

MORRIS MEADOWS

COUNTY, INDIANA

13N, R3E

16. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE 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 LINES AND A LINE CONNECTING THEM AT POINTS TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY PAVEMENT. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTIONS OF SUCH SIGHT LINES, AND ALL EXISTING FARM FENCES BORDERING ON LOT SHALL BE MAINTAINED BY THE LOT OWNER IN A CONDITION TO CONTAIN LIVESTOCK USING CONTIGUOUS LANDS. NO FENCE OR WALL SHALL BE PERMITTED ALONG ANY PROPERTY LINE OR IN FRONT OF ANY RESIDENCE BETWEEN THE FRONT BUILDING SETBACK LINE AND THE STREET RIGHT-OF-WAY LINE.

17. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY LOT EXCEPT THAT DOGS, CATS, OR OTHER COMMON HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT BRED, KEPT OR MAINTAINED FOR ANY COMMERCIAL PURPOSE. HOUSEHOLD PETS DOES NOT INCLUDE POT-BELLIED OR MIDGET PIGS OR HOGS, EXOTIC ANIMALS, AND/OR OTHER ANIMALS THAT WOULD NORMALLY BE CONSIDERED AS LIVESTOCK OR ZOO ANIMALS.

18. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. OTHER WASTES SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.

19. ALL UTILITIES PLACED WITHIN THIS SUBDIVISION, WHETHER PRIVATE, PUBLIC OR INDIVIDUAL SHALL BE INSTALLED UNDERGROUND.

20. THE MAINTENANCE AND CONTROL OF THE LAKE AREAS SHALL BE GOVERNED BY LAKE ASSOCIATIONS KNOWN AS MORRIS MEADOWS EAST LAKE HOMEOWNERS ASSOCIATION, INC. AND MORRIS MEADOWS WEST LAKE HOMEOWNERS ASSOCIATION, INC. EACH SUCH ASSOCIATION SHALL BE GOVERNED BY ITS OWN ESTABLISHED RULES AND SHALL BE EFFECTIVE AS TO THE LOTS DESCRIBED IN THE GOVERNING DOCUMENTS. LOTS 75, 77, 79 AND 80 SHALL HAVE THEIR INDIVIDUAL ACCESS TO MORRIS MEADOWS WEST LAKE THRU THESE INDIVIDUAL LOTS. LOT NUMBER 79 SHALL HAVE ITS ACCESS TO MORRIS MEADOWS WEST LAKE THRU THE LAKE ACCESS EASEMENT OVER AND ACROSS LOTS NUMBER 78 AND 80 AND AS INDICATED ON THIS PLAT. LOTS 7, 8, 9, 10, 11, 12, 13 AND 14 SHALL HAVE THEIR INDIVIDUAL ACCESS TO MORRIS MEADOWS EAST LAKE THRU THESE INDIVIDUAL LOTS. THE ENTIRE AREA INDICATED ON THIS PLAT FOR BOTH THE EAST LAKE AND WEST LAKE SHALL BE A DRAINAGE, UTILITY AND LAKE MAINTENANCE EASEMENT. MORRIS MEADOWS WEST LAKE SHALL HAVE ITS MAINTENANCE ACCESS FROM THE CONTIGUOUS RIGHT-OF-WAY OF COUNTY ROAD 300 N. MORRIS MEADOWS EAST LAKE SHALL HAVE ITS ROUTE OF MAINTENANCE ACCESS OVER THE 25 FOOT DRAINAGE, UTILITY AND LAKE MAINTENANCE EASEMENT INDICATED ON THE PLAT.

21. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY AFFECTS ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

22. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THIS LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FROM THE DATE THESE COVENANTS ARE RECORDED. AT ANY TIME FOLLOWING RECORDATION, AN INSTRUMENT SIGNED BY THE OWNERS OF A MAJORITY OF THE LOTS DESIRING TO CHANGE ANY COVENANT OR RESTRICTION IN WHOLE OR IN PART MUST BE PRESENTED TO THE TOWN OF BARGERSVILLE FOR APPROVAL AND ACCEPTANCE OF THE CHANGE, AND NO CHANGE IN ANY COVENANT SHALL BE EFFECTIVE UNLESS FIRST APPROVED BY THE TOWN COUNCIL OF THE TOWN OF BARGERSVILLE.

