

**FIRST AMENDED
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
THE POINTE SERVICE ASSOCIATION, INC.**

**Recorded in the Office of the Recorder
of Monroe County, Indiana**

**Consisting of 7 pages,
Numbered 1 through 6**

Including

**Secretary's Certificate
Regarding Amendment of Declaration**

and

Resolution of Owners to Amend Declaration

This instrument prepared by: John W. Richards, #16845-53
Bunger & Robertson
211 S. College Ave
P.O. Box 910
Bloomington IN 47402-0910
(812) 332-9295

I affirm under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. /s/ *John W. Richards*, #16845-53

**FIRST AMENDED
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR
THE POINTE SERVICE ASSOCIATION, INC.**

This FIRST AMENDED DECLARATION, together with the Secretary's Certificate Regarding Amendment of Declaration and the Resolution of Owners to Amend Declaration attached hereto and made a part hereof, are made and executed on the 30th day of October 2021, by The Pointe Service Association, Inc. ("PSA"), on behalf of the Owners of Units ("Owners") in accordance with the terms and provisions of Article XI, Section 7 of the Declaration of PSA, duly filed for record on October 24, 1994, as Instrument No. 0062543, in Miscellaneous Book 088, at page 75, as amended from time to time, in the Office of the Recorder of Monroe County, Indiana (hereinafter collectively referred to as "Declaration").

Statement of Purposes

WHEREAS, by the Declaration, the affirmative vote of at least 66⅔% of all Owners of Units may amend the Declaration.

WHEREAS, the Declaration does not currently allow for a special assessment to be collected over one or more consecutive years.

WHEREAS, as set forth in the Secretary's Certificate Regarding Amendment of Declaration and the Resolution of Owners to Amend Declaration attached to this First Amended Declaration, more than 66⅔% of Owners of Units cast their votes to amend the Declaration to allow for a special assessment to be collected over one or more consecutive years.

NOW THEREFORE, the Owners, pursuant to the provisions in Article XI, Section 7 of the Declaration of PSA, hereby amend said Declaration as follows:

Article XI, Section 7 of the Declaration shall be and hereby is amended to read as follows:

Section 5. Special Assessments. In addition to the annual assessments authorized by this Article, the Association may levy a special assessment, which may be voted on and collected over one or more consecutive years, for the purpose of defraying, in whole or in part, the cost of any constructions or reconstruction, unexpected repair or replacement of a described capital improvement located upon the Common Areas, including the necessary fixtures and personal property related thereto, provided that any such assessment shall have the assent of two-thirds (2/3) of all classes of the then members of the Association. A Meeting of the members shall be duly called for this purpose. Any special assessment

levied by the Association pursuant to the provisions of this Section shall be apportioned to each Unit or Lot in the manner provided under Section 3.

Except as set forth herein, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Owners of Units have caused this First Amended Declaration to be executed the day and year written above.

THE POINTE SERVICE ASSOCIATION, INC.



Betsy Larson, President

Susan Slaven, Secretary

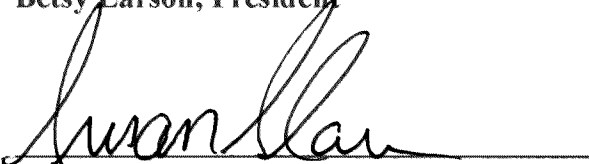
levied by the Association pursuant to the provisions of this Section shall be apportioned to each Unit or Lot in the manner provided under Section 3.

Except as set forth herein, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, the Owners of Units have caused this First Amended Declaration to be executed the day and year written above.

THE POINTE SERVICE ASSOCIATION, INC.

Betsy Larson, President



Susan Slaven, Secretary

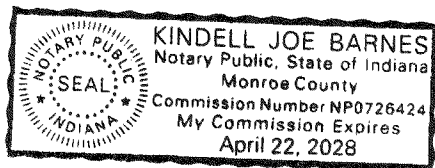
CORPORATE ACKNOWLEDGEMENT

STATE OF INDIANA)
)
COUNTY OF MONROE)

Before me, a Notary Public in and for said county and State personally appeared, **Betsy Larson**, as President of The Pointe Service Association, Inc., who acknowledged the execution of the foregoing First Amended Declaration, and who, having been duly sworn, stated that the facts and matters therein set forth are true and correct.

