

DECLARATION OF EXPANDABLE CONDOMINIUM

For

EAGLE COVE PHASE I CONDOMINIUM

Filed for Record _____, 1996
Recorded in Misc. Book _____,
Pages _____ through _____,
In the Office of the Recorder
of Monroe County, Indiana

Consisting of _____ Pages,
Numbered 1 through _____,
and
Exhibits A through F.

Prepared by
Michael L. Carmin
ANDREWS, HARRELL, MANN, CHAPMAN & COYNE, P.C.
1720 North Kinser Pike
P.O. Box 2639
Bloomington, Indiana 47402-2639
(812) 332-4200

INDEX TO
DECLARATION OF EXPANDABLE CONDOMINIUM

<u>Title</u>	<u>Page</u>
Definitions	2
Declaration	4
Name of the Condominium	4
General Description of the Property	4
Description of Buildings	4
Description of Units	5
Encroachments	5
Common Areas and Facilities	6
Use of Common Areas and Facilities	7
Statement of Purposes, Use and Restrictions	7
Easements	8
Partitioning	9
Liens	9
Nature of Interest in Units	9
Taxes	10
Homeowners Association	10
Common Expenses	11
Insurance	11

Duty to Repair	14
Power of Attorney to Board of Administrators	16
Ownership or Lease of Units by Board of Administrators	16
Rights of Declarant	17
Units Subject to Declaration, By-Laws, Rules and Regulations	17
Personal Property	18
Interpretation	18
Amendment to Declaration	18
Enforcement	21
Floor Plan	22
Invalidity	22
Waiver	22
Captions	22
Law Controlling	22

Eagle Cove Phase I

DECLARATION OF HORIZONTAL PROPERTY OWNERSHIP
HORIZONTAL PROPERTY REGIME

THIS DECLARATION, and the exhibits which are attached hereto and made a part hereof, are made and executed this ____ day of _____, 1996, by EAGLE COVE PHASE I CONDOMINIUM d/b/a EAGLE COVE DEVELOPMENT, INC., (hereafter "Declarant"), for itself, its successors, grantees and assigns, pursuant to the provisions of the Indiana Horizontal Property Act.

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property in Monroe County, State of Indiana, more particularly described and defined in Exhibit A attached hereto and made a part hereof which shall constitute the Eagle Cove condominium development; and

WHEREAS, Declarant is the owner of additional real property described in Exhibit F, attached hereto, which shall, at the election of Declarant and upon annexation of such additional real property, constitute a part of Eagle Cove condominium development; and

WHEREAS, Declarant is the owner of certain condominium type multi-unit buildings and certain other improvements heretofore constructed or hereafter to be constructed upon the aforesaid property and it is the desire and the intention of Declarant to divide the project into "Condominium Units" or "Condominiums" as those terms are defined under the provisions of the Indiana Horizontal Property Act, and to sell and convey the same to various purchasers subject to the covenants, conditions and restrictions herein reserved to be kept and observed; and

WHEREAS, Declarant desires and intends, by the filing of this Declaration, to submit the Property described in Exhibit A and the multi-unit buildings located thereon and all other improvements constructed or to be constructed thereon, together with all appurtenances thereto, to the provisions of the Indiana Horizontal Property Act; and

WHEREAS, Declarant reserves the right to annex all or any part of said additional real property described in Exhibit F, attached hereto, upon execution and recordation of an amendment declaration by Declarant which, upon execution and recordation shall automatically include the land described therein within this Declaration and such owners or the Board of Administrators or the members of the Eagle Cove Homeowners Association or by any other person or entity, as hereinafter more particularly provided;