

**AMENDMENT TO DECLARATION OF OWNERSHIP
FOR
BIRCH GROVE LUXURY CONDOMINIUMS**

UNITS 11, 12, 13, 14, 15 and 16

This Amendment to Declaration of Ownership for Birch Grove Luxury Condominiums, made this 8th day of July, 2008 by Mutchner Development Company, Inc., hereinafter referred to as "Declarant", WITNESSETH:

WHEREAS, the Declaration of Ownership for Birch Grove Luxury Condominiums was adopted July 8, 2008 and recorded on July 8, 2008 as Instrument No. 2008009401 in the Vigo County Recorder's Office; and

WHEREAS, Paragraph B of the Declaration of Ownership for Birch Grove Luxury Condominiums, as amended, states in part as follows:

The buildings to be built on the Real Estate will be identical to and in accordance with the alternate floor plans as recorded herewith and designed as Birch Grove Luxury Condominiums – Plan A1, Plan B1 and Plan C1 and each building will contain two (2) one (1) story condominium units with no basement; and plans for the condominiums are attached hereto as Exhibits "A1", "B1" and "C1". All of such plans shall be verified by a licensed surveyor or licensed professional engineer certifying that they are an accurate copy of the plans of such buildings and that they have been filed with and approved by the City of Terre Haute Building Inspector having jurisdiction over the issuance of permits for the construction of buildings in Vigo County, Indiana.

Prior to the first conveyance of each and every condominium unit, an amendment to this declaration shall be filed to which shall be attached a verified statement of a licensed surveyor or licensed professional engineer certifying that the plan or plans theretofore filed, or being filed simultaneously with such amendment fully and accurately depict the layout, location, unit number(s) and dimensions of the condominium unit as built. Birch Grove Luxury Condominiums shall consist of a maximum of twenty (20) units. Such plans shall be kept by the Recorder of Vigo County in a separate file for each building, indexed in the same manner as conveyance (Deed) entitled to record, numbered serially in the order of receipt, each designated "condominium unit ownership" with the name of the building, if any, and each containing a reference to the Instrument Number and date of recording of this Declaration. This record of Declaration and/or amendments thereto shall reference the Recorder's file number of the floor plan of the building affected thereby.

SHAGLEY LAW

NOW, THEREFORE, Declarant declares that the Declaration Of Ownership for Birch Grove Luxury Condominiums is amended to fully and accurately depict the layout location, unit numbers and dimensions of condominium unit, as built, which copy of the plans is attached hereto, made a part hereof, and marked as Exhibit 1.

IN WITNESS WHEREOF, Declarant has caused this Amendment to Declaration Of Ownership for Birch Grove Luxury Condominiums to be executed and filed on behalf of Declarant, this 8th day of July, 2008.

Mutchner Development Company, Inc.

By: [Signature]
Jon R. Mutchner, President

STATE OF INDIANA)
)SS:
COUNTY OF VIGO)

Before me, a Notary Public in and for said County and State, personally appeared Jon R. Mutchner, President of Mutchner Development Company, Inc., of Vigo County, Indiana, who acknowledged execution of the foregoing document and who having been sworn, stated that the representation therein are true.

Witness my hand and notarial seal this 8th day of July, 2008.



