

**AMENDED AND RESTATED CODE OF BY-LAWS OF
DEERFIELD CIVIC LEAGUE, INCORPORATED**

An Indiana Nonprofit Corporation

COMES NOW the Deerfield Civic League, Incorporated (hereinafter referred to as the “Association”), by its Board of Directors, and states as follows:

WITNESSETH the following:

The residential community in Hamilton County, Indiana commonly known as Deerfield was established upon the recording of certain Plats with the Office of the Recorder for Hamilton County, Indiana; and

Plats for Sections 1 and 2 of Deerfield, along with Protective Covenants, were filed in the Office of the Hamilton County Recorder in 1960 and 1965, respectively; and

The Association was incorporated as an Indiana nonprofit corporation pursuant to Articles of Incorporation filed with, and approved by, the Indiana Secretary of State on March 15, 1978; and

The Association previously adopted a Code of By-Laws for the Association and the homeowners within Deerfield, with the last version being adopted in June of 1996; and

The By-Laws in Article Twelve state, “These By-Laws may be altered, amended, repealed or added to by an affirmative vote of not less than eight members at the annual membership meeting or at a special meeting called by the President. All members will be notified of the proposed changes two weeks prior to the annual meeting. that the By-Laws may be amended at a regular or special meeting of the members of the Association by a vote of a majority of a quorum of members present in person or by proxy”; and

The Board of Directors desires to amend the By-Laws.

WHEREFORE, the following Amended and Restated Code of By-Laws for the Association is hereby approved and adopted by the Board of Directors of the Association, after being approved by a majority of a quorum of the homeowner members present in person and by proxy at the annual meeting held on March 20, 2018, and are effective as of the date of adoption. The following By-Laws shall supersede and replace all former By-Laws of the Association.

**AMENDED AND RESTATED CODE OF BY-LAWS OF
DEERFIELD CIVIC LEAGUE, INCORPORATED**

An Indiana Nonprofit Corporation

ARTICLE 1

NAME

Section 1.1. Name. The name of this corporation is Deerfield Civic League, Incorporated (hereinafter referred to as “Association”).

ARTICLE 2

IDENTIFICATION & APPLICABILITY

Section 2.1. Identification and Adoption. The provisions of these By-Laws shall apply to the Deerfield subdivision and the administration and conduct of the affairs of the Association. These By-Laws shall also constitute the By-Laws of the Association.

Section 2.2. Individual Application. Each of the Owners within the Deerfield subdivision shall automatically and mandatorily be Members in the Association and be entitled to all of the privileges and subject to all of the obligations thereof. All Owners, by their acceptance of their respective deeds to their Lots, covenant and agree to be bound by the conditions, restrictions, and obligations contained in the “Protective Covenants” that were filed in the Hamilton County Recorder’s Office for Sections 1 and 2 of Deerfield (hereafter, “Covenants”) in 1960 and 1965, respectively, together with all amendments or supplements thereto, the Articles of Incorporation, the rules and regulations of the Association and of the provisions hereof. All of the Owners, future Owners, tenants, future tenants, their guests and invitees, or any other person who might now or hereafter use or occupy a Lot or any part of the common areas shall be subject to the rules, restrictions, terms, and conditions set forth in the Covenants, the Articles of Incorporation, these By-Laws, the Indiana Homeowners Association Act (the “HOA Act”), and the Indiana Nonprofit Corporation Act of 1991 (the “Nonprofit Act”), all as the same may be amended from time to time, and to any rules and regulations adopted by the Board of Directors as herein provided. The Covenants are incorporated herein by reference.

ARTICLE 3

MEETINGS OF ASSOCIATION

Section 3.1. Purpose of Meetings. At least annually, and at such other times as may be necessary or appropriate, a meeting of the Members shall be held to elect the Board of Directors, receive and approve the annual budget, and for such other purposes as may be required by the Covenants, these By-Laws, the Articles, the HOA Act, or the Nonprofit Act.

