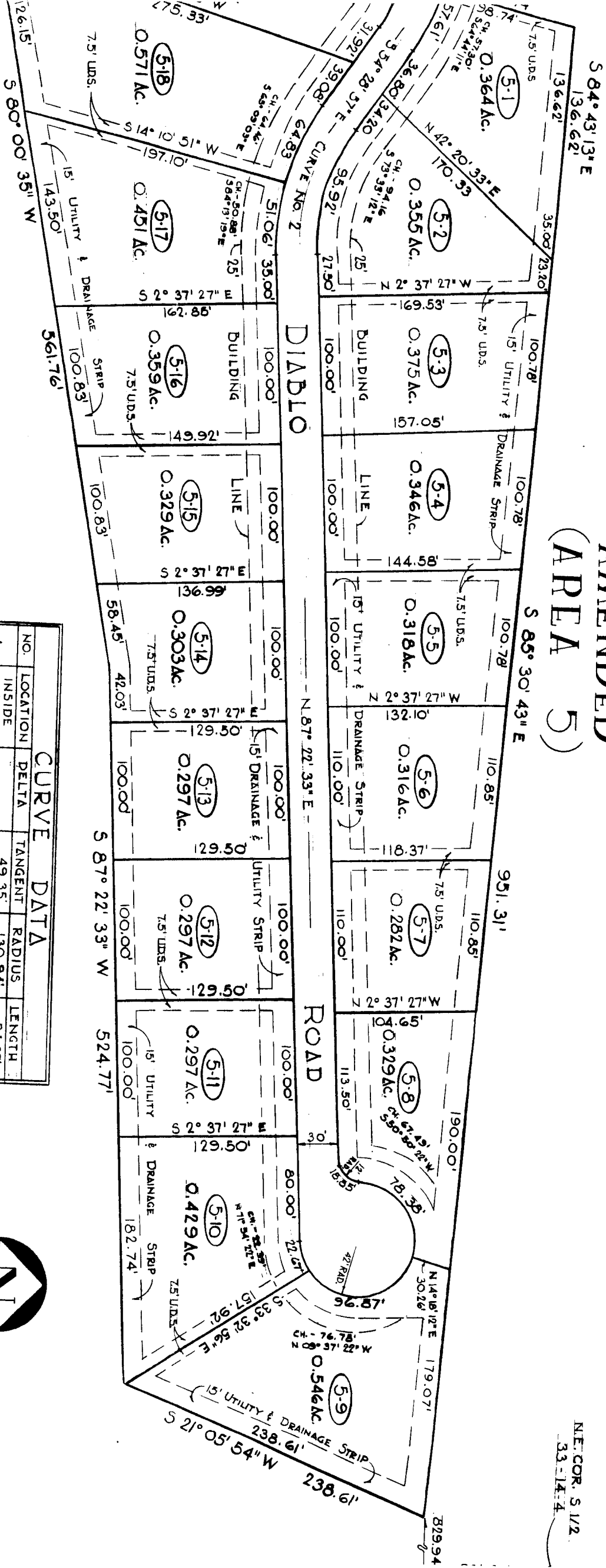


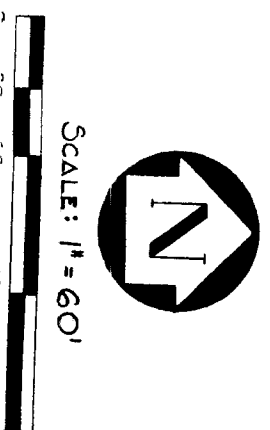
MAP OF CUERNABAACA AMENDED (AREA 5)



5 84° 43' 13" E
136.62'
35.00' 23.20'
136.62'
5 85° 30' 43" E
110.85'
951.31'
190.00'
179.07'
33.14:4
N.E. COR. S 1/2
33-14:4

CURVE DATA

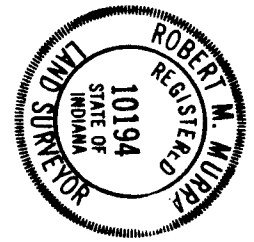
NO.	LOCATION	DELTA	TANGENT	RADIUS	LENGTH
1	INSIDE & OUTSIDE	41° 18' 00"	49.35' 35.00'	130.94' 145.94'	94.38' 105.19'
2	INSIDE & OUTSIDE	38° 08' 30"	49.81' 55.00'	144.09' 159.09'	95.92' 105.91'



