

DEER RIDGE
COVENANTS AND RESTRICTIONS

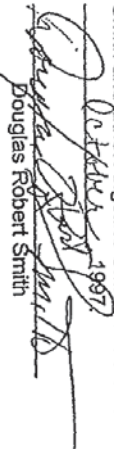
The following is the declaratory statement of dedications, limitations, restrictions, and covenants for all purchasers, their heirs, successors and assigns of lots in Deer Ridge, a residential subdivision, lying in a part of the Northeast Quarter of the Northeast Quarter of Section 1, Township 12 North, Range 1 West, and in Fractional Section 6, Township 12 North, Range 1 East, Morgan County, Indiana.

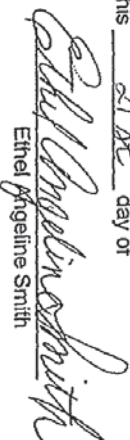
1. **Building Plan Review.** All Plans for the construction of residential dwellings, accessory buildings, fences, and all other structures shall be reviewed and approved the by developer. Only licensed or approved builders are allowed to construct dwellings in the subdivision. In the event the developer or its designated representative fails to approve or disapprove any plans submitted within 30 days, then such plans and specifications will be considered approved.
2. **Land Use.** All lots herein are for residential use only. No doubles allowed.
3. **Building Location.** Buildings on lots 1,2,3, shall be located 170 feet back from the center of State Road 142. The division of a lot for the purpose of creating an additional building site is prohibited.
4. **Dwelling Size.** The ground floor of the dwelling structure exclusive of porches basements and garages shall be no less than one thousand five hundred square feet (1500), and not less than one thousand (1000) square feet ground floor, for a dwelling of more than one story. A garage for at least two (2) cars must be included.
5. **Construction requirements.**
 - A. Overhang (eaves) shall be a minimum of twelve (12) inches.
 - B. Hip roofs shall be a minimum of 6 ½/12 pitch with gable type roof 7 ½/12 pitch, shall be used.
 - C. Exterior shall be a minimum of 80% brick or stone, balance to be vinyl or wood. Log homes may be constructed. No Modular or Mobile Homes will be permitted. All dwellings must be built on a crawl space or basement. No slab construction will be allowed.
 - D. After construction all lots shall be graded and landscaped. The grading shall be so as to provide proper drainage.
 - E. All dwellings shall be maintained in good repair by owners.
 - F. All construction, finish grading, sidewalks, and landscaping shall be completed within six (6) months the commencement of construction, unusual weather excepting.
 - G. All owners and their builders shall be responsible for and maintain the job site in a reasonable and sightly order, containing all trash and debris within the lot, and properly disposed of or removed. Owners shall give their builders a copy of Deer Ridge Plat and these Covenants and restrictions.
 - H. All owners and their builders/contractors shall be responsible for and repair any damage during construction whether or not inadvertent or unavoidable. Including but not limited to streets, drainage areas, utilities, or other improvements.
 - I. All owners shall be fully responsible for providing proper erosion control on their lot. The lot owner is responsible for the acts of any builder, contractor, or subcontractor doing work on the owner's lot. The owners of lots in this subdivision shall take their title subject to the rights of others to use the natural ravines, swales, and valleys for the conveyance of storm water. No owner shall impede or hinder, in any way the passage of storm water through or across their lot.
 1. All lot owners will maintain their lots in good condition to the edge of the road.
7. **Vehicle Parking.** No unlicensed or inoperative vehicles may be parked on a lot.
8. **Storage and Refuse disposal.** Trash, garbage or other wastes shall be kept in sanitary animal proof containers. All equipment for the storage of such materials shall be kept in a clean and sanitary condition. No incinerators or trash burning shall be allowed.
9. **Vacant lot Maintenance.** Owners shall maintain lots, mow and keep free of trash. Unsold lots shall be maintained by the developer. If sold lots are not mowed and maintained developer shall have the option to maintain the property and charge the owner a reasonable fee.
10. **Nuisance.** No noxious or offensive activity shall be suffered or permitted to continue which may annoy or become a nuisance to a neighbor or the neighborhood, nor shall any unlawful act or activity be allowed whatsoever.
11. **Storage Tanks.** No bulk storage tanks of any kind will be allowed.
12. **Animals.** Lot owners shall not keep, breed or raise any animals for commercial purposes. Lot owners shall be allowed a total of three (3) household pets. All pets must be confined to owners lot or a leash accompanied by an adult. No lot owners shall be allowed to keep, breed or raise livestock, hogs, or poultry.
13. **Pools.** No above ground pools shall be permitted.
14. **Mailboxes.** Developers will supply and place mailboxes for lots 3, 4, 5, 6, 7, 8, 9, and 10 on State Road 142.