23. THESE RESTRICTIONS AND COVENANTS ARE ENFORCEABLE AT LAW AND EQUITY BY AN PERSON OR GOVERNMENTAL ENTITY WITH A SUBSTANTIAL INTEREST IN ANY REAL ESTATE LOCATED WITHIN THE SUBDIVISION. BY AN "GOVERNMENTAL ENTITY" MEANS; BUT IS NOT LIMITED TO, THE TOWN OF BARGERSVILLE, THE COUNTY OF JOHNSON, THE STATE OF INDIANA, AND ALL OTHER GOVERNMENTAL UNITS CHARGED WITH THE ENFORCEMENT OF POLICE POWERS. IF THE TOWN OF BARGERSVILLE BRINGS ANY ACTION TO ENFORCE THESE RESTRICTIONS AND COVENANTS, AND IT PREVAILS OR IS SUCCESSFUL IN SUCH ACTION WHOLE OR IN PART, THEN IN ADDITION TO ANY OTHER RELIEF TO WHICH IT MAY BE ENTITLED, THE TOWN OF BARGERSVILLE SHALL HAVE AND RECOVER ITS COSTS AND REASONABLE ATTORNEYS FEES FROM THE ADVERSE PARTY OR PARTIES.

Approved by the Town Council of Bargsville, Indiana, this 9th day of June, 2002.

Laura Lowe
LAURA LOWE, PRESIDENT

Russell Skaggs
RUSSELL SKAGGS

Beulah Witt
BEULAH WITT

Rob Robinette
ROB ROBINETTE

Carl Kevin Combs
CARL KEVIN COMBS

Approved by the Town of Bargsville Plan Commission at a meeting held October 20, 2003.

Sheryl Jones
SECRETARY

I, R. ERIC BROWNING, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, THAT THIS PLAT CORRECTLY REPRESENTS THE DESCRIBED REAL ESTATE.

ALL MONUMENTS SHOWN HEREON WILL EXIST, AND THAT THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN; AND THAT THE COMPUTED ERROR OF CLOSURE OF THE BOUNDARY SURVEY IS NOT MORE THAN ONE FOOT IN TEN THOUSAND FEET; AND THAT THIS PLAT COMPLIES WITH PROVISIONS OF THE SUBDIVISION ORDINANCE. THE SIZE OF LOTS AND WIDTH OF STREETS AND EASEMENTS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

WITNESS MY SIGNATURE THIS 19th DAY OF OCTOBER, 2003.

R. Eric Browning
R. ERIC BROWNING
REGISTERED LAND SURVEYOR NO. 20000001

ENTERED FOR TAXATION THIS 12th DAY OF April, 2003.

Brenda Jones-Matthews
BRENDA JONES-MATTHEWS
JOHNSON COUNTY AUDITOR

NO. 2004-010064

RECEIVED FOR RECORD THIS 12th DAY OF April, 2004 AT 2:16 P.M. AND RECORDED IN PLAT BOOK D PAGE 504

FEE 18.00

28
~~28~~
56

Steven Mazurek
STEVEN MAZUREK, PRESIDENT
WESTHIST HOMES, INC.

Leslie A. Heim
LESLIE A. HEIM

Ann Misiniec
ANN MISINIEC
JOHNSON COUNTY RECORDER

State of Indiana }
County of Johnson }
JoAN CAIN

I, JoAN CAIN, a Notary Public in and for said County do hereby certify that ~~Steven Mazurek~~ President of ~~West Park~~ Homes, ~~Ralph L. Heim~~ and Leslie A. Heim, personally known to be the same persons whose names are subscribed to the above certificate appeared before me this day in person and acknowledged that they signed the above certificate as their own free and voluntary act and deed for the uses and purposes therein set forth.

My Commission Expires: 5/17/08

JoAN CAIN
JOAN CAIN, NOTARY PUBLIC
RESIDENT COUNTY OF MALION

State of Indiana }
County of Johnson }
S:



MAJOR ENGINEERING & LAND SURVEYING

ENGINEERING ■ SURVEYING ■ LAND PLANNING

435 East Main Street, Suite G, Greenwood, Indiana 46143
PHONE (317)-868-4490 FAX (317)-887-4447

DEED OF LOTS 4 & 5, MORRIS MEADOWS

BARGERSVILLE, JOHNSON COUNTY, INDIANA

SE 1/4, SEC. 34, T13N, R3E

THE LOTS IN THE SUBDIVISION AND THE USE OF THE LOTS IN THIS SUBDIVISION BY PRESENT AND FUTURE OWNERS OR OCCUPANTS SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS, WHICH SHALL RUN WITH THE LAND.