DESCRIPTION

THE SOUTH HALF OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:
AT A POINT THAT IS 921.28 FEET SOUTH AND 829.94 FEET WEST OF THE NORTHEAST CORNER OF THE SAID HALF SECTION; THENCE SOUTH 21 DEGREES 05 MINUTES 54 SECONDS WEST 238.61 FEET; THENCE SOUTH 87 DEGREES 22 MINUTES 33 SECONDS WEST 100.29 FEET; THENCE SOUTH 84 DEGREES 13 MINUTES 03 SECONDS WEST 100.29 FEET; THENCE SOUTH 84 DEGREES 13 MINUTES 03 SECONDS WEST 100.29 FEET; THENCE SOUTH 84 DEGREES 13 MINUTES 03 SECONDS WEST 100.29 FEET TO THE BEGINNING POINT OF A TANGENT CURVE; THENCE SOUTHEASTERLY ON AND ALONG A CURVE TO THE RIGHT WHICH HAS A CENTRAL ANGLE OF 43 MINUTES 43 SECONDS EAST 951.31 FEET TO THE PLACE OF BEGINNING CONTAINING 7.982 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

WITNESSE MY HAND AND SEAL OF OFFICE THIS 18th DAY OF JULY, 1975.



Robert M. Murray
SURVEYOR #10194 STATE OF INDIANA

The Easements are Documented 99-33235 thru 99-33254

CUERNAVACA

- AMENDED -

RESTRICTIVE COVENANTS

THE UNDERSIGNED, YEAGER CONTRACTING CO., INC. BY ITS DULY AUTHORIZED OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT SECRETARY, OWNER OF THE ATTACHED DESCRIBED REAL ESTATE, DO HEREBY MAKE, MAP, SUBDIVIDE, LAY OFF AND DEDICATE SAID DESCRIBED REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE MAP HERETO ATTACHED, WHICH SHALL BE KNOWN AS "CUERNAVACA", IN PLEASANT TOWNSHIP IN JOHNSON COUNTY, INDIANA, THAT THE STREETS AS SHOWN ON THE ATTACHED MAP ARE DEDICATED TO PUBLIC USE AND THAT ALL OF THE LOTS CONTAINED IN THE ABOVE MAP OR ANY PORTION THEREOF SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH RESTRICTIONS SHALL BE CONSIDERED AND HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND, WHICH SAID RESTRICTIVE COVENANTS ARE AS FOLLOWS, TO-WIT:

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE SINGLE-FAMILY DWELLING AND AN ATTACHED PRIVATE GARAGE THAT WILL HOUSE NOT LESS THAN TWO (2) CARS. GARAGES SHALL HAVE DOORS, AND DRIVEWAYS SHALL BE AT LEAST TWENTY (20) FEET IN LENGTH OR PROVIDE PARKING FOR TWO (2) CARS AND CONSTRUCTED OF HARD SURFACE MATERIAL SUCH AS BITUMINOUS CONCRETE OR PORTLAND CEMENT CONCRETE, UNLESS OTHERWISE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE.
2. NO BUILDING SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLAN SPECIFICATIONS AND A PLAN SHOWING THE LOCATION OF THE STRUCTURE HAVE BEEN APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE AS TO QUALITY OF WORKMANSHIP AND MATERIALS, HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATIONS. NO FENCE OR WALL SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT NEARER TO ANY STREET THAN THE MINIMUM BUILDING SET BACK LINE, UNLESS SIMILARLY APPROVED. APPROVAL SHALL BE AS PROVIDED IN PART 10.
3. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF OPEN PORCHES AND GARAGES, IS AT LEAST 1,500 SQUARE FEET. THE DETERMINATION OF THE ARCHITECTURAL CONTROL COMMITTEE AS TO COMPLIANCE WITH THIS CONDITION SHALL BE CONCLUSIVE.
4. SIDE YARD SETBACK SHALL BE AT LEAST TEN (10) FEET AND THE REAR YARD SETBACK SHALL BE AT LEAST TWENTY (20) FEET UNLESS A LESSER REAR YARD SETBACK IS APPROVED IN WRITING BY THE ARCHITECTURAL CONTROL COMMITTEE.
5. NO DWELLING SHALL BE ERECTED OR PLACED ON ANY LOT HAVING A WIDTH OF LESS THAN THAT SHOWN ON THE RECORDED MAP AT THE MINIMUM BUILDING SETBACK LINE, NOR SHALL ANY DWELLING BE ERECTED OR PLACED ON ANY LOT HAVING AN AREA OF LESS THAN THAT SHOWN ON THE RECORDED MAP.
6. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED MAP AND OVER THE REAR FIFTEEN (15) FEET OF EACH PERIMETER LOT.
7. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. TRAILERS, ROATS, CAMPERS AND SIMILAR EQUIPMENT OR IMPERABLE VEHICLES SHALL BE KEPT OR STORED INSIDE. OUTSIDE STORAGE WILL NOT BE ALLOWED.
8. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUT-BUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.
9. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF THREE MEMBERS, APPOINTED BY THE DEVELOPER. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. IN THE EVENT OF DEATH OR RESIGNATION OF ANY MEMBER OF THE COMMITTEE, THE REMAINING MEMBERS SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR. NEITHER THE MEMBERS OF THE COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT.
10. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVE FAILS TO APPROVE OR DISAPPROVE WITHIN THIRTY (30) DAYS AFTER PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.
11. WITH WRITTEN APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE, AND WHERE, IN THE OPINION OF SAID COMMITTEE, THE LOCATION WILL NOT DETRACT MATERIALLY FROM THE APPEARANCE AND VALUE OF OTHER PROPERTIES, A DWELLING MAY BE LOCATED NEARER TO A STREET THAN ABOVE PROVIDED, BUT NOT NEARER THAN 25 FEET TO ANY STREET LINE.
12. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE (5) SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING CONSTRUCTION AND SALES PERIOD.
13. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT; NOR SHALL OIL WELLS, TANK, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNATED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERECTED, MAINTAINED OR PERMITTED ON ANY LOT.
14. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY LOT, EXCEPT THAT DOGS, CATS OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.
15. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. OTHER WASTE SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIALS SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.
16. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO (2) AND SIX (6) FEET ABOVE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINE, AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN TEN (10) FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY PAVEMENT.
17. ALL SWALES, FOR DRAINAGE OF LOTS, THAT ARE LOCATED ON SIDE LOT LINES AND ON REAR LOT LINES SHALL BE PRESERVED AND NOT OBSTRUCTED IN ACCORDANCE WITH A GENERAL DRAINAGE PLAN ON FILE WITH THE AUTHORITIES WHO HAVE JURISDICTION.
18. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCOUNTERED IN CONSTRUCTION OF ANY IMPROVEMENT WITHIN THIS SUBDIVISION SHALL BE PERPETUATED, AND ALL OWNERS OF LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1965, AND ALL AMENDMENTS THERE TO.
19. THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF 25 YEARS FROM THE DATE THESE COVENANTS ARE RECORDED AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED, AGREEING TO CHANGE THEM IN WHOLE OR IN PART.
20. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.
21. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES.

