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**Cross-Reference:**  
Heritage Park (Plat), Instrument # 1996-0079242  
Heritage Park, Declaration of Covenants, Instrument # 1996-0149524

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**CODE OF BYLAWS**

for

**HERITAGE PARK HOMEOWNERS ASSOCIATION, INC.**

COMES NOW the Heritage Park Homeowners Association, Inc., by its Board of Directors, on this 10 day of November, 20 11, and states as follows:

**WITNESSETH THAT:**

**WHEREAS**, the residential community in Marion County, Indiana commonly known as Heritage Park was established upon the recording of certain Plats and other documents with the Office of the Recorder for Marion County, Indiana; and

**WHEREAS**, the Plat for Heritage Park was recorded with the Office of the Marion County Recorder on June 13, 1996, as **Instrument # 1996-0079242**; and

**WHEREAS**, the Declaration of Covenants, Conditions and Restrictions for Heritage Park ("Declaration") was recorded with the Office of the Marion County Recorder on October 25, 1996, as **Instrument # 1996-0149524**; and

**WHEREAS**, said Declaration states that by taking a deed to any Lot as set forth on the above listed Plats for the Heritage Park development, each owner becomes a mandatory member of the subdivision's homeowner's association known as Heritage Park Homeowners Association, Inc. ("Association"), an Indiana nonprofit corporation; and

**WHEREAS**, the Association was incorporated pursuant to the above listed Declarations as a non-profit corporation pursuant to Articles of Incorporation ("Articles") filed with, and approved by, the Indiana Secretary of State on January 7, 1997; and

45           **WHEREAS**, the Association's Initial Board of Director(s) failed to properly adopt a  
46 Code of Bylaws ("Bylaws") to provide for the administration of the Association; and

47  
48           **WHEREAS**, the Articles, Article X, Section 4, and the Indiana Nonprofit Corporations  
49 Act of 1991 ("Act") in IC 23-17-3-8(a), states that the Board of Directors of the Corporation  
50 shall have the power to adopt Bylaws for the Corporation; and

51  
52           **WHEREFORE**, pursuant to the authority granted to the Board of Directors under  
53 Indiana law, a majority of the Board of Directors have voted to adopt this Code of Bylaws. This  
54 Code of Bylaws does not conflict in any manner with any provision contained in the Declaration  
55 or the Articles of Incorporation, and it is the intention of the Association that this Code of  
56 Bylaws shall replace all formerly adopted Bylaws and any amendments thereto that may exist.

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**[End of Recitals]**

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**CODE OF BY-LAWS**

for

**HERITAGE PARK HOMEOWNERS ASSOCIATION, INC.**

**ARTICLE I**

**Identification**

**Section 1. Name.** The name of the corporation is “Heritage Park Homeowners Association, Inc.” (also referred to as “Corporation” or “Association”).

**Section 2. Principal Office and Resident Agent.** The name and post office address of the registered office of the Association is: Heritage Park Homeowners Association, Inc., c/o Sentry Management, Inc., 8425 Keystone Crossing #108, Indianapolis, IN 46240, or as updated from time to time with the Indiana Secretary of State’s Office.

The registered agent of the corporation is currently: Sentry Management, Inc., 8425 Keystone Crossing #108, Indianapolis, IN 46240. However, it should be noted that the registered agent may be a member of the Board of Directors or a hired management agent and can potentially change from year to year. Therefore, the current registered agent of the Association may be determined through the most recent annual business entity report filed with the Indiana Secretary of State’s office.

Until the Board of Directors otherwise determines, the registered office of the Association shall be the registered place of business of the Association, but such registered office may be changed from time to time by the Board of Directors in the manner provided by law and need not be identical to the registered place of business of the Association.

**ARTICLE II**

**Definitions**

**Section 1.** “Act” means the Indiana Nonprofit Corporation Act of 1991 and any subsequent amendments thereto.

**Section 2.** “Articles of Incorporation” or “Articles” means the Articles of Incorporation of the Corporation filed with the Office of the Secretary of State of Indiana, as the same are or hereafter may be amended from time to time.

**Section 3.** “Association” or “Corporation” shall mean and refer to Heritage Park Homeowners Association, Inc.

**Section 4.** “Board of Directors” means the Board of Directors of the Corporation.

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**Section 5.** “Bylaws” means the most current Code of Bylaws, including any amendments or revisions, adopted by the Association.

**Section 6.** “Declarant” or “Developer” means C.P. Morgan Communities, L.P., an Indiana limited partnership, and any successors and assigns of it whom it designates in one or more written recorded instruments to have the rights of Developer under the Declaration.

**Section 7.** “Declaration” shall mean and refer to the Declaration of Covenants, Conditions and Restrictions for Heritage Park that was recorded with the Office of the Marion County Recorder on October 25, 1996, as **Instrument # 1996-0149524**, and all subsequent amendments thereto.

**Section 8.** “Director” means a member of the Board of Directors, elected or appointed in accordance with these Bylaws.

**Section 9.** “Owner” also referred to as “Member” or “Lot Owner”, means a person who has or is acquiring any right, title or interest, legal or equitable, in and to any lot, but excluding those persons having such interest merely as security for the performance of an obligation.

**Section 10.** “Property”, “Properties”, “Real Estate” “Development” and “Tract” shall mean and refer to the real estate described in the Declaration, identified in the exhibits attached to the Declaration, and/or set forth on the various recorded Plats of the Development, and any property subsequently annexed thereto pursuant to the Declaration.

**Section 11.** All other terms used in these Bylaws not set forth herein are to be interpreted as defined and used in the Declaration.

**ARTICLE III**

**Membership, Meetings, and Voting Rights**

**Section 1. Membership:** Reference is hereby made to the Declaration and the Articles which sets forth terms, provisions, and conditions governing and relating to membership in the Association, transfer of membership and voting rights of classes of members, all of which terms, provisions and conditions are incorporated herein by reference.

**Section 2. Quorum and Adjournments:** At any meeting of the membership, unless otherwise stated in these Bylaws or in the Declaration, the presence of members, in person or by proxy, entitled to cast ten percent (10%) of the total number of valid and eligible owner votes shall constitute a quorum. For purposes of this section, the term “eligible” means any owner whose privileges are not suspended for any reason as set forth in the Declaration, Articles or these Bylaws. If a member has had his voting rights suspended pursuant to the Declaration, Articles or these Bylaws, that vote is not considered a valid or eligible vote toward calculating quorum requirements. After a member’s vote is represented, either in person or by proxy, for any purpose at a meeting, the vote will be considered present for quorum purposes for the remainder of the meeting and for any adjournment of that meeting. Except as otherwise provided in the Declaration, Articles or these Bylaws, each question or action will be deemed passed if approved by a simple majority of the eligible votes cast by the members present, in person or by proxy, at a meeting at which a quorum is present.

