

A201600048832

**05/11/2016 7:53 AM
KATHERINE SWEENEY BELL
MARION COUNTY IN RECORDER**

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Cross-Reference:

- Country Village of Eagle Valley Farms (Plat), Instrument #79-68955
 - Country Village II (Plat), Instrument #80-74315
 - Country Village at Eagle Valley Farms, Declaration of Covenants, Instrument #79-68955
 - Eagle Valley Farms Country Village Homeowners Assn', Inc., Revised Bylaws, Instrument #A201600011415
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FIRST AMENDMENT

to the

REVISED AND RESTATED

CODE OF BYLAWS

for

**EAGLE VALLEY FARMS COUNTRY VILLAGE
HOMEOWNERS ASSOCIATION, INC.**

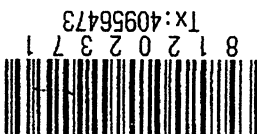
COMES NOW the Eagle Valley Farms Country Village Homeowners Association, Inc., by its Board of Directors, on this 2 day of May, 2016, and states as follows:

WITNESSETH THAT:

WHEREAS, the residential community in Marion County, Indiana, commonly known as Country Village at Eagle Valley Farms was established upon the recording of certain documents with the Office of the Recorder for Marion County, Indiana; and

WHEREAS, the Plat for Country Village at Eagle Valley Farms was recorded with the Office of the Marion County Recorder on September 11, 1979, as **Instrument #79-68955**; and

WHEREAS, the Plat for Country Village II was recorded with the Office of the Marion County Recorder on November 18, 1980, as **Instrument #80-74315**; and



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51 **WHEREAS**, the Country Village at Eagle Valley Farms subdivision is subject to private property
52 covenants that run with the land and are set forth in the Declaration of Covenants, Conditions and
53 Restrictions of Country Village at Eagle Valley Farms (“Declaration”) recorded in the Office of the Marion
54 County Recorder on September 11, 1979, as **Instrument #79-68955**, and which states that by taking a deed
55 to any Lot within the Country Village subdivision each owner becomes a mandatory member of the Eagle
56 Valley Farms Country Village Homeowners Association, Inc., an Indiana nonprofit corporation
57 (“Association”); and
58

59 **WHEREAS**, the Association was incorporated as described in the Declarations as a non-profit
60 corporation pursuant to Articles of Incorporation (“Articles”) filed with, and approved by, the Indiana
61 Secretary of State on October 24, 1979; and
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63 **WHEREAS**, the Association adopted a Revised and Restated Code of Bylaws (“Revised Bylaws”)
64 on January 11, 2016, which was recorded on February 3, 2016, in the Office of the Recorder of Marion
65 County, Indiana, as Instrument #A201600011415; and
66

67 **WHEREAS**, the Articles of Incorporation, Article IX, Section 3, states that “*The Board of*
68 *Directors of the Corporation shall have the power to make, alter, amend, or repeal the Bylaws of the*
69 *Corporation by an affirmative vote of the majority of the members of the Board of Directors.*”; and
70

71 **WHEREAS**, the Revised Bylaws, Article XIII, Section 1, states “*The Board of Directors of the*
72 *Association may alter, amend, repeal the Revised and Restated Code of Bylaws or adopt a new Code of*
73 *Bylaws for the Association, without the approval of the Members, by an affirmative vote of the majority of*
74 *the members of the Board of Directors of the Association.*”; and
75

76 **WHEREAS**, pursuant to the authority granted to the Board of Directors in the Articles and Bylaws
77 as set forth above, the Board of Directors desires to amend the Revised and Restated Code of Bylaws for
78 the Association; and
79

80 **WHEREFORE**, pursuant to the authority granted to the Board of Directors by the Articles and
81 Bylaws, a majority of the Board of Directors have voted to adopt the following amendment to the Revised
82 and Restated Code of Bylaws:
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85 *Article V, Section 1(c), of the Revised Bylaws is amended to read as follows:*
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87
88 (c). **Term of Office Generally.** The current staggered term rotation of the Board of
89 Directors will be maintained, with one (1) director being elected in 2016, two (2) directors being
90 elected in 2017, and two (2) directors being elected in 2018. All directors will be elected to serve
91 a three (3) year term of office. Each director will serve his full term and will continue to serve until
92 his successor is properly elected and/or qualified. There is no limit on the number of terms a
93 director may serve.
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97 *All other provisions of the Revised and Restated Code of Bylaws for Eagle Valley Farms Country*
98 *Village Homeowners Association, Inc. remain unchanged.*
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We certify that this First Amendment to the Revised and Restated Code of Bylaws of the Eagle Valley Farms Country Village Homeowners Association, Inc. was approved by a majority vote of the Board of Directors of the Association.

EAGLE VALLEY FARMS COUNTRY VILLAGE HOMEOWNERS ASSOCIATION, INC.

Max Roe
President

05/02/2016
Date

Max Roe
Printed Name of Director

ATTEST:

Jane Stevenson
Secretary

5/2/16
Date

JANE STEVENSON
Printed Name of Director

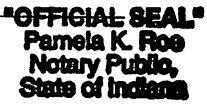
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STATE OF INDIANA)
)
COUNTY OF MARION)

Before me a Notary Public in and for said County and State, personally appeared Max Roe and Jane Stedenson, the President and Secretary, respectively, of Eagle Valley Farms Country Village Homeowners Association, Inc., who acknowledged execution of the foregoing First Amendment to the Revised and Restated Code of Bylaws for Eagle Valley Farms Country Village Homeowners Association, Inc. and who, having been duly sworn, stated that the representations contained herein are true.

Witness my hand and Notarial Seal of this 2 day of May, 2016.

Pamela K. Roe
Notary of Public – Signature



Marion
County of Residence

Pamela Roe
Printed

1/11/2018
Date Commission Expires

I hereby 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. –Scott A. Tanner

This document was prepared by and should be returned to:
Scott A. Tanner, TANNER LAW GROUP, 6125 S. East St., Suite A, Indianapolis, IN 46227