

ENTERED FOR RECORD

BOOK 123 SEP 12 1990 PAGE 131-3

Bonnie L. Mayhew  
HENRICKS COUNTY RECORDER

BOOK 123 PAGE 131

10525

THIS INSTRUMENT WAS NOT RESTRICTIVE COVENANTS  
LEGIBLE WHEN PRESENTED FOR RECORDING

RECORDED

AUSTIN WINDS II SUBDIVISION

I, THE UNDERSIGNED, MARK E. SANDERS, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED ON THE HEREON PLAT, DO HEREBY CERTIFY THAT I HAVE LAID OFF, PLATTED, SUBDIVIDED, AND SO HEREBY LAY OFF, PLAT, AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE SHOWN PLAT.

1. NAME. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS AUSTIN WINDS II SUBDIVISION BEING LOCATED IN THE TOWNSHIP OF BROWNSBURG, COUNTY OF HENRICKS, INDIANA. ALL STREETS, HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC.

2. BUILDING LINE. FRONT YARD SET BACK LINES, AND SIDE YARD SET BACK LINES ON CORNER LOTS ARE TO BE AS SHOWN ON THE PLAT, BETWEEN BUILDINGS OR STRUCTURES ERECTED OR MAINTAINED.

3. UTILITY EASEMENTS AND DRAINAGE. "UTILITY EASEMENTS", AS SHOWN, SHALL BE REVERSED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF WATER, SEWER, GAS, TILE AND/OR ELECTRIC LINES, POLES, DUCTS, PIPES, ETC., ON, OVER, UNDER, AND TO SAID EASEMENT FOR LOCAL PUBLIC USE. THESE EASEMENTS ARE NOT FOR THE USE OF, AND SHALL NOT BE USED FOR, HIGH VOLTAGE ELECTRIC TRANSMISSION LINES OR HIGH PRESSURE LIQUID TRANSMISSION PIPE LINES, EXCEPT BY WRITTEN PERMISSION OF THE OWNER OF THE LAND AT THE TIME THE SAID TRANSMISSION LINE IS TO BE CONSTRUCTED. "DRAINAGE EASEMENTS" RESERVED AS DRAINAGE SWALES, AND SAID SWALES ARE TO BE MAINTAINED BY ANY OWNER SUCH THAT WATER FROM ANY ADJACENT LOT SHALL HAVE ADEQUATE DRAINAGE ALONG SUCH SWALE. ALL EASEMENTS SHOWN AS "UTILITY EASEMENTS" ARE ALSO TO BE CONSIDERED DRAINAGE EASEMENTS AND ARE SUBJECT TO ALL RESTRICTIONS OF DRAINAGE EASEMENTS. NO PERMANENT, OR OTHER STRUCTURES ARE TO BE ERECTED OR MAINTAINED UPON ANY EASEMENTS SHOWN UPON THE PLAT AND OWNERS OF LOTS SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE ABOVE DESCRIBED EASEMENTS.

4. LAND USE AND BUILDING TYPE. NO LOT SHALL BE ISSUED EXCEPT FOR RESIDENTIAL PURPOSES, NOR SHALL ANY LOT BE SUBDIVIDED. NO BUILDINGS SHALL BE ERECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE SINGLE FAMILY DWELLING ACROSS THE CENTER LOT LINE. THE LOT LINE RESTRICTIONS SHALL NOT APPLY TO THE BOUNDARY LINES DIVIDING ANY TWO SAID LOTS.

