

Type: DEE
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Recorded: 12/24/2012 09:13:57 AM
Fee Amt: \$44.00 Page 1 of 4
Montgomery County, OH
Willis E. Blackshear County Recorder
File# 2012-00084638

AMENDMENT TO THE
INDIAN CREEK CONDOMINIUMS PHASES ONE AND TWO
DECLARATIONS OF COVENANTS, RESTRICTIONS AND CONDITIONS
WITH ATTACHED EXHIBITS

PLEASE CROSS MARGINAL REFERENCE WITH THE INDIAN CREEK CONDOMINIUMS PHASE ONE DECLARATIONS OF COVENANTS, RESTRICTIONS AND CONDITIONS WITH ATTACHED EXHIBITS RECORDED AT VOLUME 80, PAGE 174A01 ET SEQ. OF THE MONTGOMERY COUNTY RECORDS AND THE INDIAN CREEK CONDOMINIUMS PHASE TWO DECLARATIONS OF COVENANTS, RESTRICTIONS AND CONDITIONS WITH ATTACHED EXHIBITS RECORDED AT VOLUME 80, PAGE 175A10 ET SEQ. OF THE MONTGOMERY COUNTY RECORDS.

PHASE ONE PLAT MAP RECORDED AT PLAT BOOK 110, PAGE 19 ET SEQ. OF THE MONTGOMERY COUNTY RECORDS.

PHASE TWO PLAT MAP RECORDED AT PLAT BOOK 110, PAGE 20 ET SEQ. OF THE MONTGOMERY COUNTY RECORDS.

JA

AMENDMENT TO THE
INDIAN CREEK CONDOMINIUMS PHASES ONE AND TWO
DECLARATIONS OF COVENANTS, RESTRICTIONS AND CONDITIONS
WITH ATTACHED EXHIBITS

WHEREAS, the Indian Creek Condominiums Phase One Declarations of Covenants, Restrictions and Conditions with Attached Exhibits was recorded at Volume 80, Page 174A01 et seq. of the Montgomery County Records ("Phase One Declaration"), and

WHEREAS, the Indian Creek Condominiums Phase Two Declarations of Covenants, Restrictions and Conditions with Attached Exhibits was recorded at Volume 80, Page 175A10 et seq. of the Montgomery County Records ("Phase Two Declaration"), and

WHEREAS, the Phase Two Declaration expanded the Indian Creek Condominium Property by subjecting and restricting additional units to the Phase One Declaration, and

WHEREAS, all units within Indian Creek are subject to both the Phase One Declaration and Phase Two Declaration, and

WHEREAS, Amendments to the Indian Creek Condominiums Phase Two Declarations of Covenants, Restrictions and Conditions with Attached Exhibits ("2010 Amendments") were recorded on March 17, 2010, at Montgomery County Recorder's Office Records, Instrument No. SP-I-10-014749, and

WHEREAS, an Amendment to the Indian Creek Condominiums Phase Two Declarations of Covenants, Restrictions and Conditions with Attached Exhibits ("2012 Amendment") was recorded on August 20, 2012, at Montgomery County Recorder's Office Records, Instrument No. 2012-00052724, and

WHEREAS, the 2010 Amendments and the 2012 Amendment were approved by the Board of Directors for the Indian Creek Condominium Property Owners Association, the organization that administers the Indian Creek condominium property and that consists of all the owners of units in the Condominium Property subject to the Phase One Declaration and the Phase Two Declaration.

WHEREAS, scrivener has learned and confirmed that there were omissions in the 2010 Amendments and 2012 Amendment that needs to be corrected; scrivener averring and representing the correction of said information will not materially affect any rights or interests of any Residential Owner not previously agreed or consented to by the Residential Owners, and

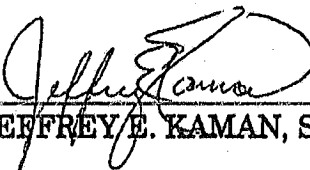
WHEREAS, the 2010 Amendments and 2012 Amendment inadvertently omitted the cross marginal reference to the Phase One Declaration on the cover pages, whereas clauses, and amendment provisions.

NOW THEREFORE, the cover pages, whereas clauses, and amendment provisions in the 2010 Amendments and the 2012 Amendment are hereby corrected to reflect and include the additional cross marginal reference to the Indian Creek Condominiums Phase One Declarations of Covenants, Restrictions and Conditions with Attached Exhibits recorded on April 25, 1980, at Montgomery County Records, Volume 80, Page 174A01 et seq.

As a result, the 2010 Amendments and 2012 Amendment shall amend, restrict, and modify both the Phase One Declaration and the Phase Two Declaration as covenants running with the land.

IN WITNESS WHEREOF, the scrivener of the said 2010 Amendments and 2012 Amendment has caused the execution of this instrument this 28th day of December, 2012.

INDIAN CREEK CONDOMINIUM PROPERTY OWNERS ASSOCIATION

By: 
JEFFREY E. KAMAN, Scrivener

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STATE OF OHIO)
)
COUNTY OF FRANKLIN) SS

BEFORE ME, a Notary Public, in and for said County, personally appeared the above named scrivener for the said 2010 Amendments and 2012 Amendment who acknowledges that he did sign the foregoing instrument, on Page 3 of 4, and that the same is his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal in Columbus, Ohio, this 21 day of December, 2012.

Magdalena E Myers
NOTARY PUBLIC

This instrument prepared by:
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