

Chicago Title Insurance Company

Indianapolis Metro Offices Telephone (317) 684-3800



COVENANTS AND RESTRICTIONS

PINE MEADOWS SUBDIVISION

(Morgan County, IN)

The materials made available here are for general information only and should NOT be relied upon for making any major or final decisions with respect to any of the properties referenced.

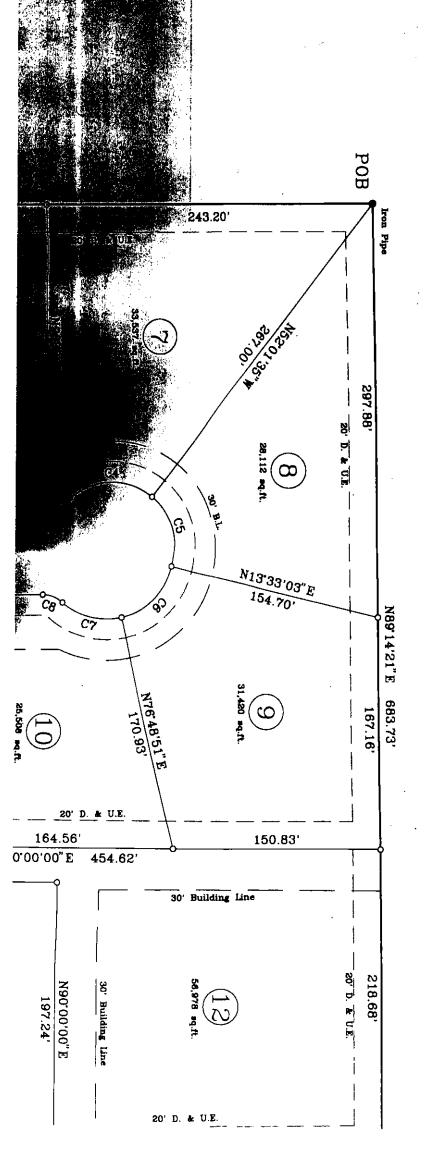
The most current and up-to-date copies of Covenants, Restrictions or other Data relative to any property should be obtained from the current governing body of the Subdivision (generally the Home Owner's Association) if applicable. Chicago Title makes NO representations or warranties with respect to any of the materials contained herein.