#4885 Dec 20, 1990  
For ratification, Dedication  
and restrictive covenants  
See 7th Use Book 124 page 230  
Bonnie L. Mayhew REC

#16198 Sept 24 1992  
For amendment to  
Restrictive Covenants  
See Use Book 132 page 416-17  
Jay Buckley REC

BOOK 123 PAGE 132

5. ARCHITECTURAL CONTROL. NO LOT SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS AND THE COMPLETE PLOT PLAN (CONFORMING IN ALL ASPECTS TO THE PLOT PLAN, AS REQUIRED BY F.H.A.) HAVE BEEN APPROVED BY THE ARCHITECTURAL COMMITTEE, AS TO THE QUALITY AND TYPE OF MATERIAL AND WORKMANSHIP, IN HARMONY WITH EXTERNAL DESIGN AND WITH EXISTING STRUCTURES OF FINISHED GRADE ELEVATIONS. THE GROUND FLOOR OF THE MAIN STRUCTURE, EXCLUSIVE OF OPEN PORCHES AND GARAGES, SHALL NOT BE LESS THAN 1600 SQUARE FEET, OR AT LEAST 900 FEET ON THE FIRST FLOOR OF HOUSES OF MORE THAN ONE STORY. (DETERMINATION OF SUFFICIENCY AND ADEQUACY OF THE TERM "GROUND FLOOR OF MAIN STRUCTURE" WITH RESPECT ARCHITECTURAL DWELLINGS OF A TRI-LEVEL, BI-LEVEL, AND ONE AND ONE-HALF STORY DESIGN SHALL REST EXCLUSIVELY WITH THE ARCHITECTURAL COMMITTEE). ALL DRAINAGE CONDUITS OR TUBES FOR INDIVIDUAL LOT DRIVEWAYS SHALL BE SUBJECT TO APPROVAL AS TO SIZE, MATERIAL AND QUALITY OF CONSTRUCTION BY THE PROJECT ENGINEER.

6. BUILDING LOCATION. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE, NOR NEARER TO THE SIDE STREET LINES THAN THE MINIMUM SET-BACK LINE SHOWN ON THE RECORD PLAT. FOR THE PURPOSE OF THIS COVENANT, EAVES, STEPS, AND OPEN PORCHES SHALL NOT BE CONSIDERED A PART OF THE BUILDING, PROVIDED, HOWEVER, THAT HIS SHALL NOT BE CONSTRUCTED TO PERMIT ANY PORTION OF A BUILDING ON A LOT TO ENCROACH UPON ANOTHER LOT. AFTER THE BUILDING HAS BEEN STAKED AND BEFORE CONSTRUCTION BEGINS, THE PROJECT ENGINEER MUST CONFIRM THE LOCATION OF BUILDING WITH THE PLOT PLAN.

7. NO SWIMMING POOL OR ASSOCIATED STRUCTURE SHALL BE ERECTED OR PLACED ON ANY LOT UNTIL THE CONSTRUCTION PLANS, INCLUDING A PLOT PLAN, HAVE BEEN APPROVED BY THE ARCHITECTURAL COMMITTEE.

8. NUISANCES. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED UPON ANY LOT, NOR SHALL ANYTHING BE DONE WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

9. TEMPORARY STRUCTURES. NO STRUCTURES OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDINGS SHALL BE USED ON ANY LOT AS A RESIDENCE, OR FOR ANY OTHER PURPOSE, EITHER TEMPORARILY OR PERMANENTLY. FOR THE PURPOSE OF THIS COVENANT, STRUCTURES NEEDED AND USED BY THE BUILDERS SHALL BE ALLOWED TO REMAIN DURING THE BUILDING PERIOD.

10. LIVESTOCK AND POULTRY. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY LOT EXCEPT FAMILY PETS, WHICH MAY BE KEPT, PROVIDED THEY ARE NOT KEPT, BRED OR MAINTAINED FOR COMMERCIAL PURPOSES, AND NOT TO CREATE OR CONSTITUTE A NUISANCE.

11. GARBAGE AND REFUSE DISPOSAL. NO LOTS SHALL BE USED OR MAINTAINED AS A GUMPING GROUND FOR RUBBISH, GARBAGE OR OTHER WASTE, AND SAME SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS, KEPT CLEAN AND SANITARY AND SHALL NOT BE USED

SO AS TO CREATE AN OFFENSIVE SIGHT OR ODOR.