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED ON ANY LOT OTHER THAN THE ONE (1) SINGLE-FAMILY DWELLING, NOT TO EXCEED TWO (2) STORIES IN HEIGHT WITH AN ATTACHED GARAGE CAPABLE OF STORING A MINIMUM OF TWO (2) AUTOMOBILES IS MANDATORY. A STORAGE BUILDING NOT TO EXCEED ONE STORY IN HEIGHT (12 FEET MAXIMUM) AND 160 SQUARE FEET OF FLOOR AREA IS PERMITTED, SAID STORAGE BUILDING SHALL NOT HAVE METAL SURFACED EXTERIORS OR ROOFS.

2. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 1200 SQUARE FEET FOR A ONE STORY DWELLING AND NOT LESS THAN 900 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.

THE INTERIOR OF EACH HOUSE SHALL BE IN A FINISHED, LIVABLE CONDITION PRIOR TO AN ISSUANCE OF AN OCCUPANCY PERMIT. ALL DWELLINGS AND ATTACHED GARAGES SHALL HAVE ONLY MASONRY FOOTINGS AND FOUNDATIONS. NO WOOD FOUNDATIONS SHALL BE PERMITTED. NO DWELLING OF A MANUFACTURED OR MODULAR TYPE, BEING A TYPE OF DWELLING THAT SUBSTANTIALLY CONSTRUCTED OR ASSEMBLED ELSEWHERE AND TRANSPORTED TO THE SITE FOR FINAL ASSEMBLY SHALL BE PERMITTED ON ANY LOT. NO PRESSED BOARD MATERIAL OF MASONITE TYPE OR VERTICAL ALUMINUM SIDING SHALL BE USED ON EXTERIOR CONSTRUCTION OF ANY DWELLING.

3. NO BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE BUILDER'S CONSTRUCTION PLANS, SPECIFICATIONS AND PLOT PLAN HAVE BEEN APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE AS TO THE ACCEPTABILITY AND QUALITY OF WORKMANSHIP AND MATERIALS, HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATIONS. APPROVAL SHALL BE AS PROVIDED IN COVENANT NUMBER 14. THE ARCHITECTURAL CONTROL COMMITTEE SHALL HAVE NO POWER TO APPROVE ANY CONSTRUCTION PLAN, SPECIFICATIONS OR PLOT PLAN, WHICH IS NOT IN CONFORMITY WITH THESE COVENANTS.

4. ALL DRIVEWAYS SHALL BE PAVED CONCRETE OR ASPHALT AND NO LESS THAN SIXTEEN (16) FEET IN WIDTH AND THAT MINIMUM WIDTH SHALL BE MAINTAINED FROM THE GARAGE DOOR TO THE STREET.

5. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN 25 FEET TO THE FRONT LOT LINE, OR NEARER THAN 25 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN 10 FEET TO AN INTERIOR LOT LINE, WITH THE TOTAL SIDE YARD FOR BOTH SIDES BEING NOT LESS THAN 20 FEET. FOR THE PURPOSE OF THIS COVENANT, EAVES, STEPS, AND OPEN PORCHES SHALL NOT BE CONSIDERED AS A PART OF THE BUILDING, PROVIDED HOWEVER, THAT THIS SHALL NOT BE CONSTRUED TO PERMIT ANY PORTION OF A BUILDING ON A LOT TO ENCR OACH UPON ANOTHER LOT.

6. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BOAT, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY, NOR SHALL A PARTIALLY COMPLETED DWELLING BE PERMITTED.

7. OBSTRUCTIONS, FILL, DRIVES OR FENCES WHICH IMPEDE OR ALTER THE FLOW OF DRAINAGE SHALL NOT BE PLACED IN, NOR BE PERMITTED TO REMAIN IN AREAS DESIGNATED AS DRAINAGE EASEMENTS. THESE AREAS SHALL BE PRESERVED AND MAINTAINED AS PERMANENT DRAINAGE EASEMENTS, AS SHOWN ON THE GENERAL DEVELOPMENT PLAN, ON FILE WITH THE BARGERSVILLE PLAN COMMISSION.

8. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE PROFESSIONAL SIGN NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.

9. NO OIL DRILLING, OIL DEVELOPMENT OPERATION, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERRECTED, MAINTAINED OR PERMITTED ON ANY LOT.