WITNESS my hand and Notarial Seal, this 16 day of November 2021.

Seal:



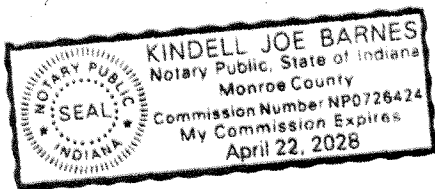
Kinell Joe Barnes
Notary Public

STATE OF INDIANA)
)
COUNTY OF MONROE)

Before me, a Notary Public in and for said county and State personally appeared, **Susan Slaven**, as Secretary of The Pointe Service Association, Inc., who acknowledged the execution of the foregoing First Amended Declaration, and who, having been duly sworn, stated that the facts and matters therein set forth are true and correct.

WITNESS my hand and Notarial Seal, this 12 day of November 2021.

Seal:



Kinell Joe Barnes
Notary Public

**THE POINTE SERVICE ASSOCIATION, INC.
SECRETARY'S CERTIFICATE
Regarding Amendment of Declaration**

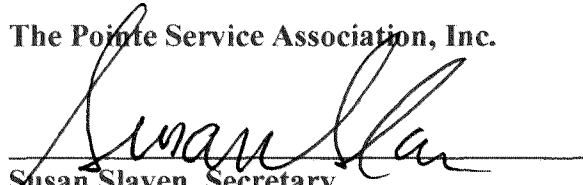
I, **Susan Slaven**, attest as follows:

1. I am currently serving as Secretary of the Board of Directors of The Pointe Service Association, Inc. ("PSA").

2. As of October 30, 2021, more than 66 $\frac{2}{3}$ % of all Owners of Units cast an affirmative vote to amend the Declaration of PSA to allow for a special assessment to be collected over one or more consecutive years.

3. Attached is a Resolution acknowledged by more than 66 $\frac{2}{3}$ % of all Owners of Units who cast their votes to amend the Declaration of PSA to allow for a special assessment to be collected over one or more consecutive years.

The Pointe Service Association, Inc.



Susan Slaven, Secretary


STATE OF INDIANA)
)
COUNTY OF MONROE)

Before me, a Notary Public in and for said County and State personally appeared **Susan Slaven**, who acknowledged the execution of the foregoing Secretary's Certificate and who, having been duly sworn, stated that the facts and matters therein set forth are true and correct.

WITNESS my hand and Notarial Seal, this 12 day of November 2021.

Seal:





Notary Public

**THE POINTE SERVICE ASSOCIATION, INC.'S
RESOLUTION OF OWNERS OF UNITS
TO AMEND DECLARATION**

WHEREAS, the vote of at least 66 $\frac{2}{3}$ % of all Owners of Units may amend the Declaration of The Pointe Service Association, Inc. (“the Declaration”);

WHEREAS, the Declaration does not currently allow for a special assessment to be collected over one or more consecutive years

WHEREAS, we, the Owners of Units, desire to amend the Declaration to allow for a special assessment to be collected over one or more consecutive years.

NOW THEREFORE, the Owners of Units hereby cast affirmative votes to amend said Declaration and acknowledge this Resolution pursuant to the provisions in Article XI, Section 7 of the Declaration.

Article XI, Section 7 of the Declaration shall be and hereby is amended to read as follows:

Section 5. Special Assessments. In addition to the annual assessments authorized by this Article, the Association may levy a special assessment, which may be voted on and collected over one or more consecutive years, for the purpose of defraying, in whole or in part, the cost of any constructions or reconstruction, unexpected repair or replacement of a described capital improvement located upon the Common Areas, including the necessary fixtures and personal property related thereto, provided that any such assessment shall have the assent of two-thirds (2/3) of all classes of the then members of the Association. A Meeting of the members shall be duly called for this purpose. Any special assessment levied by the Association pursuant to the provisions of this Section shall be apportioned to each Unit or Lot in the manner provided under Section 3.

Except as set forth herein, the Declaration shall remain in full force and effect.

DATED this 30th day of October 2021.