12. WATER SUPPLY. NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS DESIGNED, LOCATED AND CONSTRUCTED AND EQUIPPED IN ACCORDANCE WITH THE STANDARD RECOMMENDATIONS OF ALL NECESSARY GOVERNMENTAL REGULATING AUTHORITIES AND AGENCIES HAVING JURISDICTION THEREOF. APPROVAL OF SUCH SYSTEMS, INSTALLED, SHALL BE OBTAINED FROM SUCH AUTHORITIES.

13. SEWAGE DISPOSAL. NO INDIVIDUAL SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED UPON ANY LOT, UNLESS SUCH SYSTEM IS DESIGNED, LOCATED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF ALL NECESSARY GOVERNMENTAL REGULATORY AGENCIES AND AUTHORITIES HAVING JURISDICTION THEREOF. APPROVAL OF SUCH SYSTEMS, INSTALLED, SHALL BE OBTAINED FROM SUCH AUTHORITIES.

14. SIGHT DISTANCE AT INTERSECTIONS. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO FEET AND SIX FEET ABOVE THE 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 FEET FROM THE INTERSECTION OF THE STREET LINE, OR IN THE CASE OF A PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN TEN FEET FROM THE INTERSECTION OF A STREET'S PROPERTY LINE WITH EDGE OF A DRIVEWAY. NO TREES SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCE OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUCH HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

15. FENCES. ORNAMENTAL FENCES OR CONTINUOUS SHRUB PLANTINGS WHICH WOULD IN ANY WAY, SERVE THE PURPOSE OF A FENCE, SHALL NOT BE ERECTED UNTIL APPROVED BY THE ARCHITECTURAL COMMITTEE.

16. STORAGE TANKS. OIL OR GAS STORAGE TANKS SHALL EITHER BE BURIED OR LOCATED WITHIN THE HOUSE OR GARAGE AREA SO THAT THEY ARE COMPLETELY CONCEALED FROM THE OUTSIDE VIEW.

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

18. ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF MARK E. SANDERS, HEREINAFTER CALLED DEVELOPER, OR ITS ASSIGNS, AND A PROFESSIONAL ENGINEER OF ITS DESIGNATION. AT ALL TIMES THE SAID DEVELOPER AND/OR ITS ASSIGNS SHALL HAVE THE MAJORITY VOTE OF SAID COMMITTEE. THE SAID DEVELOPER SHALL FURTHER HAVE THE RIGHT TO DESIGNATE A REPRESENTATIVE TO ACT FOR AND ON ITS BEHALF. THE COMMITTEE'S

BOOK 123 PAGE 134

APPROVAL, OR DISAPPROVAL, AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THAT SAID WRITTEN APPROVAL IS NOT RECEIVED FROM THE COMMITTEE WITHIN 14 DAYS FROM THE DATE OF SUBMISSION, IT SHALL BE DEEMED THAT THE COMMITTEE HAS DISAPPROVED THE PRESENTED PLAN.

19. VIOLATIONS. THE VIOLATIONS OF ANY RESTRICTION, AS HEREIN ENUMERATED, SHALL GIVE TO THE SAID DEVELOPER OR ITS SUCCESSORS, ANY AND ALL RIGHTS FOR INJUNCTION, DAMAGE, OR ANY OTHER ACTION AT LAW OR EQUITY WHICH IT AND ITS ASSIGNS MAY HAVE TO RESTRAIN AND PROHIBIT THE SAME, IN KEEPING WITH THE RESTRICTIONS HEREIN SET OUT.

20. PROTECTIVE COVENANTS. THE "PROTECTIVE COVENANTS" ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2014, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS UNLESS CHANGED BY A VOTE OF THE MAJORITY OF THE THEN OWNERS OF THE BUILDING SITES COVERED BY THESE COVENANTS IN WHOLE OR IN PART. INVALIDATION OF ANY ONE OF THE COVENANTS, BY JUDGMENT OR COURT ORDER WILL IN NO WAY AFFECT THE OTHER COVENANTS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

21. LAKE MAINTENANCE & ENTRANCE . THE HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LAKES AND THE ENTRANCE LANDSCAPPING.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS SET ITS HAND AND SEAL THIS 4th DAY OF JANUARY, 1990.

