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**Cross-References:**

**Instrument No. 2004-035604 Declaration of Covenants Timber Valley**  
**Instrument No. 2004-035605 Section 1 Plat Timber Valley**  
**Instrument No. 2005-034280 Section 2 Plat Timber Valley**  
**Instrument No. 2007-007114 Section 3 Plat Timber Valley**  
**Instrument No. 2016-000219 First Amendment to Timber Valley Covenants**  
**Instrument No. 2019-018850 Second Amendment to Timber Valley Covenants**

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**THIRD AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR TIMBER VALLEY**

The undersigned Timber Valley Homeowners' Association, Inc., an Indiana non-profit corporation (the "Association"), makes this Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Timber Valley ("Third Amendment") effective as of the 28 day of April, ~~2024~~ 2024

**WITNESSETH:**

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Timber Valley, dated October 25, 2004, was recorded on December 15, 2004, as Instrument Number 2004-035604 in the Office of the Recorder of Johnson County (the "Declaration");

**WHEREAS**, the Plat for Section 1 of Timber Valley was recorded in the Office of the Recorder of Johnson County, Indiana on December 15, 2004 as Instrument No. 2004-035605;

**WHEREAS**, the Plat for Section 2 of Timber Valley was recorded in the Office of the Recorder of Johnson County, Indiana on December 12, 2005 as Instrument No. 2005-034280;

**WHEREAS**, the Plat for Section 3 of Timber Valley was recorded in the Office of the Recorder of Johnson County, Indiana on March 21, 2007 as Instrument No. 2007-007114;

**WHEREAS**, the First Amendment to the Declaration of Covenants, Conditions and Restrictions for Timber Valley was recorded in the Office of the Recorder of Johnson County, Indiana on January 5, 2016, as Instrument No. 2016-000219 ("First Amendment"); and,

**WHEREAS**, the Second Amendment to the Declaration of Covenants, Conditions and Restrictions for Timber Valley was recorded in the Office of the Recorder of Johnson County, Indiana on August 27, 2019, as Instrument No. 2019-018850 ("Second Amendment"); and,

**WHEREAS**, Section 9.2 of the First Amendment states the Declaration may be amended only by the affirmative vote or written consent, or any combination thereof, of voting Members representing at least fifty-one percent (51%) of the Members entitled to vote thereon;

**WHEREAS**, the Board of Directors of the Association has reviewed and affirmed that the following amendment to the Declaration have been approved by the affirmative written vote of voting Members representing at least fifty-one percent (51%) of the Members entitled to vote thereon pursuant to Section 9.2 of the First Amendment; and

**WHEREAS**, all capitalized terms not otherwise defined in this Third Amendment shall have the meaning ascribed in the Declaration.

**NOW THEREFORE**, pursuant to the foregoing, the Declaration is hereby amended by deleting Section 7.9 in its entirety and replacing it with the following Section 7.9 and by deleting Section 7.10 in its entirety and replacing it with the following Section 7.10:

**"Section 7.9 Garbage Cans, Tanks, Etc.** No storage tanks of any kind shall be allowed upon a Lot. Trash and garbage containers may be stored outdoors in a location toward the back of the house ten (10) feet from the front corner of the home. Trash must be stored in appropriate containers."

**"Section 7.10 Pools.** Installation of hot tubs, spas, in ground & above ground pools is allowed with prior approval of the Committee as provided herein in Timber Valley HOA. Homeowners need to follow the City of Greenwood pool policies & regulations and acquire appropriate permits."

*[The remainder of this page intentionally left blank]*

IN WITNESS WHEREOF, we the undersigned officers of the Timber Valley Homeowners' Association, Inc., do hereby execute this Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Timber Valley and certify that at least fifty-one percent (51%) of the total membership voted to approve this Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Timber Valley, and certify the truth of the facts stated this 28 day of April, ~~2024~~ 2024

TIMBER VALLEY HOMEOWNERS' ASSOCIATION, INC.

By: \_\_\_\_\_

(Signature of President)

Brandon Pate

(Printed Name of President)

ATTEST:

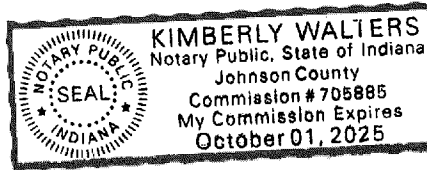
Michilyn Pickett  
(Signature of Secretary)

Michilyn Pickett  
(Printed Name of Secretary)

STATE OF INDIANA )

) SS:

COUNTY OF Johnson )



Before me a Notary Public in and for said County and State personally appeared \_\_\_\_\_

Brandon Pate (President) and Michilyn Pickett (Secretary),

President and Secretary respectively of Timber Valley Homeowners' Association, Inc. who acknowledged execution of the foregoing Third Amendment to the Declaration of Covenants, Conditions and Restrictions for Timber Valley and who, having been duly sworn, stated the representations contained herein are true.

Witness my hand and Notarial Seal this 28 day of April, 2024.

October 1, 2025  
Commission Expiration Date

Johnson  
County of Residence

Kimberly Walters  
Notary Public

Kimberly Walters  
Printed Name

*I, hereby 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. Robert D. Roache, II*

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This document prepared by:

Robert D. Roache, II  
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