15. **Signs.** No sign of any kind shall be displayed to the public view on any lot except for one sign of not more than five (5) square feet advertising the property for sale or rent. No more than four (4) signs no larger than five (5) square feet shall be allowed by builders or others to advertise the property during construction; however any sign required by law may be displayed during the construction period in addition to the permitted signs. This covenant has no application to marketing or promotional signs of the developer while lots are being sold.
16. **Utility/Storage Buildings.** Utility or storage buildings must have a minimum of 110 square feet. All must be on concrete foundation and be constructed to compliment the dwelling. Gazebo type structures will be permitted. All structures must be approved by the developer.
17. **Private Road Maintenance.** Property owners of lots 1 and 2 shall be exempt from road maintenance fee. Owner of lot 3 may also be exempt if he decides to put in his own driveway off of State Road 142. Until such time that the road is accepted into the Morgan County Road system, the minimum annual maintenance fee is one hundred fifty dollars (\$150.00), payable to Dear Ridge Road Fund.
18. **Development.** Developer or heirs, or designated representative alone have the right to use Tract 11 for any further subdivision development. In the event no further development occurs, Tract 11 will be deeded to the adjoining property owners to the middle of Tract 11.
19. **Covenants and Restrictions.** Covenants and restrictions can be changed upon the following conditions: All lot owners must be notified 30 days in advance as to time, date, place of any such meeting to change covenants and restriction. It is required to 100% of those attending the meeting vote in favor of such changes.
20. **Enforcement.** Enforcement of the Dear Ridge covenants and restrictions set out in this agreement shall be by proceeding laws instituted by the developer as shown on the plat of record, the owner of any lot of record with any of these entities having the right to bring action against a violating party. Any person, partnership, corporation or other legal entity violating or attempting to violate any covenant and restriction set out herein shall be subject to damages for the violation or cost of any remedy to cure the violation, including attorney fees, court costs, and actual damages to the developer or homeowner.

DEVELOPERS CERTIFICATION AND DEDICATION

This declaratory statement of dedication, limitations, restrictions, and covenants, to run with the land, shown hereon, is hereby so declared and executed by the undersigned, Douglas Robert Smith and Ethel Angeline Smith, owners of said property, this 1st day of October 1997.


Douglas Robert Smith

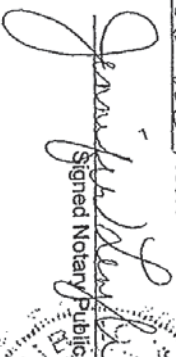

Ethel Angeline Smith

State of Indiana)
County of Morgan)

Before me, the undersigned, a Notary Public, personally appeared Douglas Robert Smith and Ethel Angeline Smith, owners of Dear Ridge Estates and acknowledged the execution of this instrument to be his voluntary act and deed.

Witness my Hand and Seal this 1st day of October, 1997.

*Prepared by
Hollway & Asss.*


Signed Notary Public



Jennifer Lingle
Printed Notary Public

Resident of Morgan County.
My Commission Expires: December 27 1999.