In the event a quorum is not present at any meeting called under authority of these Bylaws, that meeting may be adjourned to another date not more than sixty (60) days later. At this subsequent

160 meeting, or meetings, the quorum will drop to five percent (5%) of the total number of valid and eligible  
161 owner votes.

162  
163 **Section 3. Meetings:** Meetings of the members of the Association will follow these provisions:  
164

165 A. **Place.** Meetings of the members are to be held in Marion County, Indiana, at a place  
166 selected by the Board of Directors of the Association.  
167

168 B. **Annual Meeting.** The Board of Directors of the Association will set a date for the  
169 Association's Annual Meeting to be held each year. The only limitation to setting the  
170 date for the Annual Meeting is that the Annual Meeting must be held no more than fifteen  
171 (15) months after the previous Annual Meeting. However, the specific date, time and  
172 place of the Annual Meeting are to be determined by the Board of Directors. At each  
173 Annual Meeting, the members will conduct director elections and transact any other  
174 Association business to be properly addressed at the meeting.  
175

176 C. **Special Meetings.** A Special Meeting of the owners may be called by: a) the President;  
177 b) resolution approved by a majority of the Board of Directors; or c) by written petition  
178 signed by at least ten percent (10%) of the owners. The petition must be presented to the  
179 President or Secretary of the Association and must state the purpose(s) for which the  
180 Special Meeting is to be called.

181 The Board of Directors has thirty (30) days from the date the Secretary receives a  
182 properly signed petition from the members to send a notice to the membership calling the  
183 requested Special Meeting. The purpose(s) of the Special Meeting, along with the date,  
184 time and location of the Special Meeting must be stated in the meeting notice sent to the  
185 owners. No business shall be transacted at a Special Meeting except as stated in the  
186 notice of the meeting, unless all the owners are present.

187 It should be noted that according to the Act the members may not call or hold a  
188 Special Meeting of the members without first submitting a petition, signed by not less  
189 than ten percent (10%) of the members, asking that the Board of Directors call a Special  
190 Meeting as set forth above. If the Board refuses to call a Special Meeting of the members  
191 after receiving a proper petition from the members, then the members may call a Special  
192 Meeting of the membership on their own.  
193

194 D. **Notice of Meetings.** Written or printed notices stating the place, day and hour of a  
195 meeting and, in case of a special meeting, the purpose or purposes for which the meeting  
196 is called shall be delivered or mailed by the Secretary of the Corporation to each member  
197 of record of the Corporation entitled to vote at the meeting, at such address as appears  
198 upon the records of the Corporation, at least ten (10) days before the date of the meeting,  
199 but not more than sixty (60) days prior to the meeting.

200 Notices of any meeting may be mailed by first class U.S. Mail. Notices of  
201 meetings may also be hand-delivered to an owner's residence. If the owner consents to  
202 electronic service, then notice of meetings may be provided to owners by email or  
203 postings on the Association's website, if one.

204 Notice of any meeting of the members may be waived in writing by any owner or  
205 by the owner's attendance at the meeting in person, by proxy or by ballot.  
206

207 E. **Order of Business.** The order of business at meetings of the members shall, to the extent  
208 applicable, be as follows:  
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210 1. Call to Order.

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2. Verify quorum is present.
3. Reading of minutes of preceding meeting.
4. Reports of officers.
5. Reports of committees.
6. Treasurer's Report and review of Annual Budget (if an annual meeting).
7. Election of director(s) (if an annual meeting).
8. Unfinished business.
9. New business.
10. Adjournment.

**Section 4. Voting at Meetings.**

A. **Voting Rights.** Unless otherwise suspended, each lot is entitled to cast one (1) vote on each issue properly brought before the membership. In the event any lot is owned by more than one person, the owners must decide among themselves which owner is entitled to vote at a meeting of the members. In the event the lot is owned by a corporation or other entity, that entity may appoint a representative to cast the vote(s) for the lot.

B. **Proxies.** A member may vote either in person or by his duly appointed proxy. Where a member's vote is by proxy, the member must designate his proxy in writing and deliver it to the Secretary of the Corporation or any other officer or agent of the Association authorized to tabulate votes. The proxy is effective once it is received by the Association.

A proxy must contain the member's printed name, address or lot number, the member's signature, and the date the proxy is executed (signed). A proxy is only valid for eleven (11) months from the date of its execution unless a longer or shorter period of validity is expressly set forth in the proxy. A proxy may be revoked in writing by the member prior to being exercised or by the member's personal attendance at the meeting where the vote is to be taken.

If a member signs more than one proxy appointment, the latest in time, if possible to determine, is considered to be valid. If a member signs more than one (1) proxy to be used at a particular meeting, and it cannot be determined which proxy is the latest in time, then none of the member's proxies shall be counted or voted.

C. **Majority Required.** Except as otherwise provided in the Declaration, Articles, these Bylaws, or Indiana law, each question or action voted upon at any member meeting will be deemed passed if approved by a simple majority of the eligible votes cast by the members present, in person or by proxy, at the meeting at which a quorum is present.

D. **Suspension of Voting Rights.** No member shown on the books or management accounts of the Association to be more than thirty (30) days delinquent in any payment due to the Association shall be eligible to vote, either in person or by proxy.

For purposes of this provision, the thirty (30) day period begins on the first day of the fiscal year or the due date of the assessment as set by the Board of Directors pursuant to its authority as set forth in the Declaration, whichever is later in time. If the amount due to the Association is for an obligation other than assessments, such as reimbursement for a covenant violation or court judgment, then the thirty (30) day period shall start on the date the amount became due.

The term "payment" means the payment of all amounts due to the Association, including any assessments, collection fees, interest, late fees, attorney fees, court costs, or other sums that are owed to the Association. As a result, if any owner is paying the Association on a

262 payment plan or agreement, and that payment arrangement does not pay the entire amount  
263 due to the Association within thirty (30) days of becoming due, then that owner's voting  
264 rights will stay suspended until the entire amount due to the Association is paid in full.

