH:

A part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, Marion County, Indiana, described as follows:

Commencing at the Northwest corner of East Half of the Northeast Quarter of Section 25, Township 15 North, Range 4 East, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter Section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said Quarter Section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234, in the Office of the Recorder of Marion County; thence South 00 degrees 11 minutes 22 seconds West 3,541.89 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the centerline of Southeastern Avenue

EXHIBIT "A", CONT.

(formerly known as Michigan Road); thence South 53 degrees 12 minutes 10 seconds East 1,664.22 feet along said centerline; thence North 00 degrees 27 minutes 29 seconds West 198.78 feet to the POINT OF BEGINNING of this description; thence North 00 degrees 27 minutes 29 seconds West 209.54 feet; thence South 53 degrees 12 minutes 10 seconds East 256.27 feet; thence South 00 degrees 27 minutes 29 seconds East 54.40 feet; thence South 89 degrees 32 minutes 31 seconds West 203.98 feet to the POINT OF BEGINNING, containing 0.618 acres, more or less.

EXHIBIT "B"

MODERNIZED LAND BOUNDARY DESCRIPTION

A part of the East Half of the Northeast Quarter and a part of the East Half of the Southeast Quarter of Section 25, Township 15 North, Range 4 East, and a part of the West Half of the Northwest Fractional Quarter and a part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, all in Marion County, Indiana, described as follows: Commencing at the northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the north line of said quarter section, from the three-quarter-inch bolt found at the northwest corner of said quarter section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the north line of said quarter section to the POINT OF BEGINNING of this description, which point is the northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument no. 82-73234 in the Office of the Recorder of Marion County; thence North 89 degrees 08 minutes 16 seconds East 827.15 feet along said north line to the iron pin found at the northeast corner of said Section 25, said corner being North 0 degrees 11 minutes 22 seconds East 5,333.98 feet, measured along the east line of said section, from the iron pin found at the southeast corner of said section; thence South 0 degrees 11 minutes 22 seconds West 53.98 feet along the east line of said section to a point that is 225.00 feet south of (by perpendicular measurement) the north line of the Northwest Fractional Quarter of said Section 30; thence South 89 degrees 49 minutes 20 seconds East 1,051.56 feet parallel with said north line to the east line of the West Half of the Northwest Fractional Quarter of said Section 30; thence South 0 degrees 26 minutes 52 seconds East 4,941.52 feet along said east line and along the east line of the West Half of the Southwest Fractional Quarter of said Section 30 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence North 53 degrees 05 minutes 10 seconds West 593.65 feet along said centerline; thence North 53 degrees 12 minutes 10 seconds West 1,815.94 feet along said centerline to the southwest corner of said Moeller land; thence North 0 degrees 11 minutes 22 seconds East 3,541.89 feet along the west line of said Moeller land and parallel with the east line of said Section 25 to the POINT OF BEGINNING and containing 185.149 acres, more or less. The bearings in this description are based upon the Indiana State Plane Coordinate System (Grid North).

EXCEPT:

A part of the East Half of the Southeast Quarter of Section 25, Township 15 North, Range 4 East and a part of the West Half of the Northwest Fractional Quarter and a part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, all in Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said quarter section, from the three quarter inch bolt found at the Northwest corner of said quarter section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said quarter section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234 in the Office of the Recorder of Marion County; thence South 0 degrees 11 minutes 22 seconds West 3,541.89 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence South 53 degrees 12 minutes 10 seconds East 586.45 feet along said centerline to the POINT OF BEGINNING of this description; thence North 0 degrees 07 minutes 04 seconds East 574.11 feet; thence North 61 degrees 56 minutes 18 seconds East 1,630.66 feet along the North line of a 150 foot wide electric transmission easement, recorded in Deed Record 1868 Instrument No. 51920, in the Office of the Recorder of Marion County, to the East line of the West Half of the Northwest Fractional Quarter of said Section 30; thence South 0 degrees 26 minutes 52 seconds East 2,025.39 feet along said East line and along the East line of the West Half of the Southwest Fractional Quarter of said Section 30; thence North 53 degrees 05 minutes 10 seconds West 345.84 feet; thence North 53 degrees 12 minutes 10 seconds

EXHIBIT "B", CONT.