RECORDED FOR RECORD
1:12 P.M. 1997
Yvonne Thivett
MORGAN COUNTY RECORDER

Nov 19 2004

MORGAN COUNTY RECORDER
KAREN BRUMMETT
CSD Date 07/28/2004 Time 10:02:48
RECORDING: 14.00
I 200411435 Page 1 of 2

2ND AMENDMENT TO DEER RIDGE
Covenants and Restrictions
As recorded in Miscellaneous Record 149 Page 347-348
And Amended in Miscellaneous Record 153 Page 285-286

The undersigned Owners of Parcels in the Unplatted Subdivision known as Deer Ridge, the following covenants and restrictions are hereby amended as follows:

Item 5 C. Exterior may be a minimum of 50% brick or stone, with the remaining 50% to be cedar or Exterior may be a minimum of 80% brick or stone, with the balance to be vinyl or wood. Log homes may be constructed. No Modular or Mobile Homes will be permitted. All dwellings must be built on a crawl space or basement. No slab construction will be allowed.

Item 19 The 30 days in advance notice is hereby waived for this amendment only and shall remain in full effect for any additional changes or amendments in the future.

CERTIFICATION AND DEDICATION

This declaratory statement of dedication, limitations, restrictions, and covenants, are to run with the land, shown hereon, is hereby so declared and executed by the undersigned,

Owners of said property this 27th day of July, 2004.

Douglas Robert Smith
Douglas Robert Smith
Owner of Parcels 1, 2, 4 thru 11

Ethel Angelina Smith
Ethel Angelina Smith
Owner of Parcel 1, 2, 4 thru 11

Stephen Lee Brearley
Stephen Lee Brearley
Owner of Parcel 3

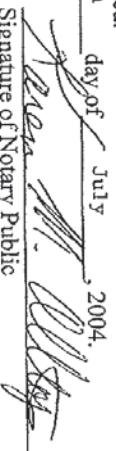
Pamela F. Brearley
Pamela F. Brearley
Owner of Parcel 3

STATE OF INDIANA)
) ss:
COUNTY OF MORGAN)

Before me, the undersigned, a Notary Public, personally appeared Douglas Robert Smith and Ethel Angeline Smith, owners in Deer Ridge and acknowledged the execution of this instrument to be their voluntary act and deed.

Witness my hand and seal this 27th day of July, 2004.

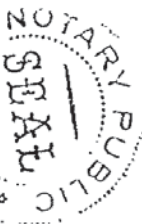
My Commission Expires:
10/17/2008


Signature of Notary Public

County Res: Morgan

Karen M. Alltop

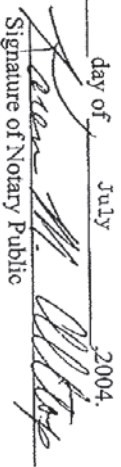
Printed Notary Public



* Before me, the undersigned, a Notary Public, personally appeared Steven Lee Brearley and Patricia F. Brearley, owners in Deer Ridge and acknowledged the execution of this instrument to be their voluntary act and deed.

Witness my hand and seal this 27th day of July, 2004.

My Commission Expires:
10/17/2008


Signature of Notary Public

County Res: Morgan

Karen M. Alltop

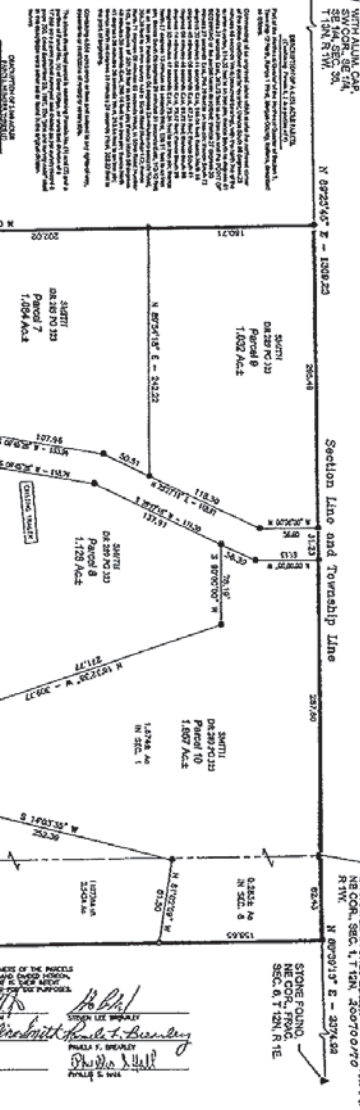
Printed Notary Public



This instrument was prepared by Douglas Robert Smith.