265 In addition, payment of delinquent accounts by any method other than cash at a meeting  
266 where a vote will be held does not end any suspension under this provision until the funds  
267 from the payment are actually received by the Association. The Board of Directors is free to  
268 adopt additional rules regarding the suspension of voting rights as they deem necessary or  
269 appropriate for the failure of an owner to pay any sums owed to the Association.  
270

271 **Section 5. Action by Written Ballot, Etc.** Any action required or permitted to be taken at any  
272 meeting of the members may be taken by written ballot with or without a meeting if the Association  
273 delivers a written ballot to every owner eligible to vote on the matter. To be valid, the ballot must  
274 contain:

- 275 a) the printed name of the lot owner;
- 276 b) the signature of the lot owner;
- 277 c) the lot(s) owned or being purchased by the lot owner; and
- 278 d) the date the ballot is being signed.

279 Approval by written ballot is only valid if:

- 280 a) the number of votes cast in person and/or by ballot equals or exceeds the quorum required to  
281 be present at a meeting authoring such action; and
- 282 b) the number of approvals equals or exceeds the number of votes required to approve the matter  
283 at a meeting.  
284

285 The written ballot must set forth each proposed action and provide an opportunity for the owner  
286 to vote for or against each proposed action. A solicitation, or request, for votes by written ballot must  
287 indicate:  
288

- 289 a) the number of responses needed to meet the quorum requirements;
- 290 b) the percentage of approvals necessary to approve each matter, other than the election of  
291 directors; and
- 292 c) specify the time by which a ballot must be received by the Association to be counted.  
293

294 If a meeting is to be held, then ballots may be mailed or personally delivered to the Association's  
295 registered office prior to the meeting date; however, unless otherwise stated on the ballot, all ballots cast  
296 by owners NOT attending the meeting must be RECEIVED at the Association's registered office by the  
297 end of business at least three (3) business days prior to the date of the meeting in order to be counted.  
298 Unless otherwise stated on the ballot, any ballots received less than three (3) business days prior to the  
299 meeting date will not be counted.

300 If a meeting is NOT to be held, then owners must mail or personally deliver their ballot to the  
301 Association's registered office by the due date stated on the ballot. Any ballots RECEIVED after the due  
302 date will not be counted.

303 Only official ballots sent to the owners by the Association will be accepted. Unofficial ballots  
304 will not be counted. Each owner must fully fill out the ballot, print their name and address and sign the  
305 ballot. The Board of Directors may adopt additional voting procedures for submitting and processing  
306 ballots.

307 If an owner signs or submits more than one ballot, the latest in time, if possible to determine, is  
308 considered to be valid. However, if an owner signs or submits more than one ballot, and it is not possible  
309 to determine which ballot is to be used, the Board may reject all ballots submitted by that owner.

310 In addition, voting and meeting participation may be held or performed in any manner set forth in  
311 the Act or deemed acceptable by the Courts as a practical way to collect votes and allow Members to  
312 participate in Association actions.

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## ARTICLE IV

### Nomination and Election of Directors

**Section 1. Nominations.** Nominations for the Board of Directors may be made by any Owner from those persons eligible to serve. Such nominations may be made in writing and presented to the Secretary of the Association prior to the date of the annual meeting. The Board has the authority to set a deadline date for submitting written nominations prior to the annual meeting.

If an insufficient number of written nominations are received prior to the date of the annual meeting to fill all Board positions open for elections at the annual meeting, then oral nominations will be accepted from the floor prior to voting on any open Directorship position.

If a sufficient number of written nominations are received prior to the date of the annual meeting to fill all Board positions open for elections at the annual meeting, then the presiding officer of the annual meeting has the sole discretion to either: 1) stand on the submitted written nominations; or 2) accept additional oral nominations from the floor, prior to voting on any open Directorship position.

**Section 2. Election.** Voting on each position for the Board of Directors shall be by paper ballot containing the signature, printed name and address of the Owner casting the ballot. Written balloting may be waived by proper motion at the annual meeting and voting conducted by a voice vote or show of hands in circumstances where the number of nominees does not exceed the number of Board positions open for election (i.e. 2 nominees for 2 open directorships).

Each Owner, or their proxy, may cast the total number of votes to which he is entitled to cast for as many nominees as are to be elected; however, cumulative voting shall not be allowed. Those persons receiving the highest number of votes shall be elected.

At any director election where the terms of those directors being elected are to be staggered, the highest vote recipient shall be elected to the longest term, the second highest vote recipient shall be elected to the second longest term, and so on until all director positions being elected are filled. If there is a tie for directorship positions of differing term lengths (i.e. two (2) persons both receive fifteen (15) votes, but one (1) is to serve a two (2) year term and one (1) is to serve a one (1) year term), the directors may agree to which term each will serve without the need for a new run-off vote. If the directors cannot resolve the term dispute by agreement, then the presiding officer shall have the sole discretion to decide the issue by either: 1) conducting a run-off ballot vote by the members; 2) draw from a hat; or 3) the flip of a coin.

In the event no quorum is present at an annual meeting of the Association, or if a sufficient number of candidates cannot be found to fill all open Board vacancies at the annual meeting, whether by slating, written petition or oral nomination, then the remaining members of the Board of Directors may fill any directorship positions open for election at the annual meeting. Any Director so appointed to fill an open position on the Board of Directors shall serve the same term as if elected by the members at the annual meeting.

**Section 3. Conducting Elections by Ballot.** The election of directors may be conducted by ballot so that owners may select their nominees and send in their votes prior to the annual or special meeting. If the number of written nominations received by the Association before the deadline date exceeds the number of open board positions to be filled at the annual meeting, then a ballot will be mailed to each owner for voting on new board members. *If the election of directors is conducted by ballot voting, then NO write-in nominations or nominations from the floor will be accepted so everyone has a chance to vote on the same list of candidates.*

If the number of written nominations received by the Association before the deadline date matches the number of open board positions to be filled at the annual meeting, then there is no reason to



364 incur the expense of a mailed ballot since all submitted nominees will be elected by default. In this  
365 situation, the Board may simply waive ballot voting and accept the submitted nominees by voice vote at  
366 the annual meeting.