West 770.47 feet to the beginning of a non-tangent curve concave to the Northwest having a radius of 1,135.00 feet and subtended by a long chord having a bearing of South 30 degrees 45 minutes 52 seconds West and a length of 238.19 feet; thence Southwesterly 238.63 feet along said curve to a tangent line; thence South 36 degrees 47 minutes 15 seconds West 13.13 feet to a tangent curve concave to the Northeast having a radius of 25.00 feet and subtended by a long chord having a bearing of South 08 degrees 12 minutes 27 seconds East and a length of 35.35 feet; thence Southerly and Southeasterly 39.27 feet to the Northeastern right-of-way line of Southeastern Avenue; thence South 36 degrees 47 minutes 50 seconds West 50.00 feet to the centerline of Southeastern Avenue; thence North 53 degrees 12 minutes 10 seconds West 509.39 feet along said centerline to the POINT OF BEGINNING and containing 40.91 acres, more or less.

ALSO EXCEPT:

A part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, all in Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 25, Township 15 North, Range 4 East, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter Section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said Quarter Section to a point, which is the northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234 in the Office of the Recorder of Marion County; thence South 0 degrees 11 minutes 22 seconds West 3,541.89 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence South 53 degrees 12 minutes 10 seconds East 1,664.22 feet along said centerline to the POINT OF BEGINNING of this description; thence North 0 degrees 27 minutes 29 seconds West 198.78 feet; thence North 89 degrees 32 minutes 31 seconds East 203.98 feet; thence South 0 degrees 27 minutes 29 seconds East 354.19 feet to the centerline of Southeastern Avenue; thence North 53 degrees 05 minutes 10 seconds West 104.71 feet along said centerline; thence North 53 degrees 12 minutes 10 seconds West 151.72 feet along said centerline to the POINT OF BEGINNING and containing 1.29 acres, more or less.

ALSO EXCEPT:

A part of the East Half of the Southeast Quarter of Section 25, Township 15 North, Range 4 East, in Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter Section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said Quarter Section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234 in the Office of the Recorder of Marion County; thence South 0 degrees 11 minutes 22 seconds West 3,541.89 feet along the West line

EXHIBIT "B", CONT.

of said Moeller land and parallel with the East line of said Section 25 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence South 53 degrees 12 minutes 10 seconds East 27.43 feet along said centerline to the POINT OF BEGINNING of this description; thence North 61 degrees 56 minutes 18 seconds East 508.61 feet along the North line of a 150 foot wide electric transmission easement recorded in Deed Record 1868, Instrument No. 51920, in the Office of the Recorder of Marion County; thence South 0 degrees 07 minutes 04 seconds West 574.11 feet to the centerline of Southeastern Avenue; thence North 53 degrees 12 minutes 10 seconds West 559.02 feet along said centerline to the POINT OF BEGINNING, containing 2.95 acres, more or less.

ALSO EXCEPT:

A part of the East Half of the Northeast Quarter of Section 25, Township 15 North, Range 4 East, Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter Section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said Quarter Section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234, in the Office of the Recorder of Marion County; thence South 00 degrees 11 minutes 22 seconds West 953.75 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the POINT OF BEGINNING of this description; thence North 89 degrees 08 minutes 16 seconds East 467.15 feet; thence South 00 degrees 07 minutes 04 seconds West 1,612.98 feet along the East line of said Moeller land; thence North 89 degrees 52 minutes 56 seconds West 469.10 feet to the West line of said Moeller land; thence North 00 degrees 11 minutes 22 seconds East 1,604.99 feet along said West line and parallel with the East line of said Section 25 to the POINT OF BEGINNING, containing 17.290 acres, more or less.

