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Jennifer Hayden  
Hamilton County Recorder IN  
Recorded as Presented



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Cross-Reference:  
Village Farms, Declaration of Covenants, Instrument #9420 (Book 140, Pages 403-415)

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**AMENDMENT**

to the

**DECLARATION OF COVENANTS AND RESTRICTIONS**

for

**VILLAGE FARMS**

Village Farms, Inc., by its Board of Directors, on this 25 day of November, 2019,  
states the following:

**INTRODUCTION**

The residential community in Hamilton County, Indiana, known as Village Farms was created by the recording of certain documents with the Office of the Recorder of Hamilton County, Indiana; and

The Plat for Village Farms, First Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on November 14, 1973, as Instrument #9419 (Book 5, Pages 16-17); and

The Plat for Village Farms, Second Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on July 14, 1976, as Instrument #13502 (Book 6, Pages 7-9); and

The Plat for Village Farms, Third Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on July 14, 1976, as Instrument #13503 (Book 6, Pages 10-12); and

The Plat for Village Farms, Fourth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on May 28, 1980, as Instrument #9925 (Book 8, Pages 83-87); and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on April 21, 1987, as Instrument #8708908, and subjects the Plat for Village Farms, Fourth Section, to the Covenants; and

The Plat for Village Farms, Fifth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on January 31, 1985, as **Instrument #85-1383 (Book 11, Pages 138-140)**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on February 15, 1985, as **Instrument #85-2011 (Book 181, Page 840)**, and subjects the Plat for Village Farms, Fifth Section, to the Covenants; and

The Plat for Village Farms, Sixth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on March 31, 1987, as **Instrument #8707016 (Book 13, Pages 131-133)**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on April 21, 1987, as **Instrument #8708907**, and subjects the Plat for Village Farms, Sixth Section, to the Covenants; and

The Plat for Village Farms, Seventh Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on November 19, 1987, as **Instrument #8747875 (Book 15, Pages 1-5)**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on March 1, 1988, as **Instrument #8803568**, and subjects the Plat for Village Farms, Seventh Section, to the Covenants; and

The Plat for Village Farms, Eighth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on September 20, 1988, as **Instrument #8820009 (Book 16, Pages 57-59)**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on September 21, 1988, as **Instrument #8820106**, and subjects the Plat for Village Farms, Eighth Section, to the Covenants; and

The Plat for Village Farms, Ninth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on March 22, 1991, as **Instrument #9106210**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on April 12, 1991, as **Instrument #9108167**, and subjects the Plat for Village Farms, Ninth Section, to the Covenants; and

The Plat for Village Farms, Tenth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on August 15, 1991, as **Instrument #9121235**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on September 9, 1991, as **Instrument #9123845**, and subjects the Plat for Village Farms, Tenth Section, to the Covenants; and

The Plat for Village Farms, Eleventh Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on June 19, 1992, as **Instrument #9223279**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on June 25, 1992, as **Instrument #9223968**, and subjects the Plat for Village Farms, Eleventh Section, to the Covenants; and

The Plat for Village Farms, Twelfth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on July 8, 1993, as **Instrument #9332698**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on July 22, 1993, as **Instrument #9334709**, and subjects the Plat for Village Farms, Twelfth Section, to the Covenants; and

The Plat for Village Farms, Fourteenth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on November 17, 1994, as **Instrument #9447668**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on February 9, 1997, as **Instrument #9504527**, and subjects the Plat for Village Farms, Fourteenth Section, to the Covenants; and

The Plat for Village Farms, Fifteenth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on May 16, 1997, as **Instrument #9709718968**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on May 16, 1997, as **Instrument #9709718970**, and subjects the Plat for Village Farms, Fifteenth Section, to the Covenants; and

The Plat for Village Farms, Sixteenth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on May 4, 1998, as **Instrument #9809823272**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on July 7, 1998, as **Instrument #9809836783**, and subjects the Plat for Village Farms, Sixteenth Section, to the Covenants; and

The Plat for Village Farms, Seventeenth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on October 11, 1999, as **Instrument #199909959628**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on October 10, 1999, as **Instrument**

#199909959630, and subjects the Plat for Village Farms, Seventeenth Section, to the Covenants; and

The Plat for Village Farms, Eighteenth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on February 14, 2001, as **Instrument #200100007024**; and

The Supplementary Declaration of Covenants and Restrictions was recorded in the Office of the Recorder of Hamilton County, Indiana, on July 11, 2001, as **Instrument #200100042271**, and subjects the Plat for Village Farms, Eighteenth Section, to the Covenants; and

The Plat for Village Farms, Nineteenth Section, was recorded in the Office of the Recorder of Hamilton County, Indiana, on November 20, 2014, as **Instrument #2014052264**; and

The Declaration of Covenants Conditions and Restrictions and Reservation of Easements for Section 19 of the Village Farms Subdivision was recorded in the Office of the Recorder of Hamilton County, Indiana, on August 5, 2014, as **Instrument #2014034114**, and subjects the Plat for Village Farms, Nineteenth Section, to the Covenants; and