367 If an insufficient number of written nominations are received by the deadline date to fill all Board  
368 positions open for election at the annual meeting, then ballot voting will not be conducted and oral  
369 nominations will be accepted from the floor prior to voting on any open Directorship position.  
370

## 371 372 373 **ARTICLE V**

### 374 375 **Board of Directors**

#### 376 377 **Section 1. Number, Qualifications and Term of Office.**

378  
379 (a). **Number.** The affairs of the Association shall be governed and managed by the Board of  
380 Directors (collectively called the "Board" or "Directors" and individually called "Director"). The Board  
381 of Directors will be composed of three (3) persons, with the minimum number of Directors being three (3)  
382 and the maximum number being nine (9). The exact number of Directors may be increased or decreased,  
383 as permitted by law, by resolution of the Board of Directors. If the number of directors currently serving  
384 changes due to the resignation or removal of directors, or if an insufficient number of members volunteer  
385 to fill all possible Board positions, the Board shall continue to function with the remaining number of  
386 directors until those vacancies are filled so long as there are at least three (3) directors serving.  
387

388 (b). **Qualifications.** A director must be an owner who maintains his primary place of residence  
389 in the Heritage Park community and does not have his membership rights in the Association suspended  
390 for any reason as set forth in the Declaration, Articles or these Bylaws. No Lot may be represented by  
391 more than one person or representative on the Board of Directors at the same time.  
392

393 (c). **Term of Office Generally.** The Board of Directors will serve their terms on a staggered  
394 basis as provided by law and as set forth in the Declaration, with approximately one-third (1/3) of the  
395 Board being open for election each year. Therefore, at the first Annual Meeting following adoption of  
396 these Bylaws, one (1) director will be elected to serve a three (3) year term, one (1) director will be  
397 elected to serve a two (2) year term, and one (1) director will be elected to serve a one (1) year term. At  
398 all director elections thereafter, directors will be elected to serve a three (3) year term. All directors shall  
399 serve their full term and/or until their respective successors are properly elected and qualified.

400 In the event that the number of Directors is increased or decreased by resolution of the Board, the  
401 election terms, or rotation, of said Directors shall be determined by the Board at the time the increase or  
402 decrease is approved, so long as the election of Directors continues to be staggered and approximately  
403 one-third (1/3) of the Board is open for election each year. If multiple directors are being appointed by  
404 the Board to fill staggered Board vacancies, then the Board shall determine which appointee shall serve  
405 each respective staggered term.  
406

#### 407 408 **Section 2. Vacancies and Removal.**

409  
410 (a). **Vacancies.** Any vacancy that occurs on the Board of Directors due to the death,  
411 resignation, or removal of a director will be filled by a new appointee approved by a majority vote of the  
412 remaining Directors, and the appointee will serve the remaining term of his predecessor.

413 If a vacancy is caused by a Director being removed from the Board by a vote of the membership  
414 at a special meeting called for that purpose, then a majority of the members in attendance at that special

415 meeting must select a replacement(s) to fill the position(s) of the removed Director(s). A Director elected  
416 by the members to fill a vacancy on the Board created by the removal of a director will serve the  
417 remaining term of his predecessor.  
418

419 (b). **Removal.** Any Director may be removed from the Board of Directors, with or without  
420 cause, by a majority vote of the members of the Corporation at a special meeting called for such purpose.  
421 The vacancy of a Director removed by the members at a special meeting shall be filled by a majority of  
422 the members in attendance at that same special meeting. A Director elected by the members to fill a  
423 vacancy on the Board created by the removal of a director will serve the remaining term of his  
424 predecessor.

425 Pursuant to Indiana Code 23-17-12-10, as may be amended or re-codified from time to time, and  
426 the Articles, the Board of Directors also has the right to remove a Director from the Board "with or  
427 without cause" by a two-thirds (2/3) vote of the Board members.

428 For purposes of this provision, an act that constitutes "for cause" includes, but is not limited to: a)  
429 failing to attend three (3) or more consecutive meetings of the Board of Directors; b) becoming ineligible  
430 to serve on the Board pursuant to any terms set forth in the Declaration, Articles or these Bylaws; c) acts  
431 of fraud, theft, deception, or criminal behavior; d) breach or disclosure of confidential Board or owner  
432 information or discussions to person(s) not on the Board; or e) any other actions not authorized or ratified  
433 by the Board which hinder or bypass the authority of the Board to act as a whole.

434 Determination of whether "for cause" has been sufficiently established to justify removal of a  
435 Director is left to the sole discretion of the members or the remaining Directors. The vacancy of a  
436 Director removed by a vote of the Board shall be filled by a new appointee approved by a majority vote of  
437 the remaining Directors, and the appointee will serve the remaining term of his predecessor.  
438

439 **Section 3. Duties of the Board of Directors.** The Board of Directors is the governing body of  
440 the Association representing all of the Owners and is responsible for the functions and duties of the  
441 Association, including but not limited to, providing for the administration of the Real Estate, the  
442 management, maintenance, repair, upkeep and replacement of the Common Area (unless the same are  
443 otherwise the responsibility or duty of Owners), and the collection and disbursement of assessments to  
444 pay the Common Expenses.

445 The Board shall fulfill these duties in good faith, with the care an ordinarily prudent person in a  
446 like position would exercise under similar conditions, and in a manner the Board believes to be in the best  
447 interest of the Association. The availability of funds, the unforeseen or unexpected nature of expenses  
448 caused by natural, administrative, or regulatory reasons, or any other factor or factors which may hinder  
449 or prevent the Board from taking action to fulfill any of these duties shall be considered in determining  
450 the reasonableness of the Board's actions or failure to provide certain services or maintenance as provided  
451 herein.

452 The Board's duties include, but are not limited to, the following:

- 453 (a) maintenance, repair, replacement, landscaping, painting, decoration, furnishing, and  
454 upkeep of the Common Areas, including the entryway areas, unless the same are  
455 otherwise the responsibility or duty of Owners of Lots;
- 456 (b) obtaining utilities used in connection with the Common Areas (to the extent the same are  
457 not provided and billed directly to Owners of Lots and Dwelling Units by utility  
458 companies);
- 459 (c) assessment and collection from the Owners of the Owners' respective shares of the  
460 Common Expenses;
- 461 (e) preparation of the proposed annual budget, a copy of which will be mailed or delivered to  
462 each Owner;
- 463 (f) preparing and delivering annually to the Owners a full accounting of all receipts and  
464 expenses incurred in the prior year;

- 465 (g) keeping a current, accurate and detailed record of receipts and expenditures affecting the  
466 Common Areas and the business and affairs of the Association, itemizing the Common  
467 Expenses when possible;
- 468 (h) purchasing and maintaining for the benefit of the Association, the Owners, any Managing  
469 Agent and the Board the insurance coverage required under this Declaration and such  
470 other insurance coverage as the Board, in its sole discretion, may deem necessary or  
471 advisable;
- 472 (i) paying taxes and assessments assessed against and payable with respect to the Common  
473 Areas and paying any other necessary expenses and costs in connection with the  
474 Common Areas;
- 475 (j) enforcing all covenants, restrictions, bylaws and rules and regulations in the Declaration,  
476 Articles, Bylaws or adopted rules and regulations;
- 477 (k) all duties and obligations imposed upon the Association or the Board under this  
478 Declaration, the Articles, the Bylaws, the Act, or IC 32-25.5-1 et seq..  
479