Section 3.2. Annual Meeting. The annual meeting for the Members of the Association shall be held in the first quarter of each year, with the specific date, time and place to be determined by the Board of Directors. At each annual meeting, the Members shall elect the Board of Directors of the Association per these By-Laws and transact such other business as may properly come before the meeting.

Section 3.3. Special Meetings. A special meeting of the Members of the Association may be called by the President, by resolution of the Board of Directors or upon a written petition of the Owners of not less than ten percent (10%) of the total number of Lots. The resolution or petition shall be presented to the President or Secretary of the Association and shall state the purpose for which the meeting is to be called. No business shall be transacted at a special meeting except as stated in the petition or resolution.

Section 3.4. Notice and Place of Meetings. All meetings of the Members of the Association shall be held at an owner's home within Deerfield or at any suitable place in Hamilton County or Marion County, as may be designated by the Board of Directors. Written notice stating the date, time, and place of any meeting, and in the case of a special meeting the purpose or purposes for which the meeting is called, shall be delivered or mailed by the Secretary of the Association to each Member entitled to vote thereat not less than twenty-one (21) days prior to the date of such meeting. Any written notice delivered to the Members as part of a newsletter or other publication regularly sent to the Members constitutes a written notice. If at any meeting an amendment to the Covenants, the Articles of Incorporation, or these By-Laws is to be considered, the notice of such meeting shall describe the nature of such proposed amendment. All notices shall be mailed by first-class U.S. Mail, postage prepaid, or delivered to the Members at their respective addresses as the same shall appear upon the records of the Association. If an annual or special meeting of Members is adjourned to a different date, time or place, written notice is not required to be given of the new date, time or place so long as the new date, time and place is announced at the meeting pursuant to the Nonprofit Act before adjournment.

In lieu of written notices from the Association sent pursuant to the above paragraph, an Owner may elect to receive notices from the Association by email. Any Owner choosing email shall be deemed to have waived the right to receive notices from the Association by U.S. Mail or personal delivery. However, any such Owner shall have the right at any time to withdraw

his or her election to receive notice by email, and shall thereafter be sent notices by the Association pursuant to the above paragraph.

Section 3.5. Voting.

(a) Number of Votes. Each Member shall be entitled to cast one (1) vote for each Lot of which such Member is the Owner. In voting for Directors, each Owner (or his or her representative) shall be entitled to cast one (1) vote for each directorship being filled at that meeting, and the candidate(s) receiving the highest number of votes shall fill the available directorship(s); provided that no Owner shall be allowed to accumulate his or her votes.

(b) Multiple Owners. When more than one (1) person or entity constitutes the Owner of a particular Lot in Deerfield, all such persons or entities shall be Members of the Association, but all of such persons or entities shall have only one (1) vote for such Lot, which vote shall be exercised as they among themselves determine, but in no event shall more than one (1) vote be cast with respect to any such Lot.

(c) Voting by Corporation or Trust. Where a corporation or trust is an Owner or is otherwise entitled to vote, the trustees may cast the vote on behalf of the trust, and the agent or other representative of the corporation duly empowered by the board of directors of such corporation shall cast the vote to which the corporation is entitled. The secretary of such corporation or a trustee of such trust so entitled to vote shall deliver or cause to be delivered prior to the commencement of the meeting a certificate signed by such person to the Secretary of the Association stating who is authorized to vote on behalf of said corporation or trust.

(d) Proxy. An Owner may vote either in person or by his or her duly authorized and designated attorney-in-fact. Where voting is by proxy, the Owner shall duly designate his attorney-in-fact in writing, delivered to the Secretary of the Association prior to the commencement of the meeting. No such proxy shall remain valid for longer than six (6) months from the date of its execution.

(e) Quorum. Except where otherwise expressly provided in the Covenants, the HOA Act, or the Nonprofit Act, the presence of Owners or their duly authorized representatives owning at least eight (8) Lots shall constitute a quorum at all meetings.