10. NO UNSIGHTLY, NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE PERMITTED OR CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. TRAILERS, BOATS, AND SIMILAR EQUIPMENT SHALL NOT BE KEPT OR STORED IN THE FRONT OR SIDE YARD, BEING THAT AREA OF THE LOT BETWEEN THE REAR OF THE RESIDENCE AND THE STREET RIGHT-OF-WAY LINE.

11. AT NO TIME SHALL ANY UNLICENSED, INOPERATIVE AUTOMOBILE OR TRUCK BE STORED OR PERMITTED ON ANY LOT OUTSIDE OF THE GARAGE.

12. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT.

13. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF TWO 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 MEMBER 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. FOUR YEARS AFTER THE DATE OF RECORDATION, THE THEN RECORDED OWNERS OF THE MAJORITY OF LOTS SHALL HAVE THE POWER THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHANGE THE MEMBERSHIP OF THE COMMITTEE OR TO WITHDRAW FROM THE COMMITTEE OR RESTORE TO IT ANY OF ITS POWER AND DUTIES.

14. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING WITHIN THIRTY (30) DAYS, IF POSSIBLE. FAILURE TO DISAPPROVE PLANS AND SPECIFICATIONS IN WRITING SHALL NOT BE CONSTRUED AS CONSTITUTING THE APPROVAL THEREOF.

15. 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 THERETO, AND FURTHER, THAT PORTION OF NATURAL WATERWAYS THROUGH A LOT SHALL BE MAINTAINED BY THE OWNER THEREOF.

16. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE SIGHT LINES AT ELEVATIONS BETWEEN TWO (2) AND SIX (6) FEET ABOVE ROADWAYS SHALL BE PLACE OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY PAVEMENT. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTIONS OF SUCH SIGHT LINES, AND ALL EXISTING FARM FENCES BORDERING ON LOT SHALL BE MAINTAINED BY THE LOT OWNER IN A CONDITION TO CONTAIN LIVESTOCK USING CONTIGUOUS LANDS. NO FENCE OR WALL SHALL BE PERMITTED ALONG ANY PROPERTY LINE OR IN FRONT OF ANY RESIDENCE BETWEEN THE FRONT BUILDING SETBACK LINE AND THE STREET RIGHT-OF-WAY LINE.

17. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY LOT EXCEPT THAT DOGS, CATS, OR OTHER COMMON HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT BRED, KEPT OR MAINTAINED FOR ANY COMMERCIAL PURPOSE. HOUSEHOLD PETS DOES NOT INCLUDE POT-BELLIED OR MIDGET PIGS OR HOGS, EXOTIC ANIMALS, AND/OR OTHER ANIMALS THAT WOULD NORMALLY BE CONSIDERED AS LIVESTOCK OR ZOO ANIMALS.

18. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. OTHER WASTES SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.

19. ALL UTILITIES PLACED WITHIN THIS SUBDIVISION, WHETHER PRIVATE, PUBLIC OR INDIVIDUAL SHALL BE INSTALLED UNDERGROUND.

20. THE MAINTENANCE AND CONTROL OF THE LAKE AREAS SHALL BE GOVERNED BY LAKE ASSOCIATIONS KNOWN AS MORRIS MEADOWS EAST LAKE HOMEOWNERS ASSOCIATION, INC. AND MORRIS MEADOWS WEST LAKE HOMEOWNERS ASSOCIATION, INC. EACH SUCH ASSOCIATION SHALL BE GOVERNED BY ITS OWN ESTABLISHED RULES AND SHALL BE EFFECTIVE AS TO THE LOTS DESCRIBED IN THE GOVERNING DOCUMENTS. LOTS 75, 76, 77, 78 AND 80 SHALL HAVE THEIR INDIVIDUAL ACCESS TO MORRIS MEADOWS WEST LAKE THRU THESE INDIVIDUAL LOTS. LOT NUMBER 79 SHALL HAVE ITS ACCESS TO MORRIS MEADOWS WEST LAKE THRU THE LAKE ACCESS EASEMENT OVER AND ACROSS LOTS NUMBER 78 AND 80 AND AS INDICATED ON THIS PLAT. LOTS 7, 8, 9, 10, 11, 12, 13 AND 14 SHALL HAVE THEIR INDIVIDUAL ACCESS TO MORRIS MEADOWS EAST LAKE THRU THESE INDIVIDUAL LOTS. THE ENTIRE AREA INDICATED ON THIS PLAT FOR BOTH THE EAST LAKE AND WEST LAKE SHALL BE A DRAINAGE, UTILITY AND LAKE MAINTENANCE EASEMENT. MORRIS MEADOWS WEST LAKE SHALL HAVE ITS MAINTENANCE ACCESS FROM THE CONTIGUOUS RIGHT-OF-WAY OF COUNTY ROAD 300 N. MORRIS MEADOWS EAST LAKE SHALL HAVE ITS ROUTE OF MAINTENANCE ACCESS OVER THE 25 FOOT DRAINAGE, UTILITY AND LAKE MAINTENANCE EASEMENT INDICATED ON THE PLAT.

21. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY AFFECTS THE VALIDITY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

22. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THIS LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FROM THE DATE THESE COVENANTS ARE RECORDED. AT ANY TIME FOLLOWING RECORDATION, AN INSTRUMENT SIGNED BY THE OWNERS OF A MAJORITY OF THE LOTS DESIRING TO CHANGE ANY COVENANT OR RESTRICTION IN WHOLE OR IN PART MUST BE PRESENTED TO THE TOWN OF BARGERSVILLE FOR APPROVAL AND ACCEPTANCE OF THE CHANGE, AND NO CHANGE IN ANY COVENANT SHALL BE EFFECTIVE UNLESS FIRST APPROVED BY THE TOWN COUNCIL OF THE TOWN OF BARGERSVILLE.

23. THESE RESTRICTIONS AND COVENANTS ARE ENFORCEABLE AT LAW AND EQUITY BY ANY PERSON OR GOVERNMENTAL ENTITY WITH A SUBSTANTIAL INTEREST IN ANY REAL ESTATE LOCATED WITHIN THE SUBDIVISION; BY AN "GOVERNMENTAL ENTITY" MEANS; BUT IS NOT LIMITED TO, THE TOWN OF BARGERSVILLE, THE COUNTY OF JOHNSON, THE STATE OF INDIANA, AND ALL OTHER GOVERNMENTAL UNITS CHARGED WITH THE ENFORCEMENT OF POLICE POWERS. IF THE TOWN OF BARGERSVILLE BRINGS ANY ACTION TO ENFORCE THESE RESTRICTIONS AND COVENANTS, AND IT PREVAILS OR IS SUCCESSFUL IN SUCH ACTION WHOLE OR IN PART, THEN IN ADDITION TO ANY OTHER RELIEF TO WHICH IT MAY BE ENTITLED, THE TOWN OF BARGERSVILLE SHALL HAVE AND RECOVER ITS COSTS AND REASONABLE ATTORNEYS FEES FROM THE ADVERSE PARTY OR PARTIES.

Approved by the Town Council of Bargsville of June, 2002.

Approved by the Town of Bargsville P of October 20, 2002.

I, R. ERIC BROWNING, HEREBY CERTIFY SURVEYOR, LICENSED IN COMPLIANCE W INDIANA, THAT THIS PLAT CORRECTLY R ESTATE.

ALL MONUMENTS SHOWN HERON WILL E SIZE, TYPE AND MATERIAL ARE ACCURA COMPUTED ERROR OF CLOSURE OF THE ONE FOOT IN TEN THOUSAND FEET; A PROVISIONS OF THE SUBDIVISION ORDINA WIDTH OF STREETS AND EASEMENTS ARI AND DECIMAL PARTS THEREOF.

WITNESS MY SIGNATURE THIS 19TH 2003.

ENTERED FOR TAXATION THIS 12th

NO. 2004-010064
RECEIVED FOR RECORD THIS 12th
2004 AT 2:16A M. AND RECORDED I
FEE 18.00

Steven Masucci
STEVEN MASUCCI, PRESIDENT
WEST POINT HOMES, INC.