480 **Section 4. Powers of the Board of Directors.** The Board of Directors shall have such powers  
481 as are reasonable and necessary to accomplish the performance of their duties. These powers include, but  
482 are not limited to, the power to:

- 483 (a) employ a managing agent to assist the Board in performing its duties;
- 484 (b) purchase, lease or otherwise obtain for the Association, to enable it to perform its  
485 functions and duties, such equipment, materials, labor and services as may be necessary  
486 in the judgment of the Board of Directors;
- 487 (c) employ legal counsel, architects, contractors, accountants and others as in the judgment  
488 of the Board of Directors may be necessary or desirable in connection with the business  
489 and affairs of the Association;
- 490 (d) employ, designate, discharge and remove such personnel as in the judgment of the Board  
491 of Directors may be necessary for the maintenance, upkeep, repair and replacement of the  
492 Common Areas, and to perform all other maintenance, upkeep, repair and replacement  
493 duties of the Association and the Board;
- 494 (e) include the costs of performing all of its functions, duties and obligations as Common  
495 Expenses and to pay all such costs there from;
- 496 (f) open and maintain a bank account or accounts in the name of the Association;
- 497 (g) create, adopt, revise, amend or alter from time to time such additional rules and  
498 regulations with respect to use, occupancy, operation, enjoyment, and architectural  
499 additions or modifications of the Property, including the individual lots, streets (whether  
500 public or private), and the Common Areas, said rules and regulations being in addition to  
501 the rules and restrictions set forth in the Declaration, as the Board, in its discretion, deems  
502 necessary or advisable; provided, however, that copies of any such additional rules and  
503 regulations so adopted by the Board shall be promptly delivered to all Owners;
- 504 (h) take any and all appropriate action, including legal action, if necessary, to enforce or gain  
505 compliance by all Owners of the provisions, restrictions or requirements within  
506 Declaration, Articles, Bylaws, or rules and regulations of the Association;
- 507 (i) grant to such public or private companies, entities or bodies as the Board may approve,  
508 such easements as may be necessary to provide the Lots, Dwelling Units and Common  
509 Areas with facilities for utility and similar services, including but not limited to cable  
510 television facilities and service; provided that such easements are located within or are  
511 co-extensive with any one or more utility easements, maintenance and access easements,  
512 landscape and maintenance easements, or Common Areas shown upon, and identified as  
513 such on, or provided for in, any subdivision plat of the Development, whether such plat is  
514 heretofore or hereafter recorded.  
515

516 **Section 5. Annual Meeting.** The Board of Directors must meet annually, without notice,  
517 immediately following the annual meeting of the membership or at the next regularly scheduled Board  
518 meeting for the purpose of electing officers.  
519

520 **Section 6. Regular Meetings.** Regular meetings of the Board of Directors are to be held at  
521 regular intervals, without notice, at a place and hour set by vote of the Board. If a regular meeting of the  
522 Board is to be held on a date other than a regularly scheduled meeting date previously set by the board,  
523 then notice of the meeting must be provided to each director at least forty-eight (48) hours prior to the  
524 meeting.  
525

526 **Section 7. Special Meetings.** Special meetings of the Board of Directors may be called by the  
527 President or by a majority of the members of the Board of Directors, at any place within Marion County,  
528 Indiana, upon twenty-four (24) hours notice, specifying the time, place and general purposes of the  
529 meeting, given to each Director personally, by telephone or email; or notice may be given by U.S. Mail if  
530 sent, via first class, postage pre-paid, mail at least three (3) days before such meeting.  
531

532 **Section 8. Notice and Waiver of Notice.** Notices of Board meetings shall be given to each  
533 Director as set forth in these Bylaws. A Director waives formal meeting notice requirements by attending  
534 the meeting or by voting in writing or email on any issue addressed at a meeting of the Board.  
535

536 **Section 9. Quorum.** A majority of the entire Board of Directors then qualified and acting  
537 constitutes a quorum for the purpose of transacting business, except for filling vacancies in the Board of  
538 Directors which shall require action by a majority of the remaining Directors. Any act of the majority of  
539 the Directors present at a meeting at which a quorum shall be present shall be the act of the Board unless  
540 otherwise provided for by law or by these Bylaws. A majority of the Directors present may adjourn any  
541 meeting from time to time. Notice of an adjourned meeting need not be given other than by  
542 announcement at the time of adjournment.  
543

544 **Section 10. Attendance at Board Meeting.** Any board member may participate in a board  
545 meeting telephonically, such as a conference call, or electronically, such as internet video transmission, or  
546 other internet or electronic communication by which all directors participating may hear each other during  
547 the meeting.  
548

549 **Section 11. Action Taken Without a Meeting.** Any action required or permitted to be taken at  
550 a meeting of the Board of Directors or any committee may be taken without a meeting if the action is  
551 approved by a majority of the entire Board in writing or via email. If an action is approved via writing or  
552 email, evidence of the written or email approval must be made a part of the corporate Board minutes or  
553 records. However, failure to keep documentation of the approval does not automatically invalidate the  
554 decision.  
555

556 **Section 12. Compensation.** No Director shall receive compensation for any service he may  
557 render to the Association as such director. However, any Director may be reimbursed for his actual  
558 expenses incurred in the performance of his duties, and any Director may be paid and compensated for  
559 services rendered to the Association in a capacity other than as a director.  
560

561 **Section 13. Non-Liability of Directors.** The Directors shall not be liable to the Owners or any  
562 other Persons for any error or mistake of judgment exercised in carrying out their duties and  
563 responsibilities as Directors, except for their own individual willful misconduct, bad faith or gross  
564 negligence. The Association shall indemnify and hold harmless and defend each of the Directors against  
565 any and all liability to any person, firm or corporation arising out of contracts made by the Board on  
566 behalf of the Association, unless any such contract shall have been made in bad faith. It is intended that

567 the Directors shall have no personal liability with respect to any contract made by them on behalf of the  
568 Association.  
569