(f) Suspension of Voting Rights. No Member shown on the books or management accounts of the Association to be more than six (6) months delinquent in any payment due to the Association (or for such lesser period as

may be permitted under the HOA Act) shall be eligible to vote, either in person or by proxy, or to be elected to, or to serve on, the Board of Directors.

(g) Manner of Voting and Meeting Participation. Voting and meeting participation may be held or performed in any manner set forth in the Covenants or these By-Laws as well as any manner that is not prohibited by the Nonprofit Act or the HOA Act, or deemed acceptable by the Courts as a practical way to collect votes and allow Members to participate in Association actions. The Board of Directors shall have discretion to provide for such procedures and to set the terms of use.

Specifically, the Board of Directors shall have the power to authorize voting by the Members through a secure, internet-based online voting system (“electronic voting”). The Board of Directors can adopt rules and regulations concerning the use of acceptable, verifiable means of technology, including electronic means for Lot Owner notice, voting, signatures, consents and approvals. A verifiable electronic signature satisfies any requirements for signatures on documents. If an Owner either does not have the capability or desire to conduct business electronically, the Association shall make reasonable accommodation, at its expense, for the person to conduct business without the use of electronic or other similar means.

Section 3.6. Conduct of Annual Meeting. The Chairman of the annual meeting shall be the President of the Association. The President shall call the meeting to order at the duly designated time, and business will be conducted in the following order:

(1) Roll Call and Reading of Minutes. The Secretary shall read the minutes of the last annual meeting and the minutes of any regular or special meeting of the Members held subsequent thereto, unless such reading is waived by a majority of the votes cast.

(2) Committee Reports. Reports of committees designated to supervise and advise on the respective segments of maintenance and operations prescribed in the Covenants or assigned by the Board of Directors shall be presented.

(3) Reports of Officers.

(4) Treasurer’s Report. The Treasurer shall report to the Members concerning the financial condition of the Association and answer relevant questions of the Members concerning the Common Expenses and financial report for the prior year and the proposed budget for the current fiscal year.

(5) Budget. The proposed budget for the current calendar year shall be presented to the Members for approval or amendment.

(6) Election of Board of Directors. Nominations for the Board of Directors may be made by a Member from those persons eligible to serve. Nominations may be made and presented to the Secretary of the Association prior to the annual meeting. Nominations for the Board of Directors will also be accepted from the Members attending the annual meeting. Voting for the Board of Directors will be by paper ballot unless waived by a majority of the votes cast. The ballot shall contain the name of each person nominated to serve as a Board member. Each Member may cast the total number of votes to which he or she is entitled for as many nominees as are to be elected; however, no Member shall be entitled to accumulate his or her votes. Those persons receiving the highest number of votes shall be elected.

(7) Old and Unfinished Business.

(8) New Business.

(9) Adjournment.

Section 3.7. Conduct of Special Meeting. The President of the Association shall act as Chairman of any special meetings of the Association. The Chairman shall call the meeting to order at the duly designated time and the only business to be considered at such meeting shall be in consideration of the matters for which such meeting was called, as set forth in the notice of such special meeting.

Section 3.8. Written Ballots. In lieu of any annual or special meeting of the Members, written ballots may be utilized in the manner prescribed in the Nonprofit Act or the HOA Act.

ARTICLE 4

BOARD OF DIRECTORS

Section 4.1. Board of Directors. The affairs of the Association shall be governed and managed by the Board of Directors (herein sometimes collectively called “Board” and individually called “Directors”). The Board of Directors shall be composed of five (5) persons who each own at least one (1) Lot in Deerfield and who must reside in their home in Deerfield for nine (9) or months per year. Also, to be eligible to be elected as a Board member, and to be able to continue to serve as a Board member after election, the Owner cannot be delinquent on the payment of any assessments or other charges owed to the Association.