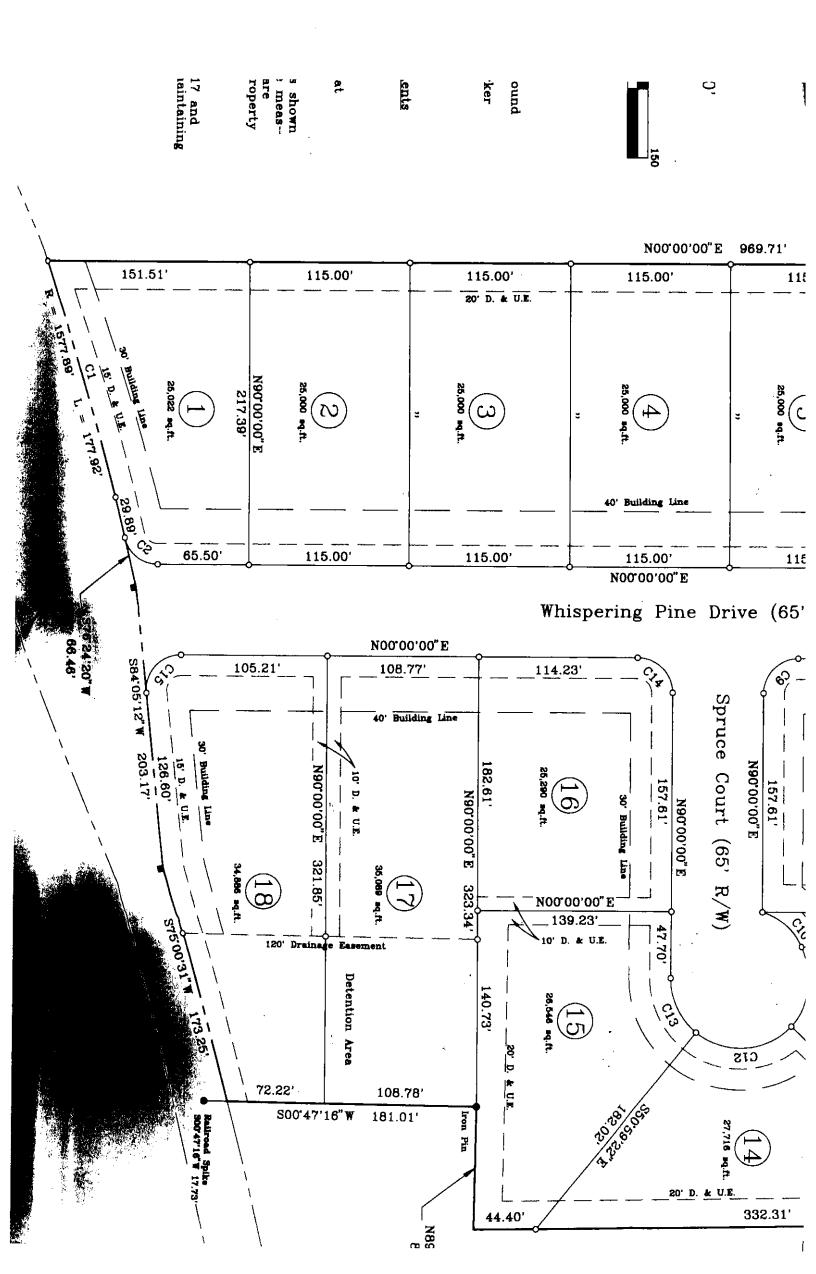
DOS=8-5-09

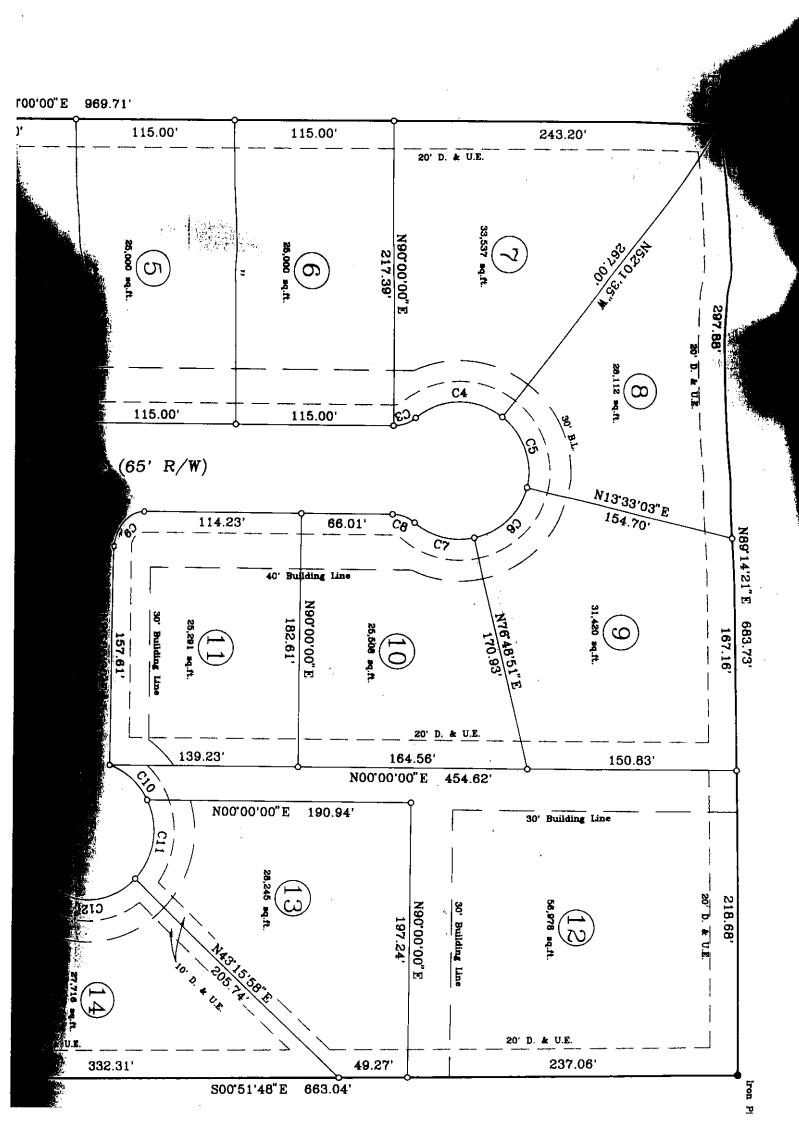
ine Meadows Subdivision

A Residential Subdivision

A part of the E 1/2 of Section 35, Township 12 North, Range 1 East Washington Township, Morgan County, Indiana







Dedication of Pine Meadows Subdivision

I the undersigned, Daniel D. Riffel, owner of said real estate shown and described on the attached plat, do hereby certify that I have laid off, platted, and subdivided said real estate in accordance with the attached plat.

This subdivision shall be known as Pine Meadows Subdivision, a subdivision consisting of eighteen (18) lots, numbered One (1) through Eighteen (18) inclusive, and being located within Washington Township, Morgan County, Indiana. All streets and roads, not heretofore dedicated, are hereby dedicated to the public.

COVERANTS AND RESTRICTIONS

- I. All purchasers of Pine Meadows Subdivision shall take title subject to the following covenants and restrictions and be bound thereby.
 - 1. Land Use: All lots herein are for residential use only, limited to one single family dwelling per lot.
 - 2. Building Location: No building shall be located on any lot nearer to the front let line, or nearer to the side street line than the setheck lines per appropriate building codes and this plat. For the purpose of this nevenant, caves, stope and/or steeps shall not be considered a part of the building; provided; however, that this shall not be construed to permit any portion of any building on any lot to enerosch upon any other let unless the other lot, or part thereof, is owned by the same owner.
 - 3. Utility Resonants: Areas, including access, designated as utility excessents on the plot are dedicated as examinate for the installation and maintenance of utilities reasonably and conveniently required. These excessents are not for the use of and shall not be used for high voltage electric transmission lines or high pressure liquid transmission pipe. Heat, except by written permission of the lot owners at the time said transmission lines is to be constructed. He structures shall be erected on or maintained within these excessents, and the maintenance is the responsibility of the owner.