570 **Section 14. Additional Indemnity of Directors.** The Association shall indemnify, hold  
571 harmless and defend any person, his heirs, assigns and legal representatives, made a party to any action,  
572 suit or proceeding by reason of the fact that he is or was a Director of the Association, against the  
573 reasonable expenses, including attorneys' fees, actually and necessarily incurred by him in connection  
574 with the defense of such action, suit or proceeding, or in connection with any appeal therein, except as  
575 otherwise specifically provided herein in relation to matters as to which it shall be adjudged in such  
576 action, suit or proceeding that such Director is liable for gross negligence or misconduct in the  
577 performance of his duties. The Association shall also reimburse to any such Director the reasonable costs  
578 of settlement of or judgment rendered in any action, suit or proceeding, if it shall be found by a majority  
579 vote of the Owners that such Director was not guilty of gross negligence or misconduct. In making such  
580 findings and notwithstanding the adjudication in any action, suit or proceeding against a Director, no  
581 Director shall be considered or deemed to be guilty of or liable for negligence or misconduct in the  
582 performance of his duties where, acting in good faith, such Director relied on the books and records of the  
583 Association or statements or advice made by or prepared by the Managing Agent (if any) or any officer or  
584 employee thereof, or any accountant, attorney or other person, firm or corporation employed by the  
585 Association to render advice or service unless such Director had actual knowledge of the falsity or  
586 incorrectness thereof; nor shall a Director be deemed guilty of or liable for negligence or misconduct by  
587 virtue of the fact that he failed or neglected to attend a meeting or meetings of the Board of Directors.  
588

589 **Section 15. Bond.** As provided in the Declaration, the Board of Directors must provide fidelity  
590 bonds (or an equivalent form of coverage) for the managing agent (if any), the treasurer of the  
591 Association, and such other officers as the Board deems necessary, indemnifying the Association against  
592 larceny, theft, embezzlement, forgery, misappropriation, wrongful abstraction, willful misapplication and  
593 other acts of fraud or dishonesty, in a sum equivalent to at least three (3) months aggregate assessments  
594 on all owners and any such bond (or equivalent form of coverage) shall specifically include protection for  
595 any insurance proceeds received for any reason by the Board. The expense of any such bonds (or  
596 equivalent form of coverage) shall be a Common Expense.  
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## 600 ARTICLE VI

### 601 Officers

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603  
604 **Section 1. In General.** The officers of the Corporation must be members of the Board of  
605 Directors and may consist of a President, a Vice President, a Secretary, a Treasurer, and such other  
606 officers or assistant officers as the Board shall from time to time create and so appoint. Any two (2) or  
607 more offices may be held by the same person, except that the duties of the President and Secretary shall  
608 not be performed by the same person.  
609

610 **Section 2. Election and Terms.** Each officer will be appointed by the Board of Directors at the  
611 Board's annual meeting, and shall hold that officer position until: a) the next annual meeting of the  
612 Board; b) the expiration of the director's term on the Board of Directors; or c) the director's removal or  
613 resignation from the Board, whichever occurs first.  
614

615 **Section 3. Vacancies and Removal.** Whenever any vacancy shall occur in any office by death,  
616 resignation, increase in the number of officers of the Corporation, or otherwise, the vacant office shall be

617 filled by the Board of Directors, and the officer so elected shall hold office until the next annual meeting  
618 of the Board or until his or her successor is duly elected and appointed.

619 Any officer may be removed at any time, with or without cause, by vote of a majority of the  
620 whole Board. A Director removed from a particular office shall continue to serve on the Board of  
621 Directors, and may be re-appointed to a different office or may serve on the Board without an officer  
622 designation.

623  
624 **Section 4. President.** The President shall be the chief executive officer of the Corporation; shall  
625 preside at all meetings of Voting Members and of the Board of Directors; shall have general and active  
626 supervision, control, and management of the affairs and business of the Corporation, subject to the orders  
627 and resolutions of the Board; shall have general supervision and direction of all officers, agents and  
628 employees of the Corporation; shall see that all orders and resolutions of the Board are carried into effect;  
629 and in general shall exercise all powers and perform all duties incident to such office and such other  
630 powers and duties as may from time to time be assigned to him by the Board.

631 The President shall have full authority to execute proxies on behalf of the Corporation, and to  
632 execute, with the Secretary, powers of attorney appointing other corporations, partnerships or individuals  
633 the agent of the Corporation, all subject to the provisions of the laws of the State of Indiana, the  
634 Declaration, the Articles of Incorporation and this Code of Bylaws.

635  
636 **Section 5. Vice-President.** The Vice-President shall act in the place or stead of the President in  
637 the event of his absence, inability or refusal to act, and shall exercise and discharge such other duties as  
638 may be required by him the Board of Directors or as are delegated to him by the President.

639  
640 **Section 6. Secretary.** The Secretary shall attend meetings of the Board and of the Voting  
641 Members and shall act as Secretary of such meetings; shall give or cause to be given all notices provided  
642 for in these Bylaws or required by law; shall record all votes and minutes of all proceedings of the  
643 meetings of Voting Members and the Board in a book or books to be kept for that purpose; shall be  
644 custodian of the records of the Corporation; shall have charge of the list of Voting Members; and in  
645 general shall exercise all powers and perform all duties as may be from time to time assigned to him or her  
646 by the Board or by the President. The Secretary, or Board in the Secretary's absence, shall have the  
647 authority to appoint someone to serve as the Secretary's assistant for note/minute taking purposes at a  
648 meeting.

649  
650 **Section 7. Treasurer.** The Treasurer shall keep correct and complete records of account  
651 showing accurately at all times the financial condition of the Corporation; shall be the custodian of the  
652 corporate funds and securities; shall immediately deposit, in the name and to the credit of the Corporation,  
653 all moneys and other valuable effects of the Corporation in such depositories as may be designate by the  
654 Board of Directors; shall disburse the funds of the Corporation as may be ordered by the Board; and in  
655 general, shall exercise all powers and perform all duties customarily incident to such office and such other  
656 powers and duties as may from time to time be assigned to him or her by the Board or the President.

657  
658 **Section 8. Special Appointments.** The Board of Directors may appoint such other officers  
659 and/or assistant officers as the affairs of the Association may require, each of whom shall hold office for  
660 such period, have such authority, and perform such duties as the Board of Directors may, from time to  
661 time, determine.