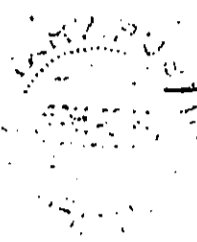
*Mark E. Sanders*  
MARK E. SANDERS

STATE OF INDIANA )  
 ) SS:  
COUNTY OF HENDRICKS )

BOOK 123 PAGE 135

Before me, a Notary Public in and for said County and State, personally appeared Mark E. Sanders, President of Sanders Development Group, who acknowledged the execution of the foregoing Declaration of Covenants, Conditions and Restrictions.

Witness my hand and Notarial Seal this 4th day of January, 1990.



Shirley J. White  
Shirley J. White, Notary Public

County of Residence: Hendricks  
My Commission Expires: 5-21-98

BOOK 123 PAGE 136

This instrument was prepared by Sanders Development Group, 628 South Indianapolis Road, R. R. 1, Box 347, Whitestown, Indiana 46075

SANDERS DEVELOPMENT GROUP

By Mark E. Sanders Pres  
Mark E. Sanders, President

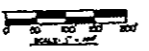
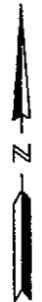
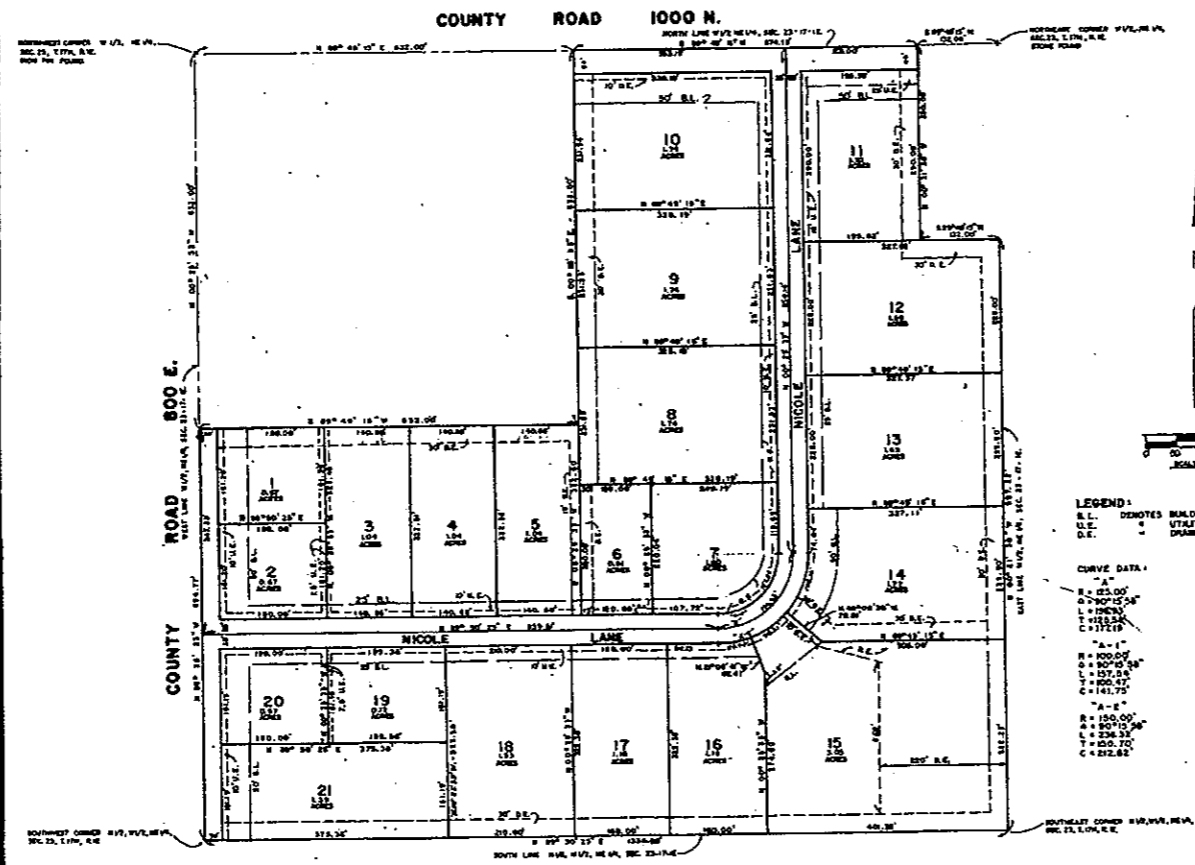
1988-1653