Section 4.2. Additional Qualifications. Where an Owner consists of more than one person or is a partnership, corporation, trust or other legal entity, then one of the persons constituting the multiple Owner, or a partner or an officer or trustee shall be eligible to serve on the Board of Directors, except that no single Lot may be represented on the Board of Directors by more than one person at a time. If a Director misses three (3) consecutive Board meetings, that Director will be deemed to have resigned from the Board.

Section 4.3. Term of Office and Vacancy. Members of the Board of Directors shall be elected at each annual meeting of the Association. Each Director shall serve a term of one (1) year. Any vacancy or vacancies occurring in the Board caused by a death, resignation, missing three (3) consecutive Board meetings or otherwise (other than a vacancy created by removal), shall be filled until the next annual meeting of the Members through a vote of a majority of the remaining Directors. If the Board cannot agree on a replacement, the position will remain vacant until either they can agree, or until the next annual meeting of the Association's Members. Despite the expiration of a Director's term, the Director continues to serve until a successor is appointed or elected and qualified.

Section 4.4. Removal of Directors. A Director or Directors elected by the Owners, or elected by the Directors to fill a vacancy, may be removed by the Owners with or without cause if the number of votes cast to remove would be sufficient to elect the Director(s) at a meeting to elect Directors. A Director or Directors may be so removed by the Owners only at a meeting called for the purpose of removing the Director(s). The meeting notice must state that the purpose of the meeting is for voting upon the removal of the Director(s). In such case, his or their successor(s) shall be elected at the same meeting from eligible Owners nominated at the meeting to serve for the remainder of the term(s) of the removed Director(s).

Section 4.5. Duties of the Board of Directors. The Board of Directors shall perform or cause to be performed, when and to the extent deemed necessary or appropriate in the Board's business judgment, the following:

- (a) Protection, repair and replacement of the Common Areas, unless the same are otherwise the responsibility or duty of the Owners; provided, however, that this duty shall not include or be deemed or interpreted as a requirement that the Association or the Board must provide any on-site or roving guards, security service or security system for protection or surveillance, and the same need not be furnished;
- (b) Procuring of snow removal from the streets if not provided by the municipality;
- (c) Landscaping, painting, decorating, and furnishing of the Common Areas;

- (d) Assessment and collection from the Owners of the Owners' pro-rata share of the Common Expenses;
- (e) Preparation of the proposed annual budget, a copy of which will be mailed or delivered to each Owner at the same time the notice of annual meeting is mailed or delivered;
- (f) Preparing and delivering annually to the Owners a full accounting of expenses incurred during each year, which accounting shall be delivered to each Owner simultaneously with delivery of the notice of the annual meeting of the Owners;
- (g) Keeping a current, accurate, and detailed record of receipts and expenditures affecting the Common Areas, specifying and itemizing the Common Expenses; all records and vouchers shall be available for examination by an Owner;
- (h) Procuring and maintaining in force all insurance coverage deemed necessary by the Board of Directors;
- (i) Performing such other duties as may be reasonably inferred from the provisions of the Covenants.

Section 4.6. Powers of the Board of Directors. The Board of Directors shall have such powers as are reasonably necessary or appropriate to accomplish the performance of its duties. These powers include, but are not limited to, the power:

- (a) To enter into contracts on behalf of the Association, subject to the limitations and requirements contained within the HOA Act, to purchase for the benefit of the Owners such equipment, materials, labor, and services as may be necessary in the judgment of the Board of Directors;
- (b) To procure for the benefit of the Owners fire and extended coverage insurance covering the buildings and improvements on the Common Areas to the full insurable value thereof, to procure public liability and property damage insurance and worker's compensation insurance, if necessary, and to procure all such other insurance as is required or permitted under the Covenants, for the benefit of the Owners and the Association;
- (c) To employ legal counsel, architects, engineers, contractors, accountants, and others as in the judgment of the Board of Directors may be necessary or desirable in connection with the business and affairs of the Association;

(d) To employ, designate, discharge and remove such personnel as in the judgment of the Board of Directors may be necessary for the maintenance, upkeep, repair and replacement of the Common Areas;

(e) To include the costs of all of the above and foregoing as Common Expenses of the Association and to pay all of such costs therefrom;

(f) To open and maintain a bank account or accounts in the name of the Association and to designate the signatories thereto;

Section 4.7. Compensation. No Director or Officer shall receive any compensation for his or her services as such.