DEER RIDGE - FOURTH REVISED DIVISION SURVEY OF 17,859 ACRES

PART OF THE NORTH-EAST QUARTER OF THE NORTH-EAST QUARTER OF SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE NORTH HALF OF FRACTIONAL SECTION 6, TOWNSHIP 12 NORTH,
RANGE 1 EAST, MORGAN COUNTY INDIANA.



STATE ROAD NUMBER 142

SECTION LINES AND TOWNSHIP LINE

**BEARINGS SYSTEM ASSUMES THE NORTH BENCHMARK OF S 89°24'34\"/>

SCALE: 1 INCH = 20 FEET

STATE ROAD NUMBER 142

LAND SURVEY CORPORATION

I, Roy G. McInroy, Surveyor, do hereby certify that this is a true and correct copy of the original of the above described Survey, as the same appears in the files of the Indiana State Plane Survey, and that the same has been duly approved and filed in the office of the Indiana State Plane Survey, at Indianapolis, Indiana, on the 15th day of February, 2006.

Roy G. McInroy
Surveyor
January 24, 2006
Date: December 7, 2006**

SECTION 10, TOWNSHIP 12 NORTH, RANGE 1 WEST, MORGAN COUNTY INDIANA.

Section Line and Township Line

STONE PILING
SECTION 6, T. 12N., R. 1E.

SECTION 1, TOWNSHIP 12 NORTH, RANGE 1 WEST, MORGAN COUNTY INDIANA.

SECTION 10, TOWNSHIP 12 NORTH, RANGE 1 WEST, MORGAN COUNTY INDIANA.

SECTION 6, TOWNSHIP 12 NORTH, RANGE 1 WEST, MORGAN COUNTY INDIANA.

WE, the undersigned owners of the parcels shown hereon, do hereby certify that the above described Survey is a true and correct copy of the original of the above described Survey, as the same appears in the files of the Indiana State Plane Survey, and that the same has been duly approved and filed in the office of the Indiana State Plane Survey, at Indianapolis, Indiana, on the 15th day of February, 2006.

W. G. Smith
C. E. Smith
R. L. Smith
P. L. Smith
M. L. Smith
J. L. Smith
K. L. Smith
L. L. Smith
O. L. Smith
F. L. Smith
G. L. Smith
H. L. Smith
I. L. Smith
J. L. Smith
K. L. Smith
L. L. Smith
M. L. Smith
N. L. Smith
O. L. Smith
P. L. Smith
Q. L. Smith
R. L. Smith
S. L. Smith
T. L. Smith
U. L. Smith
V. L. Smith
W. L. Smith
X. L. Smith
Y. L. Smith
Z. L. Smith

SECTION 10, TOWNSHIP 12 NORTH, RANGE 1 WEST, MORGAN COUNTY INDIANA.

SECTION 1, TOWNSHIP 12 NORTH, RANGE 1 WEST, MORGAN COUNTY INDIANA.

SECTION 6, TOWNSHIP 12 NORTH, RANGE 1 WEST, MORGAN COUNTY INDIANA.