Leslie A. Heim
LESLIE A. HEIM

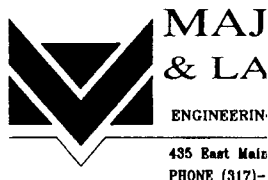
State of Indiana } S:
County of Johnson

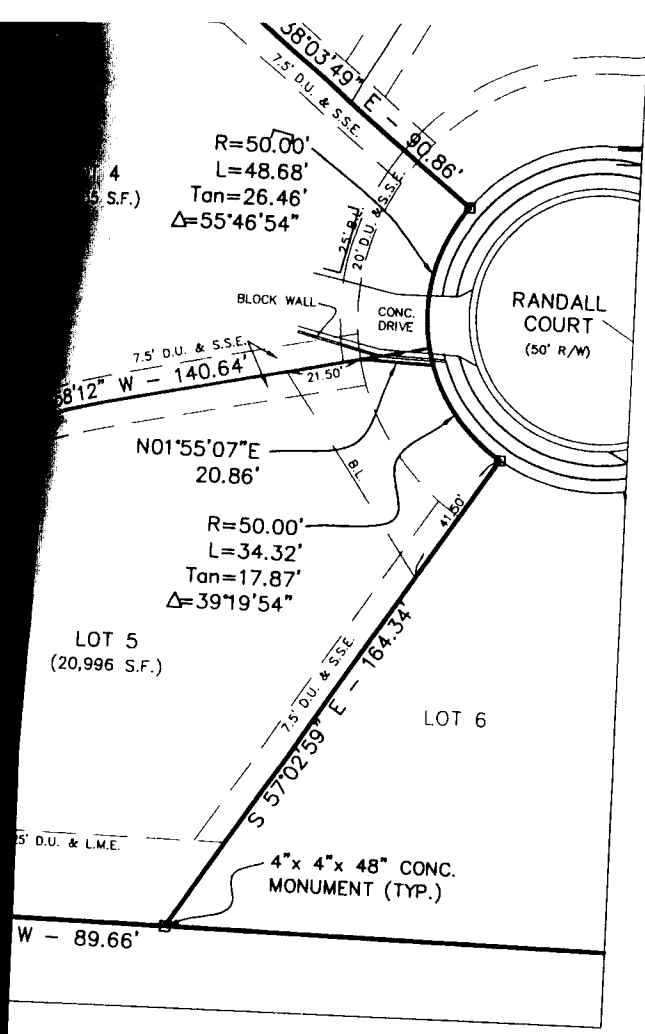
Joan Cain
I, Joan Cain, a Notary Public in and for said County do hereby certify that Steven Masucci, President of West Point Homes, Inc. and Leslie A. Heim, personally known to be the same persons whose names are subscribed to the above certificate appeared before me this day in person and acknowledged that they signed the above certificate as their own free and voluntary act and deed for the uses and purposes therein set forth.