Section 4.8. Meetings and Notice. Regular meetings of the Board of Directors may be held at such time and place as shall be determined from time to time by a majority of Directors. No written or verbal notice need be given to Directors for regularly scheduled Board meetings of which the Directors are already aware. For all other Board meetings, the Secretary shall give notice of such meetings of the Board to each Director personally or by United States mail at least five (5) days prior to the date of such meetings. Special meetings of the Board may be called by the President or any two (2) members of the Board. The person or persons calling such meeting shall give written notice thereof to the Secretary, who shall either personally or by mail and at least three (3) days prior to the date of such special meeting, give notice to the Board members. The notice of the meeting shall contain a statement of the purpose for which the meeting is called. Such meeting shall be held at such place as shall be designated in the notice. To the extent provided in the Nonprofit Act, a Director may conduct or participate in a regular or special meeting of the Board of Directors through the use of conference telephone or any means of communication by which all Directors participating may simultaneously hear each other during the meeting. A Director participating in a meeting by this means is considered to be present in person at the meeting.

In lieu of written notices from the Secretary sent pursuant to the above paragraph, a Director may elect to receive notices of Board meetings by email. Any Director choosing email shall be deemed to have waived the right to receive notices from the Association by U.S. Mail or personal delivery. However, any such Director shall have the right at any time to withdraw his or her election to receive notice by email, and shall thereafter be sent notices by the Secretary pursuant to the above paragraph.

Section 4.9. Waiver of Notice. Before or after any meeting of the Board, any Director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. The presence of any Director at a meeting shall, as to such Director, constitute a waiver of notice of the time, place, and purpose thereof. If all Directors are present at any meeting of the Board, no notice shall be required and any business may be transacted at such meeting.

Section 4.10. Quorum. At all meetings of the Board, a majority of the Directors shall constitute a quorum for the transaction of business and the votes of the majority of the Directors present at a meeting at which a quorum is present shall be the decision of the Board. If the Board cannot reach a majority vote, then the action or motion is defeated.

Section 4.11. Bond. The Board of Directors may require the Treasurer and such other officers as the Board deems necessary to provide surety bonds, indemnifying the Association against larceny, theft, embezzlement, forgery, misappropriation, wrongful abstraction, willful misapplication, and other acts of fraud or dishonesty, in such sums and with such sureties as may be approved by the Board of Directors and any such bond shall specifically include protection for any insurance proceeds received for any reason by the Board. The expense of any such bond shall be a Common Expense.

Section 4.12. Informal Action by Directors. Any action required or permitted to be taken at any meeting of the Board of Directors may be taken without a meeting, if prior to such action a written consent to such action is signed by all members of the Board and such written consent is filed with the minutes of proceedings of the Board or committee.

Section 4.13. Standards of Conduct and Liability of Directors and Officers. The standard and duty of conduct for and the standard or requirements for liability of the Directors and Officers of the Association shall be as set forth in the Nonprofit Act and the HOA Act.

ARTICLE 5

OFFICERS

Section 5.1. Officers of the Corporation. The principal officers of the Association shall be the President, Vice-President, Secretary and Treasurer, all of whom shall be elected by the Board. All officers must also be Directors.