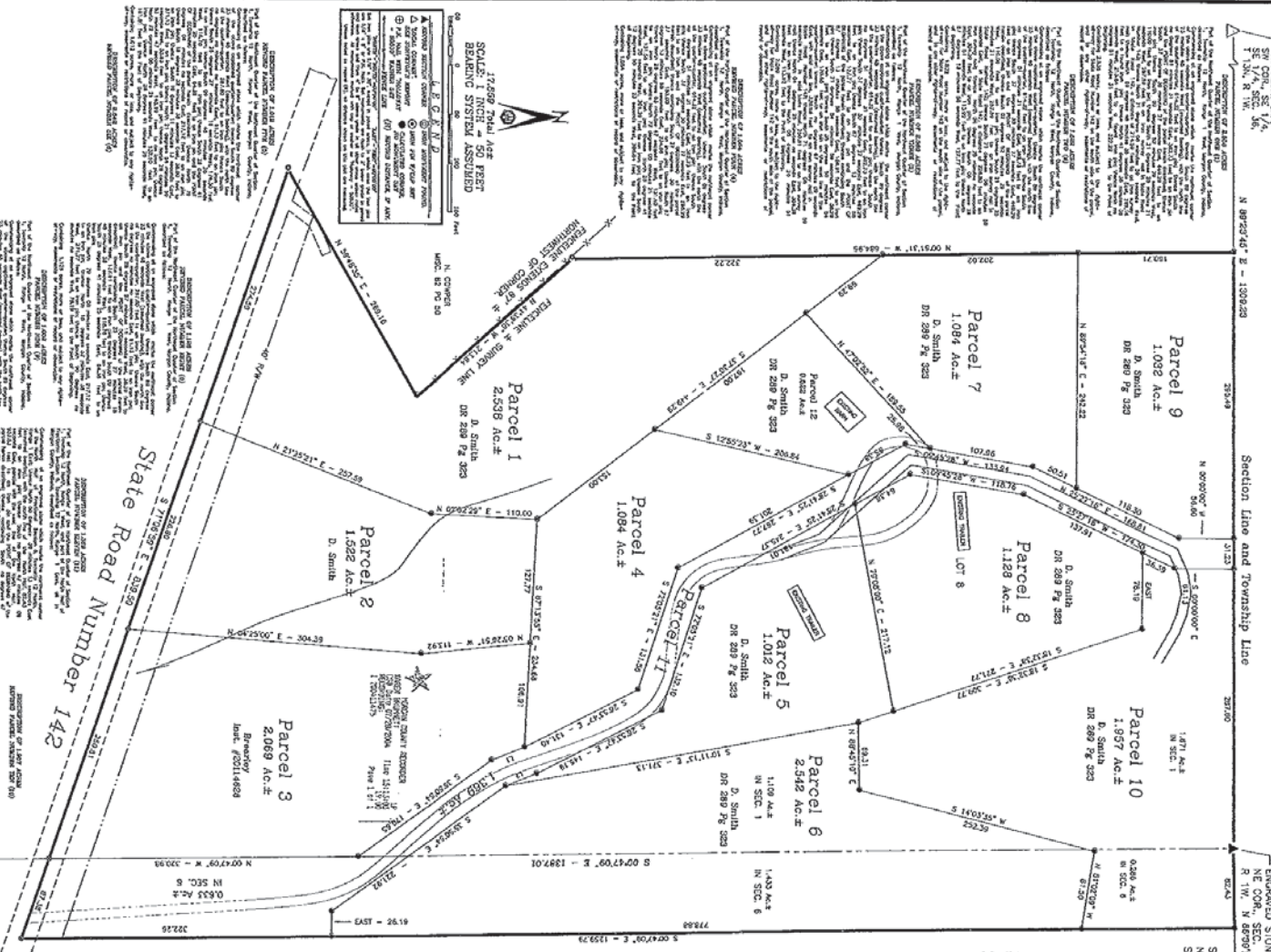
SECTION 10, TOWNSHIP 12 NORTH, RANGE 1 WEST, MORGAN COUNTY INDIANA.