ALSO EXCEPT:

A part of the East Half of the Northeast Quarter of Section 25 Township 15 North, Range 4 East, and a part of the West Half of the Northwest Fractional Quarter and a part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, all in Marion County, Indiana, described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along said North line of said Quarter Section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234, in the Office of the Recorder of Marion County; thence South 00 degrees 11 minutes 22 seconds West 953.75 feet along the West line of said Moeller land and parallel with the East line of said

EXHIBIT "B", CONT.

Section 25; thence North 89 degrees 08 minutes 16 seconds East 467.15 feet to the POINT OF BEGINNING of this description, which point is a point on the East line of said Moeller land; thence North 89 degrees 08 minutes 16 seconds East 187.50 feet; thence South 00 degrees 51 minutes 44 seconds East 42.29 feet; thence Southerly, and Southeasterly 460.48 feet along an arc to the left and having a radius of 970.00 feet and subtended by a long chord having a bearing of South 14 degrees 27 minutes 43 seconds East and a length of 456.17 feet; thence South 28 degrees 03 minutes 42 seconds East 630.48 feet; thence Southeasterly, and Southerly 625.87 feet along an arc to the right and having a radius of 1,030.00 feet and subtended by a long chord having a bearing of South 10 degrees 39 minutes 14 seconds East and a length of 616.29 feet; thence South 06 degrees 45 minutes 14 seconds West 372.62 feet to a point on the North line of a 150 foot wide electric transmission easement, recorded in Deed Record 1868, Instrument No. 51920, in the Office of the Recorder of Marion County; thence South 61 degrees 56 minutes 18 seconds West 73.08 feet along said North line; thence North 06 degrees 45 minutes 14 seconds East 414.34 feet; thence Northerly 21.93 feet along an arc to the left and having a radius of 970.00 feet and subtended by a long chord having a bearing of North 06 degrees 06 minutes 22 seconds East and a length of 21.93 feet; thence North 89 degrees 52 minutes 56 seconds West 658.63 feet to a point on the East line of said Moeller land; thence North 00 degrees 07 minutes 04 seconds East 1,612.98 feet along said East line to the POINT OF BEGINNING, containing 17.940 acres, more or less.

ALSO EXCEPT:

A part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, Marion County, Indiana, described as follows:

Commencing at the Northwest corner of East Half of the Northeast Quarter of Section 25, Township 15 North, Range 4 East, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the North line of said Quarter Section, from the three-quarter-inch bolt found at the Northwest corner of said Quarter Section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the North line of said Quarter Section to the Northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument No. 82-73234, in the Office of the Recorder of Marion County; thence South 00 degrees 11 minutes 22 seconds West 3,541.89 feet along the West line of said Moeller land and parallel with the East line of said Section 25 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence South 53 degrees 12 minutes 10 seconds East 1,664.22 feet along said centerline; thence North 00 degrees 27 minutes 29 seconds West 198.78 feet to the POINT OF BEGINNING of this description; thence North 00 degrees 27 minutes 29 seconds West 209.54 feet; thence South 53 degrees 12 minutes 10 seconds East 256.27 feet; thence South 00 degrees 27 minutes 29 seconds East 54.40 feet; thence South 89 degrees 32 minutes 31 seconds West 203.98 feet to the POINT OF BEGINNING, containing 0.618 acres, more or less.