# AUSTIN WINDS

1653

ENTERED FOR RECORD  
BOOK 233  
14 NOV 18 1988 PAGE 52-4

*Ernie L. Hughes*  
SURVEYOR



LEGEND:  
 S.L. DENOTES BUILDING LINE  
 U.E. UTILITY EASEMENT  
 D.E. DRAINAGE EASEMENT

CURVE DATA:  
 A = 25.00'  
 B = 200.00'  
 C = 171.75'  
 D = 150.00'  
 E = 200.00'  
 F = 150.00'  
 G = 200.00'

NOTE:  
 The lines between the Red Line & Orange Line are 20' & 20' wide as indicated on the plat.

# 1653 7/11/11, 1988  
 In Testimony & Dedication  
 See State Ch. 115, Page 968  
*Ernie L. Hughes* S.C.

Under the authority provided by Section 10-20-7-4-700 of the I.C. and all amendments thereto, the undersigned hereby certifies that public notice of the holding by the Hendricks County Planning Commission of the alternate owner's application for approval of this plat was duly given as required by Section 10-20-7-700, and all amendments thereto, and that said plat has been duly approved by said Commission with a majority of the members of said Commission concurring in such approval.  
 Approved by the Hendricks County Planning Commission at a meeting held JULY 11, 1988.

*Ernie L. Hughes*  
 Surveyor



Notice is hereby given that the lots in this subdivision are included in a Legal Drainage System and are subject to said Legal Drain.

Total Closed Legal Drains = 1246 LF  
 Total Open Legal Drains = 2120 LF  
 Total Legal Drains = 2475 LF.



CERTIFIED BY: *Ernie L. Hughes*  
 SURVEYOR  
 STATE OF INDIANA

CERTIFICATION AND DEDICATION OF AUSTIN WINDS

I, Anthony D. Highle, being duly licensed and authorized as a Registered Land Surveyor with the State of Indiana do hereby certify that the attached plat and survey of Austin Winds Estates is a true representation of a part of the North half of the Northeast quarter in Section 23, Township 17 North, Range 1 East of the Second Principal Meridian in Brown Township, Hendricks County, Indiana and being more particularly described as follows, to-wit:

Commencing at a stone found marking the northeast corner of said half half quarter section; thence South 89 degrees 49 minutes 15 seconds West (assumed bearing) along the north line of said half half quarter section 132.00 feet to the POINT OF BEGINNING; thence continue South 89 degrees 49 minutes 15 seconds West along the last described course 574.19 feet to a point North 89 degrees 49 minutes 15 seconds East 632.00 feet from an iron pin found marking the northeast corner of said half half quarter section; thence South 00 degrees 25 minutes 33 seconds East parallel with the west line of said half half quarter section 632.00 feet; thence South 89 degrees 49 minutes 15 seconds West parallel with the north line of said half half quarter section 632.00 feet to the aforesaid west line; thence South 00 degrees 25 minutes 33 seconds West along the west line of said half half quarter section 694.77 feet to the southeast corner of said half half quarter section; thence North 89 degrees 50 minutes 25 seconds East along the south line of said half half quarter section 1336.68 feet to the southeast corner of said half half quarter section; thence North 00 degrees 21 minutes 38 seconds West along the East line 997.22 feet to a point; South 00 degrees 21 minutes 38 seconds East 330.00 feet from a stone found marking the northeast corner of said half half quarter section; thence South 89 degrees 49 minutes 15 seconds West parallel with the north line of said half half quarter section 132.00 feet; thence North 00 degrees 21 minutes 38 seconds West parallel with the east line of said half half quarter section 330.00 feet to the point of beginning. Containing 30.57 acres, more or less and subject to all legal highways, rights-of-way and easements of record.

Certified this 13th day of June, 1988.



Anthony D. Highle  
Registered Land Surveyor No. S0349  
State of Indiana

DEDICATION OF AUSTIN WINDS

The undersigned, Max E. Sanders, owner of the real estate shown and described hereon, do hereby certify that he has laid off, platted and subdivided and does hereby layoff, plat and subdivide said real estate in accordance with the hereon plat. He certifies that all streets depicted on said plat and exclusive of those already dedicated are hereby dedicated to the public for its use as such. There are stripes of ground of the width called for on the plat which are reserved for public utility companies, not including transportation companies, for the installation of poles, lines ducts, gas and water lines, laterals and sewers, subject at all times to the Public Authorities and to the easement herein reserved. There are stripes of ground of the width called for on the plat which are hereby reserved for surface water drainage proposed and for storm sewer systems. No permanent or other structures are to be erected and maintained upon said stripes, but such owners shall take their title subject to the rights of public utilities. All such utility installation shall be made that no property corner or property line be obstructed. This subdivision shall be known and designated as Austin Winds, located in Brown Township, Hendricks County, Indiana. Said Addition consists of 21 lots, numbered 1 thru 21, both inclusive. The location and dimensions of the lots, streets and easements are shown of the plat. All dimensions are shown in feet and decimal parts thereof.

Owners of unoccupied lots shall at all times keep and maintain such lots in the subdivision in an orderly manner. Weeds and other growth shall be seasonally cut. There shall be no accumulation of rubbish and debris on these lots. All structures shall be completed on the exterior within six (6) months from the start of construction, including two (2) coats of paint or varnish on any exterior wood surface. All structures must be completed and site graded, sodded or seeded to provide a good turf cover and reasonable landscaped within one year from the date of commencement thereof.

It shall be the duty and responsibility of each land owner in this addition to maintain any drainage swale which is shown on the Development Plan contiguous to or on his property, said development plan being approved by the Hendricks County Plan Commission and as filled with said body. Maintenance shall include both maintenance of the elevations shown on the Development Plan (as originally constructed) and also preservation of the hydraulic characteristics of the ditch, by removal of all trash and debris and/or anything that would in any way restrict the flow of water in said swale. The word "SWALE" shall apply to any ditch or channel constructed to provide a drainage wayway.

See Miscellaneous Record Book \_\_\_\_\_ page \_\_\_\_\_ for restrictive covenants.  
Max E. Sanders

STATE OF INDIANA  
COUNTY OF HENDRICKS

Before me, a Notary Public in and for the said County and State personally appeared Max E. Sanders, owner of the above described subdivision and acknowledged the execution of the foregoing instrument as their voluntary act and deed the use and purpose therein expressed.

Witness my signature this 12th day of October 1988. My commission expires July 27, 1989.

Joseph L. Kasper  
Notary Public

CERTIFICATE

Under the authority provided by Section IC 36-7-4-700 et seq., and all amendments thereto, the undersigned hereby certifies that public notice of the hearing by the Hendricks County Plan Commission of the aforesaid owner's application for approval of this plat was duly given as required by Section IC 36-7-4-706, and all amendments thereto, and that said plat has been duly approved by said Commission, with a majority of the members of said Commission concurring in such approval.

