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MARION COUNTY IN RECORDER
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TRINI BEAVER
HAMILTON COUNTY RECORDER, IN
RECORDED AS PRESENTED

THIRD AMENDMENT

TO THE

AMENDED AND RESTATED

CODE OF BY-LAWS OF

GEIST HARBOURS PROPERTY OWNERS ASSOCIATION, INC.

Marion County Cross References:
Inst. No. A2011-40561
Inst. No. A201200005899
Inst. No. A202500006041
Inst. No. A202600051795

Hamilton County Cross References:
Misc. Book 159, Page 504 (Inst. No. 3822)
Inst. No. 2011-019583
Inst. No. 2012003876
Inst. No. 2025002270
Inst. No. 2026027169

THIRD AMENDMENT TO THE AMENDED AND RESTATED CODE OF BY-LAWS OF GEIST HARBOURS PROPERTY OWNERS ASSOCIATION, INC.

This Third Amendment to the Amended and Restated Code of By-Laws for Geist Harbours Property Owners Association, Inc. was made as of the date set forth below.

WITNESSETH:

WHEREAS, certain portions of the Geist Harbours residential community located in Hamilton County were established by a certain Declaration of Restrictions which was recorded on December 18, 1979, in Misc. Book 159, Page 504 (Inst. No. 3822), in the Office of the Recorder of Hamilton County, Indiana; and

WHEREAS, certain portions of the Geist Harbours residential community located in Marion County were established by a certain Declaration of Restrictions which was recorded on May 14, 1981, as Inst. No. 1981-29285, in the Office of the Recorder of Marion County, Indiana, and later amended by Inst. No. A2011-40561; and

WHEREAS, Geist Harbours consists of twelve (12) different subdivisions, some whose lots and properties are located in Hamilton County while others are located in Marion County. Those twelve (12) Geist Harbours subdivisions include Feather Cove I, Feather Cove II, Feather Cove III, Masthead I, Masthead II, Admirals Bay, Admirals Pointe, Admirals Woods, Admirals Sound, Beam Reach, Crossing South, and Diamond Pointe; and

WHEREAS, Plats filed with the Office of the Recorder of Hamilton County, Indiana established the lots and common area comprising those portions of Geist Harbours located within Hamilton County; and

WHEREAS, Plats filed with the Office of the Recorder of Marion County, Indiana established the lots and common area comprising those portions of Geist Harbours located within Marion County; and

WHEREAS, the Geist Harbours Property Owners Association, Inc. (hereafter, the "Association"), an Indiana nonprofit corporation, is the governing body of the twelve (12) Geist Harbours subdivisions described above; and

WHEREAS, the Association was established by the filing of Articles of Incorporation with the Indiana Secretary of State on or about January 15, 1981; and

WHEREAS, the Association's Board of Directors adopted By-Laws for the Association and the homeowners in Geist Harbours; and

WHEREAS, the Amended and Restated By-Laws were amended and approved by the Board of Directors of the Association on October 17, 2011, which are currently in effect; and

WHEREAS, the Amended and Restated By-Laws were further amended by the Board of Directors of the Association on December 9, 2024, which is also currently in effect; and

WHEREAS, the Amended and Restated By-Laws were further amended by the Board of Directors of the Association on February 23, 2026, which is also currently in effect; and

WHEREAS, the Board of Directors desire to amend provisions in the Amended and Restated Code of By-Laws related to the Board's duties and assessments; and

WHEREAS, Article 13, Section 13.1 of the Amended and Restated Code of By-Laws provides that the By-Laws may be amended or changed, in whole or in part, at any time upon approval by a vote of not less than two-thirds (2/3) of the entire Board of Directors of the Association; and,

WHEREAS, on September 21, 2026, a meeting of the Board of Directors of the Association was held, in pertinent part, for the purpose of discussing the proposed amendment to the Amended and Restated Code of By-Laws; and

WHEREAS, more than a two-thirds majority of the Board of Directors approved this Second Amendment to the Amended and Restated Code of By-Laws for the Association.