Section 5.2. Election of Officers. The officers of the Association shall be elected annually by the Board at the first meeting of the Board following each election thereof. Each officer shall hold office for one (1) year or until his successor shall have been duly elected and qualified, unless earlier removed by the Board of Directors. Upon recommendation of a majority of all members of the Board or upon a majority vote of the Owners, any officer may be removed either with or without cause and his or her successor elected at any regular meeting of the Board or at any special meeting of the Board called for such purpose.

Section 5.3. The President. The President shall be the chief executive officer of the Association. The President shall preside at all meetings of the Association and of the Board, shall have and discharge all the general powers and duties usually vested in the office of the

president or chief executive officer of a nonprofit corporation organized under the laws of Indiana.

Section 5.4. The Vice-President. The Vice-President shall perform all duties incumbent upon the President during the absence or disability of the President. The Vice-President shall also perform such other duties as these By-Laws may prescribe or as shall, from time to time, be imposed upon him or her by the Board or by the President.

Section 5.5. The Secretary. The Secretary shall attend all meetings of the Association and of the Board and shall keep or cause to be kept a true and complete record of proceedings of such meetings, shall authenticate the Association's records, shall perform all other duties incident to the office of the Secretary, and such other duties as from time to time may be prescribed by the Board. The Secretary shall specifically see that all notices of the Association or the Board are duly given, mailed or delivered, in accordance with the provisions of these By-Laws.

Section 5.6. The Treasurer. The Treasurer shall maintain a correct and complete record of account showing accurately at all times the financial condition of the Association and such other duties incident to the office of Treasurer. The Treasurer shall be legal custodian of all monies, notes, securities, and other valuables which may from time to time come into possession of the Association. He or she shall immediately deposit all funds of the Association coming into his or her hands in some reliable bank or other depository to be designated by the Board and shall keep such bank account in the name and for the exclusive benefit of the Association.

Section 5.7. Assistant Officers. The Board of Directors may from time to time designate and elect from among the Owners an Assistant Secretary and Assistant Treasurer, who shall have such powers and duties as the Officers whom they are elected to assist and shall delegate to them such other powers and duties as the Board of Directors may prescribe.

ARTICLE 6

INDEMNIFICATION

Section 6.1. Indemnification of Directors and Officers. To the extent not inconsistent with the laws of the State of Indiana, every person (and the heirs and personal representatives of such person) who is or was a director or officer of the Association shall be indemnified by the Association to the same and fullest extent that directors of nonprofit corporations are indemnified under the Nonprofit Act.

ARTICLE 7

MISCELLANEOUS

Section 7.1. Fiscal Year. The fiscal year of the Association shall begin on April 1st and end on March 31st.

Section 7.2. Personal Interests. Except as permitted under Section 4.8 hereof, no Member of the Association shall have or receive any earnings from the Association; provided, however, that a Member who is an officer, director, employee, or agent of the Association may be reimbursed for expenses incurred on the Association's behalf.

Section 7.3. Contracts, Checks, Notes, Etc. All contracts and agreements entered into by the Association and all checks, drafts and bills of exchange and orders for the payment of money shall, in the conduct of the ordinary course of business of the Association, unless otherwise directed by the Board of Directors, or unless otherwise required by law, be signed by the Treasurer.

ARTICLE 8

COMMITTEES

Section 8.1. Authorization to Establish Committees. The Association's Board may establish committees as deemed necessary to assist in the affairs of the Association and to perform such other duties as the Board may from time to time prescribe.

Section 8.2. Committee Members. Members serving on Committees shall be appointed by the Board, and their term of appointment shall be determined by the Board. All Committee members must own at least one (1) Lot in Deerfield and must reside in their home in Deerfield for nine (9) or months per year. Also, to be eligible to be appointed as a Committee member, and to be able to continue to serve on a Committee after appointment, the Owner cannot be delinquent on the payment of any assessments or other charges owed to the Association. By a majority vote, the Board may remove any committee member for any reason. If a Committee member misses three (3) consecutive Committee meetings, that member will be deemed to have resigned from the Committee.

Section 8.3. Type of Committees.

