



**FOURTH AMENDMENT TO THE
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR MCCORD POINTE**

**Cross-Reference Inst. No. 201900184; 201903207; 20193208; 201904769; 202106110;
202212092; 202301241; and 202408680**

**FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR MCCORD POINTE**

This Fourth Amendment to the Declaration of Covenants, Conditions and Restrictions for McCord Pointe was executed as of the date set forth below.

WITNESS THE FOLLOWING:

The McCord Pointe subdivision ("McCord Pointe") located in Hancock County, Indiana was established by a certain "Declaration of Covenants, Conditions and Restrictions for McCord Pointe" ("Declaration") which was filed January 7, 2019, as **Instrument No. 201900184** with the Hancock County Recorder; and as supplemented by the First Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for McCord Pointe recorded on April 15, 2019 as Instrument No. 201903207 in the Records; as further supplemented by the Second Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for McCord Pointe recorded on April 15, 2019 as Instrument No. 201903208 in the Records (as amended by the First Amendment to Second Supplemental Declaration of Covenants, Conditions and Restrictions for McCord Pointe recorded on May 28, 2019 as Instrument No. 201904769 in the Records); as further supplemented by the Third Supplemental Declaration to the Declaration of Covenants, Conditions and Restrictions for McCord Pointe recorded on April 15, 2021 as Instrument No. 202106110 in the Records; and as amended by the First Amendment to Declaration of Covenants, Conditions and Restrictions for McCord Pointe recorded on September 8, 2022 as Instrument No. 202212092 in the Records; and as amended by the Second Amendment to the Declaration of Covenants, Conditions and Restrictions for McCord Pointe recorded on February 9, 2023 as Instrument No. 202301241; and as amended by the Third Amendment to the Declaration of Covenants, Conditions and Restrictions for McCord Pointe recorded on August 27, 2024 as Instrument No. 202408680 (collectively, the "Declaration");

Plats filed with the County Recorder established the Lots and Common Areas situated within McCord Pointe; and

The original developer of McCord Pointe caused to be incorporated under the laws of the State of Indiana a nonprofit corporation under the name McCord Pointe Homeowners' Association, Inc. ("Association") to manage the affairs of McCord Pointe; and

All Lot Owners within McCord Pointe are members of the Association; and

The Board of Directors of the Association recommended that the Owners approve the following amendments; and

Article IX, Section 9.2 of the Declaration, as amended, provides that it may be amended at any time by approval of the Owners of at least 60% of the Lots; and

The Owners of more than 60% of the Lots have approved the following amendments, with the written approvals being a part of the Association's permanent records. The trampoline amendment received 66.98% (211/315 Lots).

NOW, THEREFORE, the Declaration is hereby amended as described below:

1. Article VII, Section 7.28 of the Declaration entitled "Playground Equipment" contains a prohibition on trampolines in the last sentence of Section 7.28. The Association voted to approve a change to the last sentence of Section 7.28 to allow trampolines with prior review and approval of the Architectural Committee; **however, this change will not impact the additional restrictions set out in the Supplemental Declarations (thereby not affecting the Ranch Section, which maintains a prohibition on trampolines).**

The last sentence of Section 7.28 shall be replaced as follows, with the remainder of the provision remaining set forth in the Declaration:

Trampolines will be permitted to be installed on a Lot provided the Owner obtains written approval of the Architectural Committee prior to installation.

2. Except for the above, all other provisions of the Declaration shall remain unchanged.

3. The foregoing amendment shall run with the land and shall be binding upon all Owners and upon the parties having or acquiring any right, title or interest, legal or equitable, in and to the real property or any part or parts thereof subject to such restrictions, and shall inure to the benefit of all successors in title to any real estate in McCord Pointe.

4. The undersigned officers of the Association hereby represent and certify that all requirements for and conditions precedent to this Fourth Amendment to the Declaration have been fulfilled and satisfied.

[signature page follows]

Date: 9 Sept, 2024

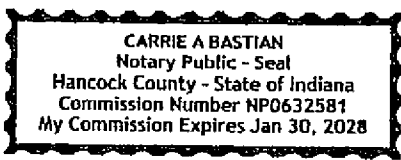
McCord Pointe Homeowners' Association, Inc., by:

Robert Kruger
Robert Kruger, President

Attest:

Cindy Miller
Cindy Miller, Secretary

STATE OF INDIANA)
) SS:
COUNTY OF Hancock)



Before me, a notary public, in and for said County and State, personally appeared Robert Kruger and Cindy Miller, the President and Secretary, respectively, of McCord Pointe Homeowners' Association, Inc., an Indiana nonprofit corporation, who acknowledged execution of the within and foregoing for and on behalf of said corporation and its members and who, being duly sworn, stated that the certifications and representations made therein are true. Witness my hand and notarial seal this 9th day of September, 2024.

Carrie A. Bastian
Notary Public - Signature

Carrie A. Bastian
Printed

My Commission Expires:

Residence County: Hancock

Jan 30, 2028

"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/ Kimberly M. Sutter, Esq.

This instrument prepared by Kimberly M. Sutter, EADS MURRAY & PUGH, P.C., Attorneys at Law, 9515 E. 59th Street, Suite B, Indianapolis, IN 46216. (317) 536-2565.