 - 4. Drainage Recoments: Areas designated as drainage ecoments on the platare dedicated as ecoments for drainage of water. He structure shall be erected or mainteined within such areas, and drainage shall not be restricted. Maintenance is the responsibility of the lot owner.
 - 5. Fences: He fence shall be creeted on or along any let or let line with intent to obstruct vision, light, or air. All fences are to be creeted researchly so as to encione the property and descrete the same without hindraness or obstruction of any other property. Stockade or privacy fences shall be constructed of wood, brick or stone, and if over a height of ferty-eight (46) inches, shall not be permitted any closer to the front of the let than the front of the residence structure. All fences shall be maintained in good repair.
 - 6. Signs: No signs 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 any builder 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 premotional signage of the Doveloper while lots are being sold.
 - 7. Vacant Let Maintenance: Vacant let shall be maintained by the following terms: No trask shall be allowed to accumulate, and grass or growth shall not be ever eight (8) inches in height. Unseld lets shall be moved and maintained by the Developer. If sold lets are not maintained, the Developer shall have the option to move the property and charge the owner a fee.
 - 8. Storage and Refuse Disposal: He outside storage of equipment, materials, supplies, debris, and/or unlicensed vehicles (including unlicensed resrectional vehicles and boots) shall be permitted. Trush, garbage or any other waste shall not be kept except in annitary containers. All equipment for the storage of such materials shall be kept in a close and scattery condition. He incinerators or trush burning shall be allowed.
 - 9. Animals: No animals, livestock or poultry of any kind shall be raised, bred or hopt on any let encept that each let shall be allowed three (3) total of either dags, cuts or other household puts to be kept on any let, provided they are not kept, bred or maintained for any commercial purposes. All animals shall be restricted to owners' preparty unless the animal is on a leash accompanied by the let owner.
- 10. Mulcanoc: No nexious or effensive activity shall be suffered or permitted to continue which may anney or become a nuisance to a neighbor or the