EXHIBIT "A-1"

A part of the Northeast Quarter and a part of the Southeast Quarter of Section 30, Township 15 North, Range 5 East, Marion County, Indiana, described as follows:

Beginning at the railroad spike marking the Southwest corner of the Northeast Quarter of said Section; thence North 00 degrees 59 minutes 39 seconds West, 1,755.37 feet along the West line of the Northeast Quarter of said Section; thence North 89 degrees 00 minutes 21 seconds East 16.50 feet to the East line of the right-of-way of Franklin Road, thence North 14 degrees 31 minutes 19 seconds East 103.76 feet along the East line to the Southwestern line of the right-of-way of Interstate 74; thence South 86 degrees 19 minutes 28 seconds East 35.36 feet along said Southeastern line; thence South 41 degrees 19 minutes 28 seconds East 2,462.21 feet along said Southwestern line to the South line of the Northeast Quarter of said Section; thence South 89 degrees 50 minutes 46 seconds West 332.58 feet along said South line to the Northeast corner of the West Half of the Southeast Quarter of said Section; thence South 01 degrees 02 minutes 15 seconds East 150.02 feet along the East line of the West Half of the Southeast Quarter of said Section to the Northeast corner of August Place Addition, the plat of which is recorded in Plat Book 32, page 377, in the Office of the Recorder of Marion County, thence South 89 degrees 50 minutes 46 seconds West 1,340.37 feet along the North line of said Addition to the West line of the Southeast Quarter of said Section; thence North 01 degrees 07 minutes 46 seconds West 150.02 feet along said West line to the point of beginning, containing 41.837 acres, more or less.

EXHIBIT "B-1"

A part of the East Half of the Northeast Quarter and a part of the East Half of the Southeast Quarter of Section 25, Township 15 North, Range 4 East, and a part of the West Half of the Northwest Fractional Quarter and a part of the West Half of the Southwest Fractional Quarter of Section 30, Township 15 North, Range 5 East, all in Marion County, Indiana, described as follows: Commencing at the northwest corner of the East Half of the Northeast Quarter of said Section 25, said corner being North 89 degrees 08 minutes 16 seconds East 1,348.55 feet, measured along the north line of said quarter section, from the three-quarter-inch bolt found at the northwest corner of said quarter section; thence North 89 degrees 08 minutes 16 seconds East 521.40 feet along the north line of said quarter section to the POINT OF BEGINNING of this description, which point is the northwest corner of the land conveyed in the Warranty Deed to Emil C. Moeller, Jr. recorded Instrument no. 82-73234 in the Office of the Recorder of Marion County; thence North 89 degrees 08 minutes 16 seconds East 827.15 feet along said north line to the iron pin found at the northeast corner of said Section 25, said corner being North 0 degrees 11 minutes 22 seconds East 5,333.98 feet, measured along the east line of said section, from the iron pin found at the southeast corner of said section; thence South 0 degrees 11 minutes 22 seconds West 53.98 feet along the east line of said section to a point that is 225.00 feet south of (by perpendicular measurement) the north line of the Northwest Fractional Quarter of said Section 30; thence South 89 degrees 49 minutes 20 seconds East 1,051.56 feet parallel with said north line to the east line of the West Half of the Northwest Fractional Quarter of said Section 30; thence South 0 degrees 26 minutes 52 seconds East 4,941.52 feet along said east line and along the east line of the West Half of the Southwest Fractional Quarter of said Section 30 to the centerline of Southeastern Avenue (formerly known as Michigan Road); thence North 53 degrees 05 minutes 10 seconds West 593.65 feet along said centerline; thence North 53 degrees 12 minutes 10 seconds West 1,815.94 feet along said centerline to the southwest corner of said Moeller land; thence North 0 degrees 11 minutes 22 seconds East 3,541.89 feet along the west line of said Moeller land and parallel with the east line of said Section 25 to the POINT OF BEGINNING and containing 185.140 acres, more or less. The bearings in this description are based upon the Indiana State Plane Coordinate System (Grid North); and

TOGETHER WITH any real estate adjacent to the above described real estate; and

TOGETHER WITH any real estate adjacent to the real estate described in Exhibit "A-1" to the First Amendment of the Declaration of Covenants, Conditions, and Restrictions of Wildwood Farms.