My Commission Expires: 8/17/08

Joan Cain
NOTARY PUBLIC
RESIDENT COUNTY OF MALDEN

State of Indiana } S:
County of Johnson





- NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERRECTED, ALTERED, PLACED OR PERMITTED ON ANY LOT OTHER THAN THE ONE (1) SINGLE-FAMILY DWELLING, NOT TO EXCEED TWO (2) STORIES IN HEIGHT WITH AN ATTACHED GARAGE CAPABLE OF STORING A MINIMUM OF TWO (2) AUTOMOBILES IS MANDATORY. A STORAGE BUILDING NOT TO EXCEED ONE STORY IN HEIGHT (12 FEET MAXIMUM) AND 160 SQUARE FEET OF FLOOR AREA IS PERMITTED, SAID STORAGE BUILDING SHALL NOT HAVE METAL SURFACED EXTERIORS OR ROOFS.
- NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 1200 SQUARE FEET FOR A ONE STORY DWELLING AND NOT LESS THAN 900 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.
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- ALL DRIVEWAYS SHALL BE PAVED CONCRETE OR ASPHALT AND NO LESS THAN SIXTEEN (16) FEET IN WIDTH, AND THAT MINIMUM WIDTH SHALL BE MAINTAINED FROM THE GARAGE DOOR TO THE STREET.
- NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN 25 FEET TO THE FRONT LOT LINE, OR NEARER THAN 25 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN 10 FEET TO AN INTERIOR LOT LINE, WITH THE TOTAL SIDE YARD FOR BOTH SIDES BEING NOT LESS THAN 20 FEET. FOR THE PURPOSE OF THIS COVENANT, EAVES, STEPS, AND OPEN PORCHES SHALL NOT BE CONSIDERED AS A PART OF THE BUILDING, PROVIDED HOWEVER, THAT THIS SHALL NOT BE CONSTRUED TO PERMIT ANY PORTION OF A BUILDING ON A LOT TO ENCRDACH UPON ANOTHER LOT.
- NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BOAT, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY, NOR SHALL A PARTIALLY COMPLETED DWELLING BE PERMITTED.
- OBSTRUCTIONS, FILL DRIVES OR FENCES WHICH IMPEDE OR ALTER THE FLOW OF DRAINAGE SHALL NOT BE PLACED IN, NOR BE PERMITTED TO REMAIN IN AREAS DESIGNATED AS DRAINAGE EASEMENTS. THESE AREAS SHALL BE PRESERVED AND MAINTAINED AS PERMANENT DRAINAGE EASEMENTS, AS SHOWN ON THE GENERAL DEVELOPMENT PLAN, ON FILE WITH THE BARGERSVILLE PLAN COMMISSION.
- NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE PROFESSIONAL SIGN NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.
- NO OIL DRILLING, OIL DEVELOPMENT OPERATION, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERRECTED, MAINTAINED OR PERMITTED ON ANY LOT.
- NO UNSIGHTLY, NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE PERMITTED OR CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. TRAILERS, BOATS, AND SIMILAR EQUIPMENT SHALL NOT BE KEPT OR STORED IN THE FRONT OR SIDE YARD, BEING THAT AREA OF THE LOT BETWEEN THE REAR OF THE RESIDENCE AND THE STREET RIGHT-OF-WAY LINE.
- AT NO TIME SHALL ANY UNLICENSED, INOPERATIVE AUTOMOBILE OR TRUCK BE STORED OR PERMITTED ON ANY LOT OUTSIDE OF THE GARAGE.
- NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT.
- THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF TWO 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 MEMBER 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. FOUR YEARS AFTER THE DATE OF RECORDATION, THE THEN RECORDED OWNERS OF THE MAJORITY OF LOTS SHALL HAVE THE POWER THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHANGE THE MEMBERSHIP OF THE COMMITTEE OR TO WITHDRAW FROM THE COMMITTEE OR RESTORE TO IT ANY OF ITS POWER AND DUTIES.
- THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING WITHIN THIRTY (30) DAYS, IF POSSIBLE. FAILURE TO DISAPPROVE PLANS AND SPECIFICATIONS IN WRITING SHALL NOT BE CONSTRUED AS CONSTITUTING THE APPROVAL THEREOF.
- 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 THERETO, AND FURTHER, THAT PORTION OF NATURAL WATERWAYS THROUGH A LOT SHALL BE MAINTAINED BY THE OWNER THEREOF.
- NO LOT SHALL BE PLACED OR PERMITTED WITHIN THE TRIANGULAR AREA FORMED BY A LINE CONNECTING THEM AT POINTS OF INTERSECTION OF THE STREET LINES, PROPERTY CORNER, FROM THE INTERSECTION OF THE SAME SIGHT LINE WITHIN 10 FEET FROM THE INTERSECTION OF THE DRIVEWAY OR ALLEY PERMITTED TO REMAIN WITHIN SUCH UNLESS THE FOLIAGE LINE IS MAINTAINED PREVENT OBSTRUCTIONS OF SUCH SIX FEET BORDERS ON LOT SHALL BE IN CONDITION TO CONTAIN LIVESTOCK US WALL SHALL BE PERMITTED ALONG A RESIDENCE BETWEEN THE FRONT BUI RIGHT-OF-WAY LINE.
- NO ANIMALS, LIVESTOCK OR POU BREED, OR KEPT ON ANY LOT EXCEPT HOUSEHOLD PETS MAY BE KEPT PROV MAINTAINED FOR ANY COMMERCIAL PL INCLUDE POT-BELLIED OR MIDGET PIG; OTHER ANIMALS THAT WOULD NORMAL ANIMALS.
- NO LOT SHALL BE USED OR MAIN RUBBISH, TRASH OR GARBAGE, OTHER IN SANITARY CONTAINERS. ALL INCH THE STORAGE OR DISPOSAL OF SUCH AND SANITARY CONDITION.
- ALL UTILITIES PLACED WITHIN THIS PUBLIC OR INDIVIDUAL SHALL BE INSTA
- THE MAINTENANCE AND CONTROL BY LAKE ASSOCIATIONS KNOWN AS MOR ASSOCIATION, INC. AND MORRIS MEADOW ASSOCIATION, INC. EACH SUCH ASSOCI ESTABLISHING RULES AND SHALL BE EFF GOVERNING DOCUMENTS. LOTS 75, 76, INDIVIDUAL ACCESS TO MORRIS MEADOW LOTS. LOT NUMBER 79 SHALL HAVE IT, AND AS INDICATED ON THIS PLAT. LOTS HAVE THEIR INDIVIDUAL ACCESS TO MORR INDIVIDUAL LOTS. THE ENTIRE AREA IND LAKE AND WEST LAKE SHALL BE A DRAIN EASEMENT. MORRIS MEADOWS WEST LAK FROM THE CONTIGUOUS RIGHT-OF-WAY (MEADOWS EAST LAKE SHALL HAVE ITS R 25 FOOT DRAINAGE, UTILITY AND LAKE I THE PLAT.
- INVALIDATION OF ANY ONE OF THESE COURT ORDER SHALL IN NO WAY FORCE ANI WHICH SHALL REMAIN IN FULL FORCE ANI
- THESE RESTRICTIONS ARE HEREBY DI WITH THIS LAND AND SHALL BE BINDING C CLAIMING UNDER THEM FROM THE DATE T ANY TIME FOLLOWING RECORDATION, AN IN OF A MAJORITY OF THE LOTS DESIRING TO RESTRICTION IN WHOLE OR IN PART MUST BARGERSVILLE FOR APPROVAL AND ACCEPTI CHANGE IN ANY COVENANT SHALL BE EFTE THE TOWN COUNCIL OF THE TOWN OF BARI
- THESE RESTRICTIONS AND COVENANTS EQUITY BY AN PERSON OR GOVERNMENTAL INTEREST IN ANY REAL ESTATE LOCATED W "GOVERNMENTAL ENTITY" MEANS; BUT IS N BARGERSVILLE, THE COUNTY OF JOHNSON, OTHER GOVERNMENTAL UNITS CHARGED W POWERS. IF THE TOWN OF BARGERSVILLE E THESE RESTRICTIONS AND COVENANTS, AND IN SUCH ACTION WHOLE OR IN PART, THEN RELIEF TO WHICH IT MAY BE ENTITLED, THE HAVE AND RECOVER ITS COSTS AND REASO ADVERSE PARTY OR PARTIES.