[Signature]
Notary Public

Printed: Debra M. Cullough

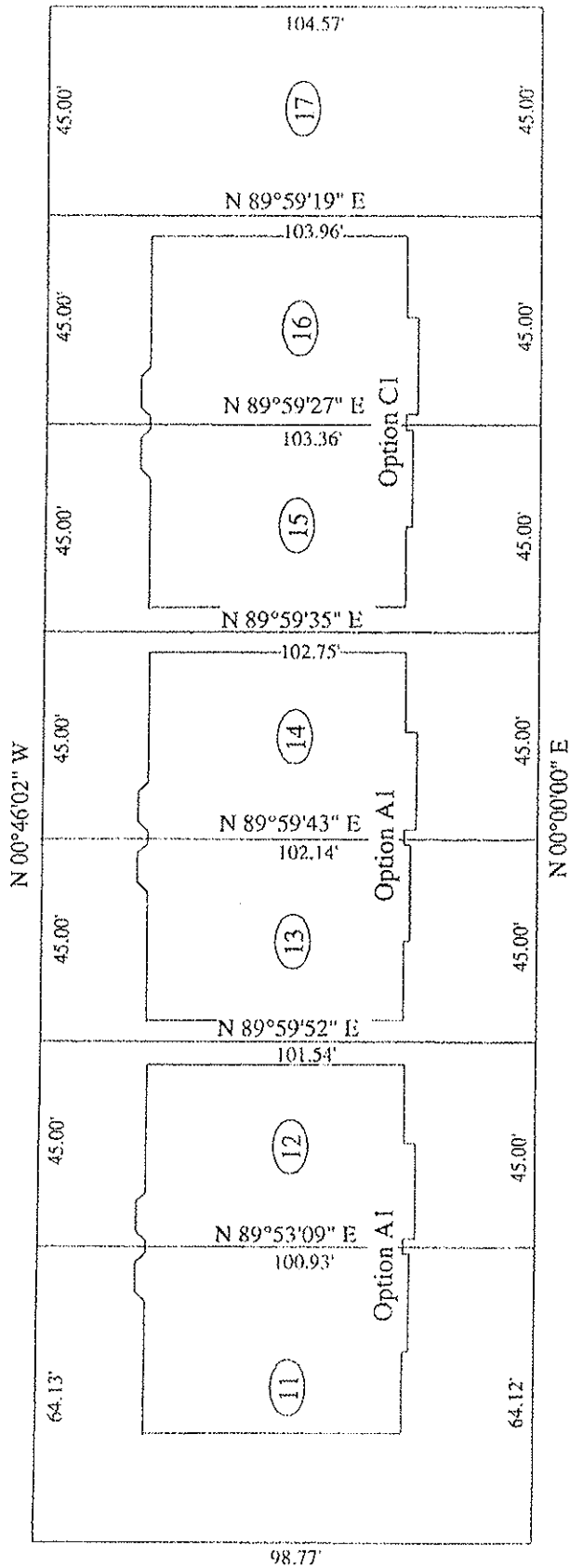
My Commission Expires: 03/19/2015

County of Residence: Vigo

This instrument prepared by Richard J. Shagley, Wright, Shagley & Lowery, P.C., 500 Ohio Street, P.O. Box 8448, Terre Haute, Indiana 47808-8448.

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.

[Signature]
Richard J. Shagley



S. BIRCH GROVE STREET

No Scale

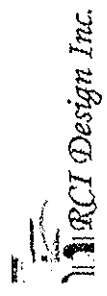


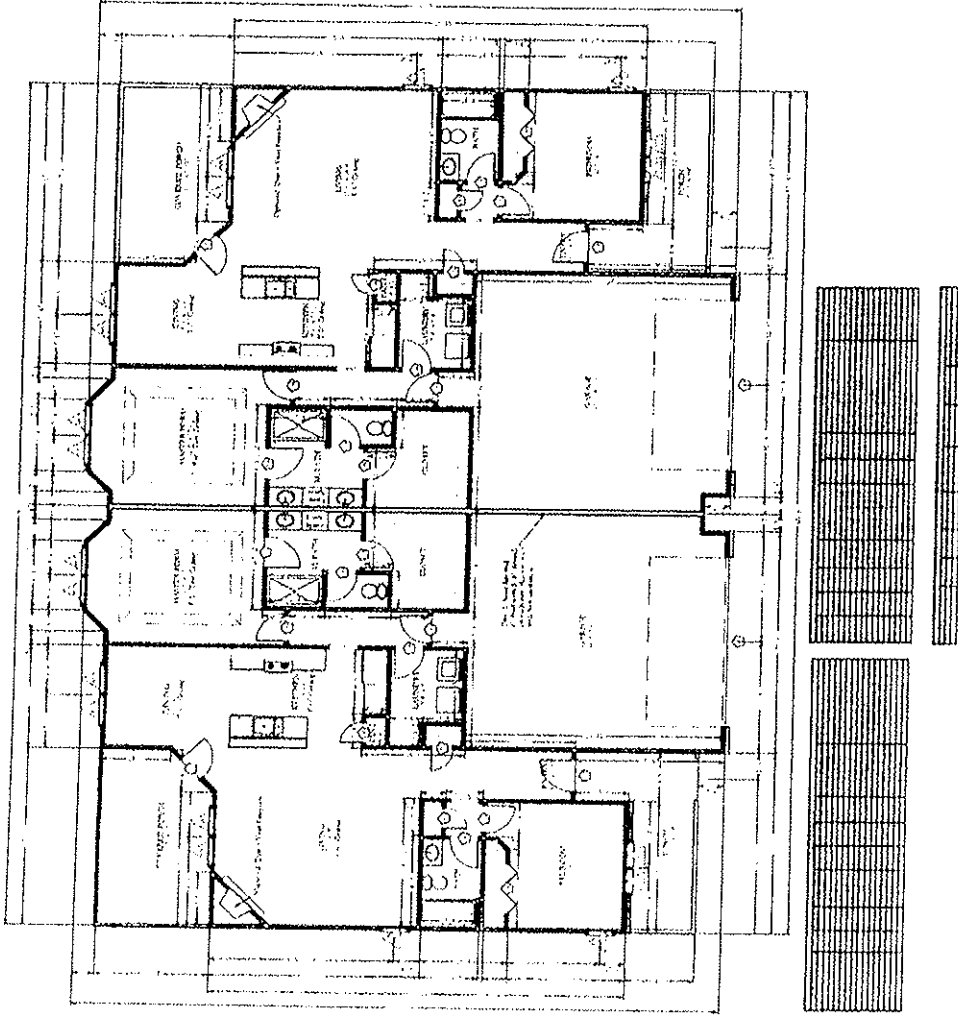
THIS DRAWING AND ALL INFORMATION THEREON IS THE CONFIDENTIAL PROPERTY OF RCI DESIGN INC. AND MUST NOT BE MADE PUBLIC OR COPIED UNLESS AUTHORIZED AND IS SUBJECT TO RETURN UPON DEMAND.