PREPARED BY	ROY G. MCINROY
DATE	DECEMBER 7, 2006
CHECKED BY	DAVID S. SHERMAN
DATE	JANUARY 24, 2007
DESIGNED BY	ROY G. MCINROY
DATE	DECEMBER 7, 2006
PLANNED BY	ROY G. MCINROY
DATE	DECEMBER 7, 2006

HOLLOWAY ENGINEERING
Professional Surveyors
P.O. Box 1000
Corydon, Indiana 46033
Ph: 317-868-4444
Fax: 317-868-4445
www.hollowayengineering.com

30

DEER RIDGE - REVISED DIVISION SURVEY OF 17,859 ACRES
PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE NORTH HALF OF FRACTIONAL SECTION 6, TOWNSHIP 12 NORTH,
RANGE 1 EAST, MORGAN COUNTY INDIANA



17,859 Total Area
 SOLID BEARING SYSTEM ASSUMED

ENHANCED STONE FOUND
 NE COR. SEC. 1, T. 12N.
 R. 1W. N 89°01'4" E - 2274.82'

ALL OWNERS OR HEIRS OF SMALL TRACT TITLE TO THE PARCELS SHOWN HEREON SUBJECT TO THE COMPASS AND DISTANCE AS RECORDED IN DEED BOOK 149 PAGE 247 IN THE COUNTY RECORDS OF MORGAN COUNTY INDIANA SHALL BE DEEMED TO HAVE BEEN CONVEYED TO THE PARTIES HERETO BY THIS SURVEY.

I, Paul O. Hanney, Sr. Trustee
 Received into my hands, **HOLLY**
 County Trust Representative,
 the sum of **one thousand dollars**
 and to the best of my knowledge,
 knowledge and belief contained in
 this Deed, Sec. 12, as well as
 on July 10, 2004

Paul O. Hanney, Sr.
 Trustee
 Date July 10, 2004

OWNER OF RECORD OF ALL PARCELS EXCEPT PARCEL 3
DOUGLAS ROBERT SMITH (A.K.A. DOUGLAS R. SMITH),
AND ETHEL ANGLINE SMITH (A.K.A. ETHEL A. SMITH)
 THERE ARE IMPROVEMENTS ON PARCELS 2, 3, 5, 6, 7 AND 8 ONLY.

This plot is a revision to previously recorded plot
 of the division of 17,859 acres, as recorded in
 survey record 2, page 225. Changes are limited to
 division lines along PARCELS 4, 7, 8, 9 and 10,
 in addition to the addition of Parcel 12. This plot
 supersedes the previous plot in its entirety.

PT. OF THE NE-1/4 OF THE NE-1/4 OF SEC. 1, T. 12N. R. 1W. AND PT. OF THE NORTH-HALF OF FRA. SEC. 6, T. 12N. R. 1E. MORGAN COUNTY INDIANA

