



**AMENDMENT TO THE  
RESTRICTIVE COVENANTS  
FOR OAK BEND ESTATES  
SECTION 1  
SECTION 2  
SECTION 3  
SECTION 4  
SECTION 5**

**Cross-Reference:**

- Section 1: Plat Book 13, page 53; amended Book 114, Page 691  
Misc. Record 200823121**
- Section 2: Plat Book 14, pages 46; amended Misc. Record 116, page 379**
- Section 3: Plat Book 1, Page 37**
- Section 4: Plat Book 1, Page 66**
- Section 5: Plat Book 1, Page 100; amended Misc. Record 128, pages 107**
- Instrument No. 202303980**

**AMENDMENT TO THE RESTRICTIVE COVENANTS,  
FOR OAK BEND ESTATES  
SECTIONS 1,2,3,4 and 5**

This Amendment to the Restrictive Covenants for Oak Bend Estates was executed as of the date set forth below.

**WITNESS THE FOLLOWING:**

The Oak Bend Estates subdivision ("Oak Bend") located in Hendricks County, Indiana was established by a certain Plats with Plat Restrictions "Restrictive Covenants" ("Covenants") which were recorded on Five (5) separate Plats. Section 1 was recorded May 24, 1988, in Plat Book 13, Page 53 (and subsequently amended June 7, 1988 in Misc. Record 114, Page 691 and again on October 3, 2008, in Misc. Record No. 200823121). Section 2 was recorded November 2, 1998, in Plat Book 14, Page 14 (and subsequently amended on January 20, 1989 in Misc. Record 116, Page 379). Section 3 was recorded September 6, 1989, in Plat Book 1, Page 37. Section 4 was recorded March 27, 1990, in Plat Book 1, Page 66. Section 5 was recorded November 14, 1990 in Plat Book 1, Page 100 (and subsequently amended on October 28, 1991 in Misc. Record 128, Page 107), all in the office of the Recorder for Hendricks County. All Sections were subsequently amended by the recording of the "Amendment to Restrictive Covenants" filed March 10, 2023 as Instrument No. 202303980 in the Office of the Hendricks County Recorder.

Owners within Oak Bend Estates have the option to become members of the Association; however all Owners are subject to the terms of the Covenants; and

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

Each Section of the Restrictive Covenants contains a provision that allows for the amendment of the Covenants so long as the amendment is approved by at least a majority of the then owners of the Lots; and

The Owners of all Sections approved these amendments as follows: Section 1- 56.52% (13/23) approved; Section 2 – 54.54% (24/44) approved; Section 3 – 58.06% (18/31) approved; Section 4 – 54.54% (24/44) approved; and Section 5 – 55% (24/40) approved.

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

1. Paragraph 26 in the Sections 1 & 2 and Paragraph 25 in Sections 3, 4, & 5 of the Plat Restrictive Covenants entitled "Swimming Pools" shall be amended and replaced with the following language in each of the five documents:

SWIMMING POOLS. No swimming pools, where the water level is either partially or completely above ground level, shall be permitted. Any in-ground swimming pool shall be properly fenced or covered to protect the safety of others as per governmental requirements. No fence shall be installed before such fence receives Architectural Committee approval including but not limited to meeting the requirements of Section 10 above. Fences shall not be required if a properly installed automated pool safety cover is maintained in place such that it satisfies the requirements of all governmental authorities and is kept closed at all times when the pool is not in use or otherwise attended.

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 Oak Bend Estates.

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

[signature page follows]

Date: 10/10, 2024

Oak Bend Estates Homeowners' Association, Inc., by:

Doug Scott, PRESIDENT  
Doug Scott, President

Attest:

Ellen Scott, Secretary  
Ellen Scott, Secretary



Amy Diana Ruth Davis, Notary Public  
Hendricks County, State of Indiana  
Commission No: NP0749599  
My Commission Expires 06/14/2031

STATE OF INDIANA)

COUNTY OF Hendricks SS:

Before me, a notary public, in and for said County and State, personally appeared Doug Scott and Ellen Scott the President and Secretary, respectively, of Oak Bend Estates 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 October, 2024.

Amy Diana Ruth Davis  
Notary Public - Signature

Amy Diana Ruth Davis  
Printed

My Commission Expires:

06/14/2031

Residence County: Hendricks

"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. 59<sup>th</sup> Street, Suite B, Indianapolis, IN 46216. (317) 536-2565.