Site Plan

Scale: No Scale
 Project Number: Jon Mutchner Homes
 Site Plan: Lots 11-17
 Page # S1
 July 7, 2008

3





Unit 11
1559 S. Birch Grove
Street

Unit 12
1549 S. Birch Grove
Street

Square Footage:
Main Floor: 1397 sq.ft. ea side
Covered Porches: 280 sq.ft. ea side
Garage: 540 sq.ft. ea side

Note:
Exterior walls to be 2x4 framing.
8'-0" Ceilings unless noted.
TV/AC to be designed and located
by contractor.

"Other Plan Only"



Jon Mutchner

Main Floor Plan

Jon Mutchner Homes
July 7, 2008

Project Number
2 Bed Condo "Stamped"

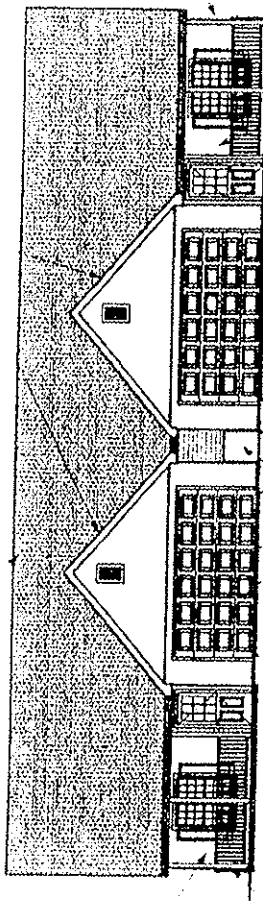
Scale: 1/16" = 1'-0"
Page # A1

THIS DRAWING AND ALL INFORMATION
THEREON IS THE CONFIDENTIAL PROPERTY
OF RCI DESIGN INC. AND MUST NOT BE MADE
PUBLIC OR COPIED UNLESS AUTHORIZED
AND IS SUBJECT TO RETURN UPON DEMAND.

RCI Design Inc.

Architectural Shingle
(Client Selected)

10:12 Roof Pitch



Brick Masonry
(Client Selected)

Vinyl Columns
& Railing (TYP)

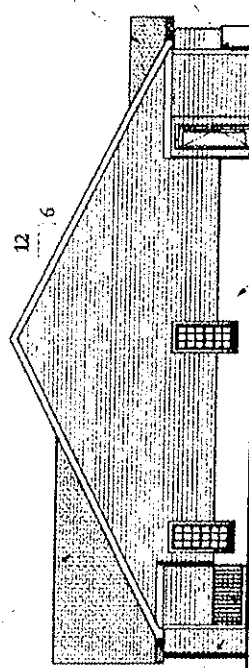
Vinyl Columns
& Railing (TYP)

Vinyl Siding w/ Brick
Masonry Pony Wall
(Client Selected)

Brick Masonry
(Client Selected)

Architectural Shingle
(Client Selected)

12
6



Vinyl Siding
(Client Selected)

Vinyl Columns
& Railing (TYP)

Architectural Shingle
(Client Selected)

Support Column

Brick Masonry
Pony Wall
(Client Selected)

THIS DRAWING AND ALL INFORMATION
THEREON IS THE CONFIDENTIAL PROPERTY
OF RCI DESIGN INC. AND MUST NOT BE MADE
PUBLIC OR COPIED UNLESS AUTHORIZED
AND IS SUBJECT TO RETURN UPON DEMAND

"Elevations Only"
RCI DESIGN INC.
1000 W. 10TH ST.
SUITE 200
DENVER, CO 80202
TEL: 303.733.1111
FAX: 303.733.1112

Madeline Webb

Front and Left Elevations

Scale: 1/16" = 1'-0"

Project Number

Jon Mutchner Homes

Page # A2

2 Bed Condo "Stamped"

5

RCI

RCI Design Inc.