THE UNDERSIGNED, STEVEN MAZURCO, PRESIDENT OF WESTPORT HOMES, INC., AND LESLIE A. HEIM, THE OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DOES HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HEREON, SAID SUBDIVISION TO BE KNOWN AS A REPLAT OF LOTS 4 & 5, MORRIS MEADOWS, A SUBDIVISION IN BARGERSVILLE, JOHNSON COUNTY, INDIANA. THIS SUBDIVISION CONSISTS OF 2 LOTS, NUMBERED 4 THRU 5, INCLUSIVE, WITH STREETS AS SHOWN HEREON. THE SIZE OF LOTS AND THE WIDTHS OF THE STREETS AS SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF. ALL STREETS AS SHOWN ON THIS PLAT AND HERETOFORE NOT DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

THERE ARE STRIPS OF GROUND MARKED "DRAINAGE AND UTILITY EASEMENT" SHOWN ON THIS PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, MAINS, SEWERS, DRAINS, DUCTS, LINES AND WRES. ALSO, THERE ARE AREAS AND STRIPS OF GROUND MARKED "DRAINAGE, UTILITY, AND LAKE MAINTENANCE EASEMENT" SHOWN ON THIS PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, MAINS, SEWERS, DRAINS, DUCTS, LINES AND WRES. AND NECESSARY LAKE CONSTRUCTION, RECONSTRUCTION, AND LAKE MAINTENANCE. THERE ARE ALSO AREAS AND STRIPS OF GROUND MARKED "DRAINAGE, UTILITY, AND SANITARY SEWER EASEMENT" SHOWN ON THIS PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, MAINS, SEWERS, DRAINS, DUCTS AND LINES. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED AND SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES TO SERVICE THE UTILITIES AND THE EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND, AND NO PART THEREOF, EXCEPT FENCES, SHALL BE BUILT, ERRECTED OR MAINTAINED ON SAID "DRAINAGE AND UTILITY EASEMENT", SAID "DRAINAGE, UTILITY AND SANITARY SEWER EASEMENT", AND SAID "DRAINAGE, UTILITY AND LAKE MAINTENANCE EASEMENT".

State of Indiana }
 County of Johnson } S:
 I, JoAN CAIN, a Notary Public in and for the State of Indiana, do hereby certify that Steven Mazurco, President of Westport Homes, Inc. and Leslie A. Heim, personally known to me to be the same as the above certificate appeared before me this 9/17/08 day of September, 2008, they signed the above certificate as their own free will and purposes therein set forth.

My Commission Expires: 9/17/08

State of Indiana }
 County of Johnson } S:
JoAN
 RESIDENT

