

Inst. No. 2011-40562



Cross-Reference: 2003-212505

**AMENDMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF LAWRENCE WOODS**

This Amendment to the Declaration of Covenants, Conditions and Restrictions of Lawrence Woods was executed as of the date set forth below.

WITNESSETH:

WHEREAS, the Lawrence Woods subdivision located in Marion County was established by a certain Declaration of Covenants, Conditions and Restrictions which was recorded on October 7, 2003, as **Instrument No. 2003-212505**, in the Office of the Recorder of Marion County, Indiana; and

WHEREAS, Plats filed with the Office of the Recorder of Marion County, Indiana established the Lots and Common Areas comprising said subdivision; and

WHEREAS, the Board of Directors of the Lawrence Woods Homeowners Association, Inc. (Association) recommended that the original provision in the Declaration of Covenants that prohibits mini barns and outbuildings be amended as set forth below; and

WHEREAS, the Owners of more than seventy-five percent (75%) of the total number of Lots in Lawrence Woods approved this amendment to the Declaration; and

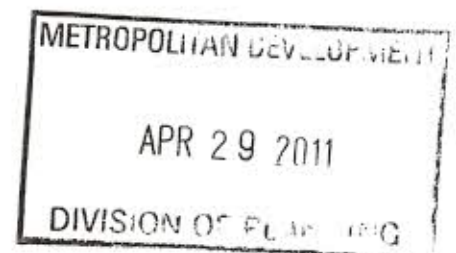
WHEREAS, the written approvals of the Owners are a part of the permanent records of the Association; and

WHEREAS, unless otherwise stated herein, all terms used in this Amendment shall have the same meanings as given to such terms in Article II of the Declaration of Covenants.

NOW, THEREFORE, the Declaration which is applicable to all Owners and residents within Lawrence Woods is hereby amended as follows:



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1. Article IV, Section 4.14 of the Declaration of Covenants is deleted and replaced by the following:

Section 4.14. Mini Barns and Outbuildings. Mini barns, outbuildings and other similar structures are subject to the terms and conditions of Article XI below.

2. A new Article XI (including Sections 11.1 through 11.12) is added to the end of the Declaration of Covenants to read as follows:

ARTICLE XI
Storage Shed (Outbuilding) Guidelines and Specifications

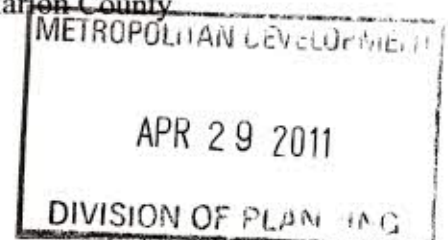
Section 11.1. Generally. As required in Article IV, Section 4.2 above, all architectural changes to a Lot must be approved in advance by the Board of Directors. The storage shed (outbuilding) guidelines and specifications included in this Article XI provide Owners wishing to build storage outbuildings the standards by which the Architectural Control Committee (ACC) will consider an application before making any recommendations to the Board. Because of the unique nature of each Lot, each application will be considered individually.

Outbuildings are visible to the general public, affect the relationships between neighbors, and impact our community appearance, and, as such, a failure to adhere to the guidelines can adversely affect our community. It is the Owner's responsibility to ensure that his or her outbuilding complies with the following provisions regarding initial construction, use, and on-going maintenance. Failure to comply will result in corrective action taken by the Board of Directors as outlined in other provisions of this Declaration.

These Guidelines and Specifications in no way replace the building codes and ordinances of City of Indianapolis and/or Marion County, which, when applicable, supersede these guidelines. It is the Owner's responsibility to ensure that any structure complies with local building codes and that all necessary permits are obtained. Lawrence Woods ACC and Board of Directors approval does not warrant or imply compliance with any local building code and/or other government requirement.

Section 11.2. Application Requirements. For consideration, all outbuilding applications must include the following:

- a. Detailed architectural drawings for the outbuilding; pictures of proposed outbuilding.
- b. List of materials/colors for the foundation, framing, exterior cladding and roof
- c. Lot survey showing proposed outbuilding placement in relation to building lines and primary residence
- d. Any permits required by City of Indianapolis and/or Marion County



Section 11.3. Quantity. A maximum of one outbuilding per lot will be approved. Outbuildings are any structure or building consisting of four or more walls with or without a roof, that is separate from the main structure (home) on a Lot used for entertainment, aesthetics, or used to store tools, equipment, chemicals, building materials, or any item used in conjunction with the main structure on the Lot, business, or any other structure, device, or property. These include sheds, greenhouses, play houses, and any free standing structure.

Section 11.4. Use. The use of outbuildings is subject to the following:

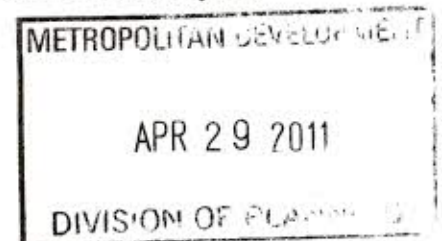
- a. Outbuildings may only be used to store the personal property of the homeowner; pets do not constitute personal property
- b. Outbuildings may not, under any circumstances, be used as living space of any kind (i.e. Animals and/or People)
- c. No items may be stored outside of, or attached to the exterior of, the outbuilding (Exception: Hose reels and decorative flower boxes)
- d. Outbuilding doors must remain closed and latched when not in use

Section 11.5. Location.

