

200400021696
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HENDRICKS COUNTY IN
THERESA D LYNCH
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SUPP COVENA 14.00
OR Book. 524 Page 1663 - 1665

**FIRST SUPPLEMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
OF LEXINGTON WOODS**

This First Supplement is made this 8th day of May, 2004, by Davis Homes, LLC,
an Indiana limited liability company (the "Developer").

Instrument
200400021695

1. Developer is the owner of certain real estate more particularly described in Exhibit "A"
attached hereto (the "Additional Real Estate").

2. Developer executed that certain Declaration of Covenants, Conditions and Restrictions
of Lexington Woods, dated May 21, 2003 and recorded the same on May 28, 2003 as Instrument
No. 200300022186 in Book 527 Page 522 in the Office of the Recorder of Hendricks County,
Indiana (the "Declaration").

3. Developer reserved in said Declaration the right from time to time, acting alone, to
subject to the terms and provisions of the Declaration certain additional real estate located within
the tracts adjacent to the Initial Real Estate (as defined in the Declaration) by execution and
recording in the Office of the Recorder of Hendricks County of a supplemental declaration so
annexing all or any part of such real estate.

4. The Additional Real Estate constitutes a part of the tract adjacent to the Initial Real
Estate.

NOW, THEREFORE, Declarant, in accordance with the rights reserved in the
Declaration, makes this First Supplement as follows:

1. Definitions. All terms used in this First Supplement not otherwise defined in this First
Supplement shall have the meanings set forth in the Declaration. Accordingly, the Additional
Real Estate shall hereafter for all purposes be included in the definition of Real Estate in the
Declaration, as the same may be amended or supplemented from time to time as therein
provided.

2. First Supplement to Declaration. Developer hereby expressly declares that the Additional Real Estate, together with all improvements of every kind and nature whatsoever located thereon, shall be annexed to the Real Estate and made subject to the provisions of the Declaration, as the same may be amended or supplemented from time to time as therein provided, and the Real Estate is hereby expanded to include the Additional Real Estate, all as if the same had originally been included in the Declaration. The Additional Real Estate shall be hereafter held, transferred, sold, conveyed, hypothecated, encumbered, leased, rented, used, improved and occupied subject to all of the provisions, agreements, covenants, conditions, restrictions, easements, assessments, charges and liens of the Declaration, as the same may be amended or supplemented from time to time as therein provided.

3. Effect of Covenants. All such provisions of the Declaration, as the same may be amended or supplemented from time to time as therein provided, shall be covenants running with the land and shall be binding upon, and inure to the benefit of Developer and any other person or entity having any right, title or interest in the Real Estate or any part thereof.

4. Declaration Continuous. Except as expressly supplemented by this First Supplement, the Declaration shall continue unchanged and in full force and effect.

IN WITNESS WHEREOF, this First Supplement has been executed by Developer as of the date first above written.

By: Davis Homes, LLC
an Illinois limited liability company

By: Davis Holding Corporation,
manager member

By: 
C. Richard Davis
Vice President

CHICAGO TITLE