ensuments on the plot are dedicated as ensuments for the installation and maintenance of utilities reasonably and conveniently required. Those ensuments are not for the use of and shall not be used for high voltage electric transmission lines or high pressure liquid transmission pipe lines, enough by written permission of the lot owners at the time said transmission line is to be constructed. He structures shall be erected on or maintenance within those consuments, and the maintenance is the responsibility of the owner.

- 4. Drainage Hasements: Areas designated as drainage encoments on the plat are dedicated as consuments for drainage of water. He structure shall be erected or maintained within such areas, and drainage shall not be restricted. Maintenance is the responsibility of the let owner.
- 5. Peness: He fence shall be erected on or along any lot or lot line with intent to obstruct vision, light, or air. All fences are to be erected reasonably so as to encione the property and descrete the same without hindreness or obstruction of any other property. Stockade or privacy fences shall be constructed of weed, brick or stone, and if ever a height of ferty-night (48) inches, shall not be permitted any closer to the front of the lot than the front of the residence structure. All fences shall be maintained in good repair.
- 8. Highs: No signs of any kind shall be displayed to the public view on any let except for one sign of not more than five (8) square feet advertising the property for sale or rent. No more than four (4) signs, no larger than five (8) square feet, shall be allowed by any builder 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 covament has no application to marketing or premotional signage of the Developer while lets are being sold.
- 7. Vacant Lot Maintenance: Vacant lot shall be maintained by the following terms: He trash shall be allowed to accumulate, and grass or growth shall not be over eight (6) inches in height. Unsaid lots shall be moved and maintained by the Developer. If sold lots are not maintained, the Developer shall have the option to move the property and charge the owner a fee.
- 6. Storage and Refuse Disposal: No outside storage of equipment, materials, supplies, debris, and/or unlicensed vehicles (including unlicensed resruntional vehicles and boots) shall be permitted. Trash, garbage or any other waste shall not be hept except in sanitary containers. All equipment for the storage of such meterials shall be kept in a clean and sanitary condition. No inclearators or trush burning shall be allowed.
- 9. Animale: No animals, livestock or poultry of any kind shall be raised, head or hopt on any lot except that each lot shall be allowed three (S) total of either degs, eats or other household pots to be hopt on any lot, provided they are not hopt, head or meintained for any commercial purposes. All animals shall be restricted to owners' property unless the animal is on a leach accompanied by the lot owner.
- 10. Huisance: He negious or effensive activity shall be suffered or permitted to centimes which may enney or become a nuisance to a neighbor or the neighborhood, nor shall any unlewful act or activity be allowed whatenesser.
- 11. Architectural Control Committee: An Architectural Control Committee (ACC) shall review and approve all plans for the construction of residential dwellings and accessory buildings in order to premote the harmony of designs and compatibility with existing structures. He reconnable design may be desied. The Developer shall make all appointments until all lots are sold in Pine Meadows Subdivision, and the ACC shall consist of the Developer or his representative, Realter, and builder.
- 12. Dwelling Restrictions: He mobile home, trailer or other particle device or outballding, garage or becoment shell be used as a residence. This provision shell not be construed to provent a builder from using such for material or tool storage or office during the period of construction of a temporary office for Developer's marketing or promotional purposes.
- 13. Building Type: He dwelling shall enceed two and one-half (2-1/2) stories in height. All dwellings shall have an attached private garage for at least two (2) ears. Any assessery building must most with the approval of the Arabitectural Control Committee.
- 14. Dwelling Quality and Size: The ground floor of the main structure, inscinsive of one-story open perches, basements and garages, shall be not less than thirteen hundred (1200) square feet for a one-story dwelling nor less than one thousand six hundred (1000) square feet for a dwelling of more than one story, with at least a minimum of nine hundred (900) square feet on ground level.
- 15. Water Supply and Sewage Disposal: All lets to be served with private wells and septic systems. Whenever public water and/or sewer services become available, all lets within Pine Meadows Subdivision must connect to those services.

