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COVENANTS AND RESTRICTIONS
RE EAST AVALON WOODS SECTION III.

The undersigned as owner of the real estate described herein in the primary legal description attached hereto and marked as Exhibit "A" does hereby certify that he is in the process of platting and/or subdividing the same real estate being combined in the legal description attached as Exhibit "A" and the same shall henceforth be known as East Avalon Woods Section III. Also, together with the indicated dedicated easement for road and utilities as set forth on Exhibit "B" attached hereto.

1. The undersigned owner hereby establishes the following restrictions, covenants, provisions and conditions as part of said plat and subdivision which are hereby made covenants to run with the land. All deeds of conveyance and land contracts which relate to the real estate described in Exhibit "A", shall be subject to the restrictions and regulations contained herein and subject to the terms and conditions set forth in these covenants, provisions and restrictions.
2. There is hereby established an unincorporated association which shall be applicable to the real estate described in Exhibit "A" which shall be known as East Avalon Woods Homeowners Association. Persons shall be eligible for membership in the association as a result of the ownership of tracts in East Avalon Woods Section III. Each tract shall have one vote in all matters which pertain to the described homeowners association or any matters pertaining to modification of these covenants or restrictions.
3. Regarding any matters relating to the road easement or the maintenance in the clearing or improvement of said easement as set forth in Exhibit "B", those owners of all tracts in East Avalon Woods, Section III., shall be entitled to a vote with regard to any matters pertaining to the maintenance, repair or other matters pertaining to said roadway. Each numbered individual tract in Section III shall be entitled to one vote with regard to matters pertaining to the roadway.
4. Membership in this association shall be created or transferred in the event any interest, legal or equitable is transferred with regard to any portion of the described real estate or to any party. Until such time as membership is created in such manner, the undersigned owner shall be entitled to one vote per tract or proposed tract, which the undersigned owner continues to own.
5. All tracts shall be used for residential purposes only with no business or office use including business storage. There shall not be any open storage of materials, equipment, junk, inoperative automobiles or parts thereof, or like items at any time. Any obnoxious, offensive or illegal activities or any action constituting a nuisance is prohibited. All dwellings constructed on developed numbered tracts shall be used exclusively for single family residences.

16. The association, any member thereof, or the road director shall have the right to file an action for the enforcement of any provision herein and the violator shall be responsible and if successful, shall additionally be entitled to recover the reasonable expense connected with such action, including but not limited to, attorney fees as a result thereof.

17. Declarant may grant use of road and utility easements to others, including but not limited to public and private utilities, police, fire, emergency or other public services.

SO DEDICATED AND RESTRICTED this 18th day of April, 2000.

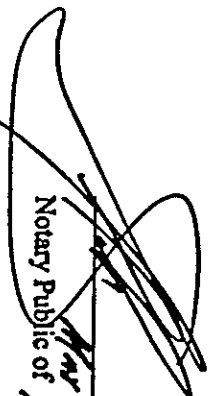

William Kikendall, II, Declarant

STATE OF INDIANA,
SS:
COUNTY OF MORGAN,

Before me, a Notary Public, personally appeared William Kikendall, II, who acknowledged the execution of the foregoing and who, after being duly sworn upon his oath, represents that all allegations contained herein are true and accurate to the best of my knowledge and belief.

Dated this 18th day of April, 2000.




Notary Public of Morgan County Indiana

My Commission Expires:

6-13-08

This instrument prepared by Phillip R. Smith, Attorney No. 1579-55
1589 Burton Lane, Martinsville, In 46151

Avalon Woods Section 3

A part of the East half of the Northeast Quarter of Section 30 and a part of the North half of the Northwest Quarter of Section 29 both of Township 12 North, Range 2 East, Morgan County, Indiana, described as follows:

Beginning at the iron pin that marks the Northwest corner of the above described East half of the Northeast quarter of Section 30; thence with the North line of the half quarter North 89 degrees 26 minutes 03 seconds East 1332.63 feet to the stone that marks the Northeast corner of said half quarter and the Northwest corner of the above described North half of the Northwest quarter of Section 29; thence with the North line of said North half of the Northwest quarter North 89 degrees 17 minutes 41 seconds East 700.00 feet; thence parallel with the West line of said half quarter South 00 degrees 00 minutes 00 seconds East 1343.94 feet to the South line of said half quarter; thence with said South line South 89 degrees 24 minutes 55 seconds West 700.00 feet to the stone that marks the Southwest corner of said half quarter; thence North 84 degrees 25 minutes 55 seconds West 598.79 feet to the Southeast corner of a certain 1.054 acre tract; thence North 16 degrees 05 minutes 19 seconds East 150.55 feet to the Northeast corner of said 1.054 acre tract; thence North 00 degrees 00 minutes 00 seconds East 99.00 feet; thence South 89 degrees 21 minutes 15 seconds West 776.43 feet to the West line of the above described East half of the Northeast quarter of Section 30; thence with said West line North 00 degrees 06 minutes 29 seconds West 1036.30 feet to the point of beginning.

Course data used in this description assumes the North line of the East half of the Northeast quarter of Section 30 to have a bearing of North 89 degrees 26 minutes 03 seconds East.

Surveyed
For: Wm. Kikendall

W. Taylor Sumnerford, Jr.
Lic. Land Surveyor
#11242 Indiana

EXHIBIT

LEGAL DESCRIPTION

Description of Road & Utility Easements

Easements of 60 feet in width for roadway and utility purposes located in a part of the East half of the Northeast Quarter of Section 30, Township 12 North, Range 2 East, Morgan County, Indiana; the centerline of said easements described as follows:

Commencing at the iron pin that marks the Northwest corner of the above described East half of the Northeast quarter of Section 30; thence with the West line of the half quarter South 00 degrees 06 minutes 29 seconds East 356.47 feet to a railroad spike and the true point of beginning of the herein described easement segment centerline;

Thence South 70 degrees 07 minutes 12 seconds East 390.26 feet; thence South 72 degrees 16 minutes 18 seconds East 326.69 feet; thence South 83 degrees 40 minutes 37 seconds East 260.50 feet to point "A"; thence North 69 degrees 42 minutes 20 seconds East 420.93 feet to the East line of the half quarter and the point of termination of the herein described easement segment centerline, the sidelines of said easement being lengthened or shortened as required to intersect the lines of the half quarter.

Also beginning at the above described point "A" and the point of beginning of the herein described easement segment centerline; thence South 32 degrees 23 minutes 07 seconds East 282.33 feet; thence South 11 degrees 32 minutes 06 seconds West 450.11 feet to a point on the South line of Avalon Woods, Section 3 and the point of termination of the herein described easement segment centerline, the sidelines of said easement being lengthened or shortened as required to intersect the previously described segment centerline and the South line of Avalon Woods Section 3.

Course data used in this description assumes the North line of the East half of the Northeast Quarter of Section 30 to have a bearing of North 89 degrees 26 minutes 03 seconds East.

RECEIVED
FOR RECORD

Surveyed
For: Wm. Kirkendall

00 OCT 27 PM 1:49

W. Taylor Sumnerford, Jr.
Lic. Land Surveyor

T. S. Sumnerford
MORGAN CO RECORDER

EXHIBIT "B"