NOW, THEREFORE, the Amended and Restated Code of Bylaws for the Geist Harbours Property Owners Association, Inc. is hereby amended as follows:

Article 7, Section 7.2(c) is deleted in its entirety and replaced with the following:

Section 7.2. Duties. It shall be the duty of the Board to:

(c) as more fully described in the Declaration, to: (i) fix the amount of the annual assessment against each Lot at least thirty (30) days in advance of each annual assessment period; and (ii) send written notice of each assessment to every member at least thirty (30) days in advance of each annual assessment period;

Article 12, Section 12.1 is deleted in its entirety and replaced with the following:

Section 12.1. Assessments.

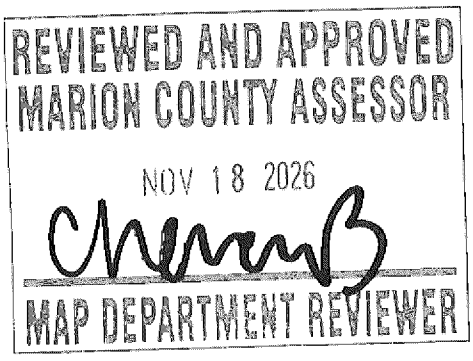
As more fully provided in the Declaration and in any delinquency policy adopted by the Board, each Member is obligated to pay the Association annual and special assessments which are secured by a continuing lien upon the property against which the assessment is made. Assessments not paid when due shall be subject to such late fees as may be established by the Board under a duly adopted delinquency policy The Board shall have sole discretion to determine the amount and administration of late fees; however, the first late fee for any delinquent assessment may not be imposed before thirty (30) days after the due date and must be imposed, if at all, not later than seventy-five (75) days

after the due date. A late fee will be charged per month. The Association may bring an action at law against the owner personally obligated to pay the assessment or foreclose the lien against the property. Collection fees including management fees, reasonable attorney's fees, court costs, interest, administrative fees, and all other necessary and reasonable legal expenses of any such action shall be added to the amount of the assessment. No owner may waive or otherwise escape liability for assessments provided herein by non-use of the Common Area or abandonment of his Lot. The personal obligation for delinquent assessments shall not pass to his successors in title unless expressly assumed by them, but the lien of any delinquent assessments shall run with the land.

Full Force and Effect. All other provisions of the Amended and Restated Code of By-Laws for the Geist Harbours Property Owners Association, Inc. shall remain in full force and effect.

Certification. The undersigned persons hereby represent and certify that all requirements for an conditions precedent to this Third Amendment to the Amended and Restated Code of By-Laws for the Geist Harbours Property Owners Association, Inc. have been fulfilled and satisfied.

[Signature Page Follows]



IN WITNESS WHEREOF, we, the undersigned, do hereby execute this Third Amendment to the Amended and Restated Code of By-Laws for the Geist Harbours Property Owners Association, Inc. and certify that at least a two-thirds majority of the entire Board of Directors approved this Third Amendment to the Amended and Restated Code of By-Laws for the Geist Harbours Property Owners Association, Inc. on September 21, 2026.

Geist Harbour Property Owners Association, Inc.

Sandra Richard, President

ATTEST:

Margie Brown, Secretary

LINDA HUNTER ESPOSITO
Notary Public - Seal
Marion County - State of Indiana
Commission Number NP0681680
My Commission Expires Mar 12, 2032

STATE OF INDIANA)
)
COUNTY OF Marion)

Before me a Notary Public in and for said County and State, personally appeared Sandra Richard and Margie Brown, the President and Secretary, respectively, of Geist Harbours Property Owners Association, Inc., who acknowledged execution of the foregoing for and on behalf of said corporation and its members, and who, having been duly sworn, stated that the representations contained herein are true.

Witness my hand and Notarial Seal this 16 day of November, 2026.

Linda Hunter Esposito
Notary Public

My Commission Expires:
March 12, 2032

Linda Hunter Esposito
Signature

Residence County:
Marion

"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/ Jacob A. Lawrence, Esq.

This instrument prepared by, and should be returned to, Jacob A. Lawrence, Esq.
Kaman & Cusimano, LLC, Attorneys at Law, 9515 E. 59th St., Suite B, Indianapolis, IN 46216