- a. Outbuildings must be located to respect the “visual rights” and aesthetic interests of neighbors; since each lot is unique, outbuilding location will be approved on a case-by-case basis
- b. In general, outbuildings should be located towards the rear of the property and visibility from the front of the home and the street should be limited. Outbuilding locations will be reviewed on a case by case basis by the ACC
- c. Outbuildings must be located within building setback lines as specified by city of Indianapolis and/or Marion County
- d. Outbuildings shall not be placed in any easements
- e. A 5’ rear yard setback, 3’ side lot set back and placement of a minimum of 8’ from the residence
- f. Property lines are to be located by the owner prior to onsite inspection by ACC
- g. Outbuilding footprint cannot exceed more than 35% of the Lot area
- h. Outbuilding shall not be attached to the primary residence

Section 11.6. Screening.

- a. Depending on the outbuilding’s visual impact, the ACC may require landscape screening
- b. Landscape screening (i.e. trees and shrubs) may need to be provided on the rear as well as the side elevation closest to the nearest Lot line
- c. Outbuildings may be exempt from landscape screening with the presence of a perimeter fence along the entire property line of the Lot as determined by the ACC.



Section 11.7. Size.

- a. The maximum footprint of an outbuilding is 144 square feet (i.e. 12' x 12')
- b. The minimum footprint of an outbuilding is 24 square feet (i.e. 6' x 4')
- c. In all cases, the maximum height of an outbuilding at its highest point may not exceed 12 feet

Section 11.8. Structure.

- a. Outbuildings must be constructed atop concrete slab foundations or rested atop concrete block foundations; in all cases, the foundation supports must not be visible above the ground level
- b. Properties that required grade build up to provide level ground shall have decorative block walls. Grade build up shall not exceed 18"
- c. All outbuildings shall be ventilated
- d. Roof slope must be pitched; flat roofs or gambrel will not be approved
- e. Doors are required; lean-to construction will not be approved
- f. All support, floor framing, decking and sill plates shall be pressure treated lumber

Section 11.9. Materials.

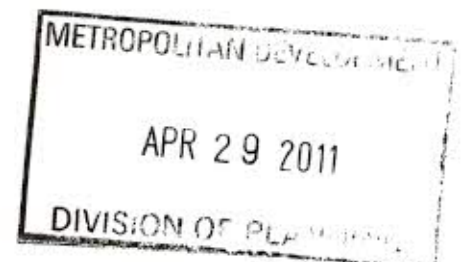
- a. Permitted building materials include lumber for the interior framing and either T-111 siding, vinyl siding or cement board for the exterior cladding; no plastic, rubber, fiberglass, particle board or metal outbuildings are allowed
- b. Exterior grade plywood beneath cladding and for roof to be primed on both sides
- c. Exterior walls and trim of the outbuilding must match the exterior walls and trim of the primary residence in color
- d. Roofs shall be shingled and must match the primary residence in color and style
- e. Windows and shutters, if present, must match the appearance of the primary residence

Section 11.10. Utilities.

- a. Any utilities servicing the outbuilding must be underground
- b. Exterior lighting may be permitted but is subject to the ACC. Location and lighting will need to be monitored as not to disturb neighboring properties.
- c. Interior lighting must remain off when the storage outbuilding is not in use

Section 11.11. Maintenance.

- a. All outbuildings must be maintained to the same standards as the primary residence



- b. Owners are responsible for the maintenance of the outbuilding and any landscaping included in the initial request which was approved by the ACC.
- c. Maintenance includes, but is not limited to:
 - Maintaining a consistent architectural design with the primary residence
 - Repair of any broken doors or windows
 - Regular painting of exterior cladding and trim (if applicable)

Section 11.12. Under-Deck Outbuildings. An under-deck storage outbuilding is allowed provided that the outbuilding is fully enclosed such that items stored under the deck cannot be seen; lattice may not be used to enclose the underside of a deck for storage

3. Except for the above amendments, all other provisions of the Declaration of Covenants shall remain unchanged and in full force and effect.

4. Acceptance and Ratification. The acceptance of a deed of conveyance or the act of occupancy of any one Lot shall constitute a ratification of this Amendment, together with the Declaration, and all such provisions shall be covenants running with the land and shall bind any person having at any time having any interest or estate in a Lot or the West Wayne Woods subdivision as though such provisions were recited and stipulated at length in each and every deed, conveyance, mortgage or lease.

5. Certification. The undersigned persons hereby represent and certify that all requirements for and conditions precedent to the Amendment of the Declaration have been fulfilled and satisfied.

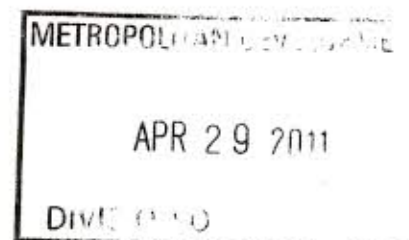
Executed this 18 day of April, 2011.

Lawrence Woods Homeowners Association, Inc., by:


Warren Barnes, President

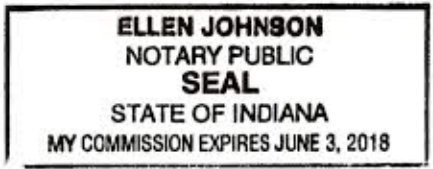
Attest:


Julie Altman, Secretary



STATE OF INDIANA)
) SS:
COUNTY OF Marion)

Before me, a notary public, in and for said County and State, personally appeared Warren Barnes and Julie Altman, the President and Secretary, respectively, of Lawrence Woods 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 10th day of April, 2011.



Ellen Johnson
Notary Public - Signature
Ellen Johnson
Printed

My Commission Expires:
6.3.18

Residence County: Hamilton

"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."
P. Thomas Murray, Jr., Esq.

This instrument prepared by, and should be returned to, P. Thomas Murray, Jr., EADS MURRAY & PUGH, P.C., Attorneys at Law, 9515 E. 59th Street, Suite B, Indianapolis, IN 46216. (317) 536-2565.

