AMBER ESTATES
DECLARATION OF RESTRICTIVE COVENANTS

William A. and Vickie L. Bryant, owners of the following described real estate in Monroe Township, Morgan County, Indiana, duly recorded in Book __466__ Page __410__ ,in the records of the Office of the Recorder of Morgan County,Indiana, known as Parcel 1,2,3,4, & 5, hereby make the following declarations as to limitations,restrictions,and uses to which the parcels constituting said Amber Estates, may be put, and hereby specify that such declarations shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them, and for the benefit of the limitations on all future owners in said Amber Estates. Such restrictive covenants being as follows to wit:

1. <u>LAND USE:</u> All parcels herein are for residential use only, limited to one single family dwelling per parcel.

2. <u>DWELLING SIZE:</u> The ground floor area of the main structure, exclusive of one story porches and garages shall not be less than 1500 square feet in the case of a one story structure, and no less 900 square feet in the case of multiple story structures, with no less than 2000 square feet of finished floor area in such multiple structures. <u>No manufactured housing or mobile homes shall be placed on any parcel.</u> Exteriors shall be a minimum of 50% masonary, or plans must be subject to developers approval.

3. <u>BUILDING CONSTRUCTION:</u> Any building once under construction must be completed within one (1) year from the date the construction is started.

4. <u>DRAINAGE & UTILITY EASEMENTS:</u> Any ground marked for drainage and utility easements are hereby reserved for the use of Public utilities, for the installation and maintenance of poles, mains, ducts, lines, and wires and subject at all times to the proper authorities and to the easements herein granted and reserved.

5. <u>BUSINESSES:</u> No mercantile building shall be erected, built or placed on the described real estate, nor any business of any nature be carried on in a manufacturing, wholesaling, or retailing capacity, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
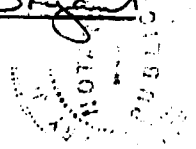
6. **TEMPORARY STRUCTURES:** No structure of a temporary character, mobile home, basement, tent, shed, garage or barn or other out building shall be used upon any parcel at any time as a residence. All dwellings must be fully completed upon exterior before being occupied.

7. **ANIMALS:** No swine, cattle, sheep or goats are to be kept on any parcel, with the exception of a temporary 4-H project. All dogs are to be confined or leashed and not allowed to run loose.

8. **NON-OPERATING VEHICLES:** No non-operating vehicles are to be stored on exterior of premises or in view from other homes or roads. All debris and miscellaneous equipment are to be stored out of sight.

9. **SEWAGE DISPOSAL:** No individual sewage disposal system shall be permitted on any parcel, unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the Morgan County Board of Health. Right of enforcement of this covenant is hereby granted to the appropiate Morgan County government board or commission over-seeing such public sewage facilities.

10. **ENFORCEMENT:** These restrictions shall operate as covenants running with the land for the benefit of any and all persons who now own, or who may hereafter own, property aforeto described, and such persons are specifically given the right to enforce these restrictions through any proceedings, at law or in equity, against any person or persons violating or threatening to violate such restrictions, and to recover any damages suffered by them from any violation thereof.

11. **WHEREAS,** there is now an existing Fifty (50) foot Access and Utility Easement, such description which is herein attached and recorded as a part of these declaration of restrictive covenants, running across said parcels, and shown on survey dated _March_ _24_ , 1998. by Registered Land Surveyor# _____ ,in Survey Book # _6_ Page _319_ .

   A. **NOW THEREFORE,** in consideration of the mutual covenants and grants herein, the said parties now grant and establish an easement for the location of the gravel driveway, which is on the above described 50 foot access and utility easement for the common use of all parcel owners, their heirs, successors and assigns.

in whole or in part.

IN WITNESS WHEREOF, the owners of the above described parcels have hereunto set their hands and seals this 25ᵗʰ day of April ,1998.

WILLIAM A. BRYANT

VICKIE L. BRYANT

STATE OF INDIANA
COUNTY OF MORGAN

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared William A. and Vickie L. Bryant, as owners of the above described real estate, and who acknowledged the execution of the above Declaration of Restrictive Covenants as their voluntary act and deed.

WITNESS my hand and seal this 25ᵗʰ day of April ,1998.
MY COMMISSION EXPIRES: 10-11-98

DIANNA L. GRINDEAN, NOTARY
MORGAN COUNTY, INDIANA

THIS INSTRUMENT PREPARED BY: William A. Bryant

RECEIVED FOR RECORD
May 6, 1998
at 2:23 P. m.
Vickie Kivett
MORGAN COUNTY RECORDER