Mal estate by certify mal

ubdivision. mered One :ed ı. All reby

not to the

d to one

server to the back lines ne of this a part of the

stallation and igh voltage n pipe ne nid e erected on

on the plat are shall be not be

i line with e with privacy to the front or shall be

THEY BE BEY advertising no lerger sthers to ired by

n following growth sh go the owner

meteriale. rs. All

three (3) m any lot,

permitted r or the 16. Window Air Conditioners: The use of window air conditioners, or similar units, is prohibited within Pine Mendows Subdivision. Air conditioners, if any, should be of the central air type.

17. Construction Requirements:

- a. Overhang (caves) shall be a minimum of twelve (12) inches, excluding any exterior finish on gutters, roof, edges, and front gables.
- b. The roof shall have a minimum of a 6/12 pitch and shingles shall be asphalt, codar, or fibergless.
- c. Exterior building materials shall be limited to brick, stone, natural stained or painted wood and vinyl siding. The first story of all homes, except homes having more than one thousand eight hundre (1800) square feet of living area, shall have a minimum of fifty (50) percent brick or stone on the front exterior. No leg cabine or mobile homes shall be permitted.
- d. After construction, all lets shall be graded and landscaped. The grading shall be so as to provide positive drainage from the house as constructed. Positive drainage is drainage from the grade point beginning at the house in every direction of at least eight and enemighth (8-1/8) percent down (one inch drop for every twoive inches of
- e. All driveways are to be of concrete or asphalt according to any building requirements of the area. All driveways shall be of a width to accommodate all vehicles of property owners to deter normal parking on street or in grassy arous.
- f. All construction, including landscaping and finish grading, must be completed within one (1) year from the start of construction, acts of God and unusual weather or destruction of work in progress excepting.
- Access Restrictions: Let Numbers One (1) and Eighteen (18) are prohibited from accessing State Highway 44. Access for these lets must be obtained from Whispering Pine Drive.
- II. Enforcement of the Covenants and Restrictions: The right to enforce these Covenants and Restrictions of Pine Meadows Subdivision by injunction or to seek damages for violation or other remody is dedicated to the Owners of the lets herein, the Doveloper, and the Architectural Control Committee. The restrictions shall remain in full force for twenty-five (25) years from date of the execution of this Agreement, at which time such covenant shall be automatically extended for successive periods of ten (10) years unless otherwise agreed by the majority of lot owners of this subdivision. Invalidation of any covenant or restriction herein by judgment, court order or otherwise shall not affect any other covenant or restriction. Violeties of a covenant or restriction shall not cause ferfetture or reversion of title.

In witness whereof, the undersigned has set his hand and seal this 8th day of August , 1996.

Daniel D. Riffel

33

STATE OF INDIANA

COUNTY OF MORGAN)

OT MY PUN MOIAN

Before me, the undersigned, a Notary Public in and for the Said County and State, personally appeared Daniel D. Riffel and acknowledged the execution of the attached plat of Pine Meadows Subdivision.

Witness my Hand and Seal this 8 nd day of Quaust 1996.

Lucy Bown

I, the undersigned, being duly authorized and licensed as a Registered Land Surveyor within the State of Indiana, do hereby certify that the attached plat of Pine Meadows Subdivision, a subdivision in Washington Township, Morgan County, Indiana, is a true representation of a subdivision of part of the East Half of Section 35, Township 12 North, Range 1 East of the Second Principal Meridian, Morgan County, Indiana, and being more particularly described as follows:

Beginning at an iron pipe (found) which is 10 chains and 24 links (675.84 feet) East of the center of said Section 35, thence along an assumed bearing of North 89 degrees 14 minutes 21 seconds East, 683.73 feet (589.7 feet as per previous deed) to an iron pipe (found); thence South 00 degrees 51 minutes 48 seconds East, 663.04 feet; thence North 89 degrees 12 minutes 36 seconds West, 87.93 feet to an iron pin (found); thence South 00 degrees 47 minutes 16 seconds West, 181.01 feet to a point on the north right-of-way line of State Highway 44; thence along said right-of-way line the following four (4) courses: 1) South 75 degrees 00 minutes 31 seconds West, 173.25 feet to a concrete right-of-way marker; 2) South 84 degrees 05 minutes 12 seconds West, 203.17 feet to a concrete right-of-way marker; 3) South 76 degrees 24 minutes 20 seconds West, 66.46 feet to an iron pin (capped DS&E 9500011); 4) Southwesterly 177.92 feet along a curve to the left having a radius of 1577.89 feet and being subtended by a chord bearing South 72 degrees 05 minutes 31 seconds West, 177.83 to an iron pin (DS&E 9500011); thence North 00 degrees 00 minutes 00 seconds East, 969.71 feet to the Point of Beginning. Containing 13.77 acres, more or less.

Pine Meadows Subdivision consists of eighteen (18) lots, numbered One (1) through Eighteen (18) inclusive. The size of the lots and the width of the streets are shown in figures denoting feet and decimal parts thereof.



Certified this 11th day of July, 1996,

J Ross Dranalik

Registered Land Surveyor # 9500011

UNDER AUTHORITY PROVIDED BY CHAPTER 174, ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, AND THE RULES AND ORDINANCES AS ADOPTED BY THE MARTINSVILLE PLAN COMMISSION AS FOLLOWS. Approved by the Martinsville Plan

Commission at a meeting held on the 23 day of

<u>July</u>, 1996.

Chairperson's Signature

Chairperson (Printed)

Marly Defereure Secretary Signature

Secretary (Printed)

Certification of Pine Meadows Subdivision

I, the undersigned, being duly authorized and licensed as a Registered Land Surveyor within the State of Indiana, do hereby certify that the attached plat of Pine Meadows Subdivision, a subdivision in Washington Township, Morgan County, Indiana, is a true representation of a subdivision of part of the East Half of Section 35, Township 12 North, Range 1 East of the Second Principal Meridian, Morgan County, Indiana, and being more particularly described as follows:

Beginning at an iron pipe (found) which is 10 chains and 24 links (675.84 feet) East of the center of said Section 35, thence along an assumed bearing of North 89 degrees 14 minutes 21 seconds East, 653.73 feet (689.7 feet as per previous deed) to an iron pipe (found); thence South 00 degrees 51 minutes 48 seconds East, 663.04 feet; thence North 89 degrees 12 minutes 36 seconds West, 87.93 feet to an iron pin (found); thence South 00 degrees 47 minutes 16 seconds West, 181.01 feet to a point on the north right-of-way line of State Highway 44; thence along said right-of-way line the following four (4) courses: 1) South 75 degrees 00 minutes 31 seconds West, 173.25 feet to a concrete right-of-way marker; 2) South 84 degrees 05 minutes 12 seconds West, 203.17 feet to a 3) South 76 degrees 24 concrete right-of-way marker; minutes 20 seconds West, 66.46 feet to an iron pin (capped DS&E 9500011); 4) Southwesterly 177.92 feet along a curve to the left having a radius of 1577.89 feet and being subtended by a chord bearing South 72 degrees 05 minutes 31 seconds West, 177.83 to an iron pin (DS&E 9500011); thence North 00 degrees 00 minutes 00 seconds East, 969.71 feet to the Point of Beginning. Containing 13.77 acres, more or less.

Pine Meadows Subdivision consists of eighteen (18) lots, numbered One (1) through Eighteen (18) inclusive. The size of the lots and the width of the streets are shown in figures denoting feet and decimal parts thereof.

No. 9500011

Certified this 11th day of July, 1996,

J. Ross Drapalik

Registered Land Surveyor # 9500011

UNDER AUTHORITY PROVIDED BY CHAPTER 174, ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, AND THE RULES AND ORDINANCES AS ADOPTED BY THE MARTINSVILLE PLAN COMMIS—