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## ARTICLE VII

### Committees

**Section 1. In General.** The Board of Directors, by resolution adopted by a majority of the Board of Directors, may create or appoint one (1) or more various committees to assist the Board in carrying out the purposes of the Association. Members of committees may, but need not, be members of the Board of Directors. Each committee, to the extent provided in such resolution or as authorized pursuant to the Act, Articles, Declaration, or these Bylaws, shall have and may exercise such authority of the Board of Directors as shall be expressly delegated by the Board from time to time; except that no such committee shall have the authority of the Board of Directors in reference to:

- a. Adopt, amend or repeal the Articles of Incorporation;
- b. Approve or recommend a plan of merger or consolidation of the corporation not requiring Member approval;
- c. Approve or recommend to the Members the sale, pledge, lease, transfer or exchange of all or substantially all of the assets of the Corporation;
- d. Approve or recommend to the Members the dissolution of the Corporation or a revocation thereof;
- e. Adopt, amend, or repeal the Bylaws of the Corporation;
- f. Fill vacancies on the Board of Directors or committees;
- g. Elect, appoint or remove Directors or members of committees;
- h. Fix the compensation of any member of such committee; or
- i. Alter or repeal any resolution of the Board of Directors that by its terms provides that it shall not be so amendable or repealable.

A majority of all members of any such committee may determine its action and fix the time and place of its meetings, unless the Board of Directors shall otherwise provide. The Board of Directors shall have power at any time to change the number and members of any such committee, to fill vacancies and to discharge any such committee. The designation of such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any member thereof, of any responsibility imposed upon it or him by the Indiana Nonprofit Corporation Act of 1991, as amended.

## ARTICLE VIII

### Records of the Association

**Section 1. In General.** Current copies of the Declaration, the Articles, the Bylaws, rules and regulations, other corporate documents concerning the Real Estate or the Association and its operation required to be kept and made available for inspection shall be available for inspection by any member or other properly designated party at the principal office of the Association during reasonable business hours or under other reasonable circumstances, where copies of the same may be purchased at reasonable cost.

The Association shall keep detailed books of account showing all expenditures and receipt of administration which shall specify the maintenance and repair expenses of the Common Areas, all easements, and any other expenses incurred by or on behalf of the Association and the members. The accounts, books, records, financial statements, and other papers of the Association shall be open for inspection by any member upon written request submitted to the Board at least five (5) days in advance of

719 the inspection date, and said inspection is to be made during reasonable business hours or under other  
720 reasonable circumstances. Any holder, insurer, or guarantor of a first mortgage on a Lot shall be entitled  
721 upon written request to receive a financial statement for the immediately preceding fiscal year.

722 The Association reserves the right to require any member to request inspection of the accounts,  
723 books, records, financial statements, and other papers of the Association according to the requirements set  
724 forth under the Indiana Nonprofit Corporation Act of 1991, specifically Indiana Code 23-17-27 et seq.,  
725 and any amendments or re-codification subsequently adopted thereto. The Association reserves the right  
726 to deny an owner access to any records that are not required to be opened for inspection under Indiana  
727 law, or if the Association determines the owner's request; a) was not made in good faith or for a proper  
728 purpose; b) the member fails to describes with reasonable particularity the purpose and the records the  
729 member desires to inspect; or c) the records requested are not directly connected to the stated purpose for  
730 the request.

## 731 732 733 734 **ARTICLE IX**

### 735 736 **Execution of Instruments**

737  
738 **Section 1. Checks, Draft, etc.** All checks, drafts, bills of exchange or other orders for the  
739 payment of money, obligations, notes or other evidences of indebtedness of the Association shall be  
740 signed or endorsed by such officer or officers, employee or employees of the Association as shall from  
741 time to time be designated by the Board of Directors.

742  
743 **Section 2. Contracts.** All contracts, agreements, deeds, conveyances, mortgages and similar  
744 instruments authorized by the Board of Directors shall be signed, unless otherwise directed by the Board  
745 of Directors or required by law, by the President, and attested by the Secretary.

## 746 747 748 **ARTICLE X**

### 749 750 **Assessments and Fiscal Year**

751  
752 **Section 1. Assessments.** Each Owner is obligated to pay to the Association annual and special  
753 assessments as more specifically described in the Declaration. The assessments are secured by a  
754 continuing lien upon the property against which the assessment is made. Any assessments which are not  
755 paid within thirty (30) days of falling due will be delinquent.

756 If the assessment is not paid within thirty (30) days after the assessment falls due, the assessment  
757 may bear interest from the date of delinquency at the rate which is two times the rate in effect for ninety-  
758 day U.S. Treasury Bills at the time the assessment became due. In addition, the Association may impose  
759 reasonable late fees on all delinquencies. The Board shall have the right to determine the amount of the  
760 late fees, the time period before the late fees are imposed, the rate of the late fees (i.e. annually, monthly,  
761 etc.) and to make any other provisions for late fees and interest charges on late payments as the Board, in  
762 its sole discretion, deems appropriate. The Board may also adopt specific collection procedures to be  
763 used in collecting assessments and pursuing delinquent accounts.

764 If the Association incurs administrative fees or expenses as a result of collecting delinquent  
765 amounts, the Owner shall be personally obligated to reimburse the Association these fees.

766 If the Association employs legal counsel to pursue the collection of unpaid amounts owed to the  
767 Association, the Owner shall be personally obligated to pay any collection costs or expenses for the  
768 sending of collection letters or other correspondence or communication prior to the filing of legal action,  
769 or for the Association's attorney to take any other action in an attempt to collect the unpaid amounts.



770 The Association may bring an action at law against the Owner personally obligated to pay the  
771 same or to foreclose the lien against the property, or both, and there shall be added to the amount of such  
772 account balance the costs of preparing the collection notices and letters, preparing and filing the  
773 complaint in such action, interest and late fees on any assessment as above provided, and reasonable  
774 attorneys' fees, together with the costs of the action.

775 In addition, an Owner who becomes more than thirty (30) days delinquent on any assessment or  
776 other payment due to the Association shall not be eligible to vote, either in person or by proxy; to be  
777 elected or serve on the Association's Board of Directors; or to use any of the Common Area facilities, if  
778 any, pursuant to the provisions set forth in the Declaration, Articles and/or these Bylaws.

779  
780 **Section 2. Fiscal Year.** The fiscal year of the Association shall begin at the beginning of the  
781 first day of January in each calendar year and end at the close of the last day of December of the same  
782 calendar year.

## 783 784 785 **ARTICLE XI**

### 786 787 **Rules and Regulations; Enforcement**

788  
789  
790 **Section 1. Rules and Regulations.** The Board shall have the authority to promulgate, adopt,  
791 revise, amend, and alter from time to time such additional rules, regulations, policies, procedures and  
792 guidelines governing the use, occupancy, operation, enjoyment and architectural changes and  
793 modifications of the lots, streets (public or private), common areas, and any other portion of the  
794 Properties, including the personal conduct of the members and guests thereon, as in the discretion of the  
795 Board are deemed necessary or advisable. Such rules and regulations will not be effective until approved  
796 in writing by the Heritage Park Homeowners Association, Inc.