- a. Working Committees established for special projects as needs dictate.

b. Permanent Committees shall be the:

1. Architectural Control Committee, consisting of 3 members (2 Lot Owners and 1 Board member). The chair of the ACC must be a Board member. Approval of an ACC request will require a site visit by members, and a minimum of 2 votes of approval. A member with a vested interest in a property under review must abstain from the vote on the request.
2. Audit Committee, consisting of the President, Vice President, and Secretary.

ARTICLE 9

MANDATORY ASSESSMENTS

Section 9.1. Mandatory Assessments (or “Dues”). All Owners of Lots in Deerfield must pay mandatory assessments to the Association in order to fund the budget. Such obligation to pay is both the personal obligation of the Owner of the Lot, as well as a continuing lien against the Lot. All assessments shall be uniform per lot. The annual assessment is payable by June 1st each year. The Board of Directors may levy a special assessment only if approved in advance by a majority of the total number of owners at a duly called meeting of the Association’s members.

Section 9.2. Late Fees. A late fee of ten percent (10%) of the then delinquent amount will be added to the Owner’s account for each thirty (30) day period after the due date.

Section 9.3. Failure of Owner to Pay Assessments. If any Owner shall fail, refuse or neglect to make any payment of any assessment when due, the Board shall have the right to file a notice of assessment lien with the Hamilton County Recorder. However, the Association shall not be allowed to foreclose upon said lien. Upon the failure of any Owner to make timely payments of any assessment (or a periodic installment of an assessment, if applicable) when due, the Board may bring a suit to recover a money judgment for any unpaid assessment. In connection with any effort to collect or in any action to recover an assessment, regardless of whether litigation is initiated, the Association shall be entitled to recover from the Owner of the respective Lot costs and expenses of such action incurred (including but not limited to reasonable attorneys’ fees and collection costs of the Association’s managing agent, if any, in processing delinquent owners' accounts), and interest, until paid.

Notwithstanding anything contained in this Section 9.3 or elsewhere in the Covenants, any sale or transfer of a Lot to a mortgagee pursuant to a foreclosure of its mortgage or conveyance in lieu thereof, or a conveyance to any person at a public sale in the manner provided by law with respect to mortgage foreclosures, shall extinguish the lien of any unpaid assessments which became due prior to such sale, transfer or conveyance; provided, however,

that the extinguishment of such lien shall not relieve the prior Owner from personal liability therefor.

ARTICLE 10

GRIEVANCE RESOLUTION PROCEDURES

Section 10.1. Grievance Resolution Procedures. Effective July 1, 2015, Indiana enacted a statute that requires many disputes involving an Indiana homeowners association to be addressed through a grievance resolution procedure before a lawsuit can be filed in court. Currently, that statute is found in Indiana Code 32-25.5-5. To comply with the spirit and intent of that statute, all Members of the Association, the Board of Directors, the Officers of the Association, and committee members agree to encourage the amicable resolution of disputes involving the Deerfield development and to avoid the emotional and financial costs of litigation if at all possible. They all are deemed to covenant and agree that the statutorily mandated grievance resolution procedures shall apply to any claim covered by the Indiana statute, subject to the claims that the statute lists as being exempt from those required procedures. (For example, one of the exempt claims is a claim by the Association for unpaid Assessments and any action by the Association to collect Assessments.)

ARTICLE 11

AMENDMENT TO BY-LAWS

Section 11.1. Amendment. These By-Laws may be amended by a majority of the votes of the Owners cast in a duly constituted meeting called for such purpose at which a quorum is represented in person or by proxy, except as prohibited by any provision of the Covenants, the Nonprofit Act, or the HOA Act, as the same may be amended from time to time.

This instrument prepared by P. Thomas Murray, Jr., Attorney at Law, Eads Murray & Pugh, P.C., 9515 E. 59th Street, Suite B, Indianapolis, IN 46216. (317) 536-2565.