The Village Farms community is bound by the Declaration of Covenants and Restrictions of Village Farms ("Covenants"), recorded in the Office of the Recorder of Hamilton County, Indiana, on November 14, 1973, as **Instrument #9420 (Book 140, Pages 403-415)**, as may have been amended and supplemented from time to time; and

The Covenants state that by taking a deed to any Lot within Village Farms, each Owner becomes a mandatory member of Village Farms, Inc. ("Association"); and

The Association was incorporated as set forth in the Covenants as a non-profit corporation by Articles of Incorporation ("Articles") filed with, and approved by, the Indiana Secretary of State on November 15, 1973, and amended on March 8, 1985; and

The Covenants state they may be amended if an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants and restrictions in whole or in part; and

There are Seven Hundred Eighty-Four (784) Lot Owners in Village Farms, which means the amendments need Three Hundred Ninety-Three (393) votes to pass; and

At least Four Hundred Eighty-Four (484) Owners cast ballots voting on this amendment, and the amendment to Article III, Section 4, received Four Hundred Twenty-Two (422) votes approving the amendment, and the amendment to Article III, Section 4, received Sixty-Two (62) votes not approving the amendment; hence, the proposed amendment passed by the majority vote required by the Covenants; and

All of the valid ballots cast by the Owners for this amendment are attached to this amendment document as "Exhibit A"; and

AS A RESULT, the following amendment to the Covenants is hereby adopted and approved by the Members under the authority granted to the Association by the Covenants:

*Article III, Section 4, is added to the Declaration and reads as follows:*

**Section 1. Owner-Occupancy Requirement.** All homes in Village Farms must be OWNER-OCCUPIED for a minimum of five (5) years from the date the Owner(s) takes title to a property within the subdivision, which means the titled Owner of the home (i.e. the name on the deed) must live in the home. For Owners allowed to lease or rent their homes under the provisions of this covenant, all lease or rental agreements must rent the whole home (no room or partial home rentals) for a period of at least one (1) year without automatic renewal, must provide a copy of the Declaration to the resident and inform the resident that failure to comply with the covenants and restrictions in the Declaration is a default under the lease, and the Owner must provide the Association with a copy of the lease or rental agreement (amounts redacted) within thirty (30) days of signing the lease. Short-term rentals of thirty (30) days or less, room and partial home rentals are strictly prohibited at any time. The Board may approve a hardship exception to any portion(s) of this restriction if requested in writing by the titled Owner. This provision does not apply to institutional mortgagees of any home in Village Farms which come into possession of the home by reason of foreclosure, judicial sale, or deed-in-lieu of foreclosure. Any Owner found to be in violation of any portion of this covenant or the Declaration by a court of competent jurisdiction will be permanently banned from leasing or renting his property. This Owner-Occupancy restriction takes effect on the date this covenant is recorded with the Hamilton County Recorder's Office County Recorder's Office.

*All other provisions of the Declaration of Covenants and Restrictions for Village Farms remain unchanged;*


*The foregoing amendment(s) will run with the land and will be binding upon all owners and upon the parties having or acquiring any right, title or interest, legal or equitable, in and to the real property or any part or parts thereof subject to these covenants.*

[End of Amendments]

[Remainder of Page Left Blank]


We certify that this Amendment to the Declaration of Covenants and Restrictions for Village Farms was approved by at least a majority of the Owners as required by the Covenants.

VILLAGE FARMS, INC.

      11/25/19  
President      Date

G. KIRK FARLEY.  
Printed Name of Director

ATTEST:

      11-25-19  
Secretary      Date

Secretary  
Printed Name of Director

STATE OF INDIANA     )  
                                      )  
COUNTY OF HAMILTON    )

Before me a Notary Public in and for said County and State, personally appeared  
Vick Farley and Jessie Cecil, the President  
and Secretary, respectively, of Village Farms, Inc., who acknowledged execution of the foregoing  
Amendment to the Declaration of Covenants and Restrictions for Village Farms, and who, having been  
duly sworn, stated that the representations contained herein are true.

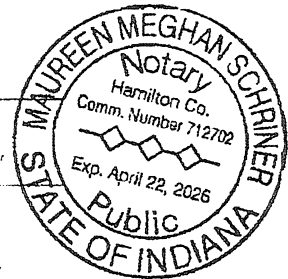
Witness my hand and Notarial Seal of this 25 day of November, 2019.

Maureen Meghan Schirner  
Notary of Public - Signature

Maureen Meghan Schirner  
Printed

Hamilton Co.  
County of Residence

April 22, 2026  
Date Commission Expires



*I hereby 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. -Mitchell D. Pearson*

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This document was prepared by and should be returned to:  
Mitchell D. Pearson, TANNER LAW GROUP, 6125 S. East St., Suite A,  
Indianapolis, IN 46227

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