797 These rules, regulations, policies, procedures and guidelines, and any amendments thereto, shall  
798 be furnished by the Association to all owners prior to the effective date. All rules, regulations, policies,  
799 procedures and guidelines shall be binding and enforceable upon each and every lot and member,  
800 including all occupants, guests and invitees of any lot or member, in the Development the same as if it  
801 were expressly set forth in the Declaration itself.

802  
803 **Section 2. Enforcement In General.** Any party to whose benefit the Declaration or these Bylaws  
804 inures, including the Association, any Committee, or any individual owner, may proceed at law or in  
805 equity to prevent the occurrence or continuation of any violation of the Declaration or these Bylaws, or  
806 any rules, regulations, policies, procedures or guideline adopted thereto, but neither the Association or  
807 any Committee shall be liable for damages of any kind, including legal fees and costs, to any person for  
808 failing to enforce or carry out any of the provisions of the Declaration or these Bylaws.

809  
810 **Section 3. Costs and Attorney Fees.** The provisions of the Declaration, Articles, Bylaws, and  
811 rules, regulations and architectural guidelines for Heritage Park, including amendments or modifications  
812 thereto, shall be binding and enforceable upon each and every Lot and Lot Owner in Heritage Park. For  
813 any violation of the Declaration, Articles, Bylaws, or rules, regulations or architectural guidelines adopted  
814 by the Board or the Architectural Committee, each owner in violation shall be subject to an action at law  
815 or in equity by the Association to enjoin the violation, or pursue any other relief or remedy as may be set  
816 forth in the Declaration, Articles, Bylaws or rules and regulations.

817 If the Association takes any action to enforce any provision or restriction in the Declaration,  
818 Articles, Bylaws, and rules, regulations and architectural guidelines of Heritage Park, including, but not  
819 limited to, the preparing and sending of violation letters, towing of vehicles, self-help or legal action filed  
820 in the courts, then the Association shall be entitled to reimbursement of all its costs and expenses,

821 including, but not limited to reasonable attorney fees, administrative charges by a management agent, and  
822 court costs, of said enforcement activity or action from the party or parties in violation of said rule or  
823 regulation.

824 The foregoing remedies shall be in addition to, or supplement, any remedies of the Association  
825 identified in the Declaration, Articles or Bylaws, and may be used or applied to any enforcement activity  
826 or action taken pursuant to any violation of the Declaration, Articles or Bylaws or any properly adopted  
827 rule or regulation.

828 These remedies are adopted herein to maintain the intent and spirit of the Declaration, Articles or  
829 Bylaws that the Association and its members should not be penalized or suffer a financial loss to the  
830 Association's operating budget for the cost of any enforcement efforts necessary to gain or achieve an  
831 Owner's compliance with the terms and restrictions set forth in the Declaration, Articles or Bylaws or any  
832 properly adopted rule or regulation.

## 833 834 835 **ARTICLE XII**

### 836 837 **Amendments**

838  
839 **Section 1. Amendments.** The Board of Directors of the Association shall have power to make,  
840 alter, amend or repeal the Bylaws of the Association, by an affirmative vote of the majority of the  
841 members of the Board of Directors of the Association.

842  
843 **Section 2. Recording.** While the Code of Bylaws does not have to be recorded under Indiana  
844 law, if the Board decides at any point in time to record the Bylaws, the Bylaws, including all future  
845 amendments or changes thereto, must be executed by the President and Secretary of the Board and  
846 recorded in the Office of the Marion County Recorder before becoming effective.

847  
848 **Section 3. Document Conflicts.** In the case of any conflict between the Declaration and the  
849 Articles, the Declaration shall control. In the case of any conflict between the Declaration and these  
850 Bylaws, the Declaration shall control. In the case of any conflict between the Articles and these Bylaws,  
851 the Articles shall control.

## 852 853 854 **ARTICLE XIII**

### 855 856 **The Indiana Nonprofit Corporation Act of 1991**

857  
858 The provisions of the Indiana Nonprofit Corporation Act of 1991, as amended, applicable to any  
859 of the matters not herein specifically covered by these Bylaws, are hereby incorporated by reference in  
860 and made a part of these Bylaws.

861  
862 **[End of Bylaws]**

863

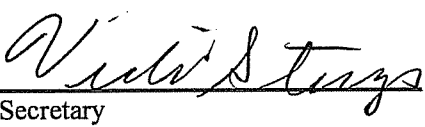
864 The undersigned hereby certifies that this Code of Bylaws for Heritage Park Homeowners Association,  
865 Inc. was duly moved and passed by a majority vote of the Association's Board of Directors and that all  
866 other requirements for adopting this Code of Bylaws have been met.

867  
868 HERITAGE PARK HOMEOWNERS ASSOCIATION, INC.  
869

870  Nov. 10, 2011  
871  
872 President Date

873  
874 MARIELLE J. MCDOWELL  
875 Printed Name of Director

876  
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878 ATTEST:

879  
880  11-10-11  
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882 Secretary Date

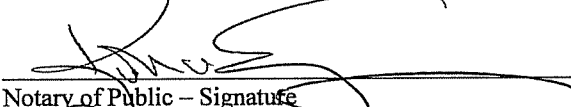
883  
884 Vicki Stenger  
885 Printed Name of Director

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888 STATE OF INDIANA )  
889 )  
890 COUNTY OF MARION )

891  
892 Before me a Notary Public in and for said County and State, personally appeared  
893 Marielle J. McDowell and Vicki Stenger, the President  
894 and Secretary, respectively, of Heritage Park Homeowners Association, Inc., who acknowledged execution of the  
895 foregoing Code of Bylaws for Heritage Park Homeowners Association, Inc. and who, having been duly sworn,  
896 stated that the representations contained herein are true.

897  
898 Witness my hand and Notarial Seal of this 10 day of November 2011.

899  
900 Stamp:

901   
902 Notary of Public - Signature  
903  
904 Rona Eynon  
905 Printed

906  
907 *I hereby affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security*  
908 *number in this document, unless required by law. -Scott A. Tanner*

909  
910 **This document was prepared by and should be returned to:**  
911 **Scott A. Tanner, TANNER LAW GROUP, 6745 Gray Road, Suite H, Indianapolis, IN 46237**

912  
913