CLIENT:
DOUGLAS & ETHEL SMITH
HOLLOWAY and ASSOCIATES, P.C.
MORGANSVILLE, IN 46150

DATE February 9, 2004 REVISION:
 FILE NO. 099487 SHEET OF

17,859 Total Area
 SOLID BEARING SYSTEM ASSUMED

17,859 Total Area
 SOLID BEARING SYSTEM ASSUMED

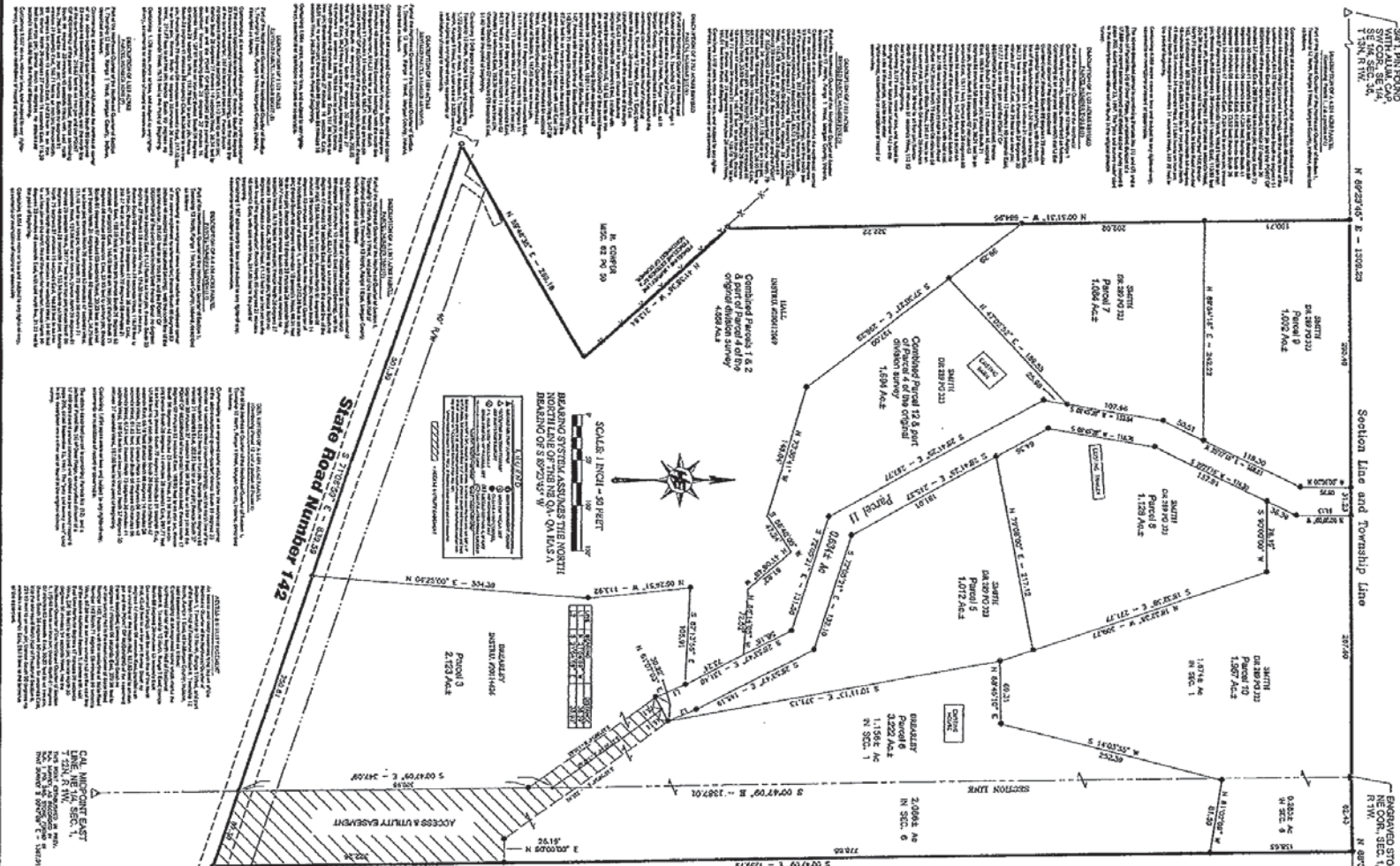
17,859 Total Area
 SOLID BEARING SYSTEM ASSUMED

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17,859 Total Area
 SOLID BEARING SYSTEM ASSUMED

DEER RIDGE - REVISED DIVISION SURVEY OF 17,859 ACRES

PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE NORTH HALF OF FRACTIONAL SECTION 6, TOWNSHIP 12 NORTH, ★
RANGE 1 EAST, MORGAN COUNTY INDIANA



361.1 P.M. BEING
WITH ALL CLAIMS
SET ASIDE BY
THIS R.W. 34

SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE
NORTH HALF OF FRACTIONAL SECTION 6,
TOWNSHIP 12 NORTH, RANGE 1 EAST,
MORGAN COUNTY INDIANA

**SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE
NORTH HALF OF FRACTIONAL SECTION 6,
TOWNSHIP 12 NORTH, RANGE 1 EAST,
MORGAN COUNTY INDIANA**

**SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE
NORTH HALF OF FRACTIONAL SECTION 6,
TOWNSHIP 12 NORTH, RANGE 1 EAST,
MORGAN COUNTY INDIANA**

**SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE
NORTH HALF OF FRACTIONAL SECTION 6,
TOWNSHIP 12 NORTH, RANGE 1 EAST,
MORGAN COUNTY INDIANA**

**SECTION 1, TOWNSHIP 12 NORTH,
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MORGAN COUNTY INDIANA**

**SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE
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TOWNSHIP 12 NORTH, RANGE 1 EAST,
MORGAN COUNTY INDIANA**

**SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE
NORTH HALF OF FRACTIONAL SECTION 6,
TOWNSHIP 12 NORTH, RANGE 1 EAST,
MORGAN COUNTY INDIANA**

**SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE
NORTH HALF OF FRACTIONAL SECTION 6,
TOWNSHIP 12 NORTH, RANGE 1 EAST,
MORGAN COUNTY INDIANA**

Section Line and Township Line

ENGRAVED STONE FOUND
R.W. N. 2374.42
N 89°47'00" E - 2374.42

STONE FOUND,
RE COR. FRAC.
SEC. 6, T. 12N, R. 1E

SECTION 1, TOWNSHIP 12 NORTH,
RANGE 1 WEST, AND PART OF THE
NORTH HALF OF FRACTIONAL SECTION 6,
TOWNSHIP 12 NORTH, RANGE 1 EAST,
MORGAN COUNTY INDIANA

Handwritten signatures and notes:
The undersigned certify that the above is a true and correct copy of the original survey as recorded in the records of the County Clerk of Morgan County, Indiana, and that the same is a true and correct copy of the original survey as recorded in the records of the County Clerk of Morgan County, Indiana, and that the same is a true and correct copy of the original survey as recorded in the records of the County Clerk of Morgan County, Indiana.

ALL OWNERS OF PARTS OF THIS PLAT TAKE NOTICE THAT THE PARTS SHOWN ARE SUBJECT TO THE CLAIMS AND INTERESTS OF THE PARTIES AS SET FORTH IN DEED BOOK 349 PAGE 614 OF THE RECORDS OF MORGAN COUNTY INDIANA.

This plat is a revision to previously recorded plats as the creation of 17,859 acres as recorded in Survey Record 3, Page 506 and referenced Number 00195292. This is the original survey as recorded in the records of the County Clerk of Morgan County, Indiana.

1. EVIDENCE SURVEY CERTIFICATION
I, Eric O. Holloway, as both an Engineer and as a duly sworn and duly qualified surveyor, do hereby certify that, to the best of my information, knowledge and belief, this plat represents a true and correct copy of the original survey as recorded in the records of the County Clerk of Morgan County, Indiana, and that the same is a true and correct copy of the original survey as recorded in the records of the County Clerk of Morgan County, Indiana, and that the same is a true and correct copy of the original survey as recorded in the records of the County Clerk of Morgan County, Indiana.

STATE ENGINEER'S SIGNATURE
Eric O. Holloway
Surveyor
Date: November 14, 2007

HOLLOWAY ENGINEERING & SURVEYING
1715 S. W. 11th St., Suite 101
Morgantown, WV 26501
Phone: 304-293-1111
Fax: 304-293-1112
www.holloway-engineering.com

DATE: NOVEMBER 14, 2007

PROJECT: DEER RIDGE - REVISED DIVISION SURVEY OF 17,859 ACRES

DRAWN BY: ERIC O. HOLLOWAY

CHECKED BY: ERIC O. HOLLOWAY

SCALE: AS SHOWN

PROJECT NUMBER: 07-001

DRAWN BY: ERIC O. HOLLOWAY

CHECKED BY: ERIC O. HOLLOWAY

SCALE: AS SHOWN

PROJECT: DEER RIDGE - REVISED DIVISION SURVEY OF 17,859 ACRES