WITNESS OUR HAND AND CORPORATE SEAL THIS 21 DAY OF July
YEAGER CONTRACTING COMPANY, INC.

By Robert K. Yeager President Virginia M. Yeager
ROBERT K. YEAGER, PRESIDENT VIRGINIA M. YEAGER, ASSI

STATE OF INDIANA
COUNTY OF JOHNSON

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JOHNSON, INDIANA THIS MAP WAS GIVEN APPROVAL BY THE COUNTY OF JOHNSON AS FOLLOWS:

WITNESS MY HAND AND NOTARIAL SEAL THIS 21st DAY OF July
NOTARY PUBLIC Glenn L. Smith
MY COMMISSION EXPIRES 12-3-77

UNDER AUTHORITY PROVIDED BY CHAPTER 174, ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERE TO AND AN ORDINANCE ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JOHNSON, INDIANA THIS MAP WAS GIVEN APPROVAL BY THE COUNTY OF JOHNSON AS FOLLOWS:

APPROVED BY THE JOHNSON COUNTY PLAN COMMISSION AT A MEETING HELD ON THE 21st DAY OF July, 1975

Marlin Prince Carl Sleighter
MARLIN PRINCE, CHAIRMAN CARL SLEIGHTER, SECRETARY

UNDER AUTHORITY PROVIDED BY CHAPTER 47, ACTS OF 1951, OF THE GENERAL ASSEMBLY, STATE OF INDIANA, THIS MAP WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, INDIANA, AT A MEETING HELD ON THE 28th DAY OF July, 1975.

Olen Sanders Maurice McCarty
OLEN SANDERS MAURICE MCCARTY

Kedric Sturgeon
KEDRIC STURGEON

APPROVED BY THE JOHNSON COUNTY DRAINAGE BOARD THIS 28th DAY OF July, 1975.

Olen Sanders Maurice McCarty
OLEN SANDERS MAURICE MCCARTY

Kedric Sturgeon
KEDRIC STURGEON

ENTERED FOR TAXATION THIS 29 DAY OF July

June M. Wood
JUNE M. WOOD, AUDITOR JOHNSON COUNTY

NO. 005381 RECEIVED FOR RECORD THIS 29th DAY OF July

AT 12:00 P.M. AND RECORDED IN PLAT BOOK 8 PAGE 22 FEE 1

Mary Etna Houglund
MARY ETNA HOUGLUND, RECORDER, JOHNSON COUNTY, INDIANA

THIS INSTRUMENT PREPARED BY ROBERT M. MURRAY