



A201900131676

12/30/2019 10:04 AM

**KATHERINE SWEENEY BELL
MARION COUNTY IN RECORDER**

FEE: \$ 35.00

PAGES: 35

By: GW

Cross Reference: Instrument No. 8600027360 recorded on April 3, 1986 in the office of Recorder of Marion County, Indiana re: Brunson Acres Section II

Instrument No. 8600085453 recorded on September 4, 1986 in the office of Recorder of Marion County, Indiana re: Brunson Acres Section III

Instrument No. 8700031342 recorded on October 6, 1987 in the office of Recorder of Marion County, Indiana re: Brunson Acres Section VII

**AMENDMENT TO PLAT COVENANTS AND RESTRICTIONS
OF
BRUNSON ACRES SECTION II, III and VII
(Geist Landing Subdivision)**

The Plat Covenants and Restrictions of BRUNSON ACRES SECTIONS II, III and VII, located in Lawrence Township, Marion County, Indiana, were imposed upon the land contained in the plat of such real estate and originally recorded with such plat, in multiple sections, named Brunson Acres and more particularly described in respective sections as cross-referenced above (the "Original Covenants"). The lots in Brunson Acres Section II, III and VII (collectively, "Brunson Acres Sections II, III and VII"), comprise a portion the subdivision commonly known as Geist Landing Subdivision.

Geist Landing Neighborhood Association, Inc. (the "Association"), an Indiana nonprofit corporation created by owners of lots in Geist Landing Subdivision, was formed to address neighborhood needs and concerns and to preserve and improve the health, safety, welfare and desirability of the neighborhood, among other purposes. The Board of Directors of the Association has considered the need for certain amendments to the plat covenants and restrictions of Brunson Acres Sections II, III and VII and has proposed that the amendment described below should apply to each Section and all lots in Brunson Acres Sections II, III and VII.

The Association collected the Vote and Written Consent of a majority of the Owners of Brunson Acres Sections II, III and VII, respectively and by a majority in each individual Section, ___ prior to January 1, 2020 consistent with the requirements of Paragraph 18 of the Original Covenants.

The Vote / Written Consents, are a part of the records of the Association and also attached as an exhibit here.

NOW, THEREFORE, the Plat Covenants and Restrictions for Brunson Acres Section II, III and VII are amended as follows:

6

AMENDMENT TO PARAGRAPH 18 OF THE ORIGINAL COVENANTS

The provision in the Original Covenants relating to automatic extension or amendment of covenants is hereby amended to provide that the covenants may be amended by a majority of the owners of the lots without regard to the timing of the automatic renewal of the Original Covenants. Paragraph 18 of the Original Covenants is hereby deleted and replaced with the following:

The within covenants, limitations and restrictions shall run with the land and shall be binding on all parties and persons claiming under them. Such provisions shall be in full force and effect until January 1, 2020, at which time said covenants shall be automatically extended for successive periods of ten (10) years unless by vote of the majority of the then owners of the lots it is agreed to change the covenants in whole or in part. Additionally, the covenants may be amended at any time thereafter upon the written consent of a majority of the then owners of the lots. Invalidity of any of the covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

[signature page follows]

IN WITNESS WHEREOF, Geist Landing Neighborhood Association, Inc., for and on behalf of, and pursuant to the vote of the current owners of the lots in Brunson Acres Sections II, III and VII, hereby confirms and attests that a majority vote or consent of the Owners of Lots of each respective Section of Brunson Acres / Geist Landing noted here was obtained amending the referenced Covenants and hereby execute this acknowledgement of the Amendment to Plat Restrictions and Covenants this 20th day of December, 2019.

GEIST LANDING NEIGHBORHOOD
ASSOCIATION, INC., for and on behalf of
current owners of lots in Brunson Acres
Section II, III and VII

By: Linda D. Sillery
Linda D. Sillery, President
By: Dianne R. Francis
Dianne R. Francis, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF Hamilton)

Before me, a Notary Public in and for said County and State, personally appeared Linda D. Sillery and Dianne R. Francis, President and Secretary, respectively, of Geist Landing Neighborhood Association, Inc., who acknowledged the execution of the foregoing Amendment to Plat Restrictions and Covenants on behalf of Brunson Acres / Geist Landing.

Witness my hand and notarial seal this 20th day of December, 2019.

Nathan Keith
Notary Public
[Signature]
(Printed Signature)

My Commission Expires:

1-26-23

My County of Residence:

Johnson



This instrument prepared by: Jeffrey M. Bellamy, Attorney at Law, Supreme Court No. 24090-49
1900 Market Square Center, 151 N. Delaware Street, Indianapolis, IN 46204

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law – *s. Jeffrey M. Bellamy, Esq.*