Approved by the Hendricks County Plan Commission at a meeting held JULY 11, 1988.

Ken McClain  
President



Robert E. Boyer  
Secretary

THIS PLAT HAS BEEN REVIEWED AND IS HEREBY RELEASED FOR RECORDING  
DATE: 11-7-88  
William D. Rende, III  
HENDRICKS COUNTY ENGINEER

Notary Public for Taxidermy 1886  
By: [Signature]  
Notary Public  
Auditor, Hendricks County



16194

Book 132 Page 408

AMENDMENT TO PLAT, AUSTIN WINDS, SECTION III

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Mark E. Sanders, is Developer of Austin Winds, Section III; and

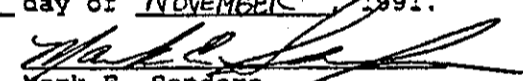
WHEREAS, contained within said plat of said Austin Winds, Section III are building set back lines of twenty-five feet (25') for all lots within said subdivision; and

WHEREAS, the said Developer and the undersigned, being all owners of lots in said Austin Winds, Section III are desirous of reestablishing the building set back line at <sup>forty</sup> ~~twenty~~ feet (40') for all lots within said subdivision.

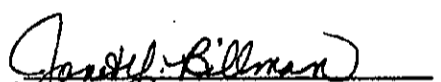
NOW THEREFORE, for a good and valuable consideration the receipt and sufficiency which is hereby acknowledged it is hereby declared and established as follows:

1. That the set back lines as originally depicted on the plat of Austin Winds, Section III are hereby amended and changed to be <sup>forty</sup> ~~twenty~~ feet (40').
2. That this declaration and amendment shall be binding upon the heirs, successors and assigns of the parties hereto and shall run with the land.

So declared and amended this 2<sup>TH</sup> day of NOVEMBER, 1991.

  
 Mark E. Sanders  
 Lots 65, 66, 67, 68, 69, 70, 71,  
 74, 75, 76, 77, 78, 82, 83, 85, 86,  
 87, 88, 90, 92, 93, 100, 101.

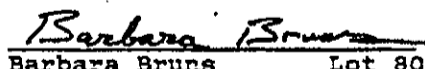
  
 Gregory R. Billman Lot 72

  
 Janet E. Billman Lot 72

  
 Anton Arnoldy Lot 73

  
 Jacquelyn Arnoldy Lot 73

  
 Jeffrey R. Bruns Lot 80

  
 Barbara Bruns Lot 80

  
 John M. Hopkins Lot 81

  
 Robin N. Hopkins Lot 81

ENTERED FOR RECORD

BOOK 132 SEP 21 1992 AT 2:00 PM  
 J. B. Bailey  
 HENDRICKS COUNTY RECORDER

Scott A. Miller  
Scott A. Miller Lot 84

Theresa J. Miller (For Theresa)  
Theresa J. Miller Lot 84

Richard C. Wehlerman  
Richard C. Wehlerman Lot 91

Mary Ann Wehlerman  
Mary Ann Wehlerman Lot 91

Ronald J. Kirchner  
Ronald J. Kirchner Lot 95

Rebecca J. Kirchner  
Rebecca J. Kirchner Lot 95

Jeffrey T. Waggoner  
Jeffrey T. Waggoner Lot 96

Kelli Waggoner  
Kelli Waggoner Lot 96

Wayne Walters  
Wayne Walters Lot 98

Lisa Walters  
Lisa Walters Lot 98

Michael M. Anthony  
Michael M. Anthony Lot 99

Christine H. Anthony  
Christine H. Anthony Lot 99

Barbara A. Huff  
Barbara A. Huff Lot 79

Jeffery Adams  
Jeffery Adams Lot 94

Zeller Construction Co.

PGL Enterprises, Inc.

BY: Dave B Miller  
Lot 89

BY: [Signature]  
Lot 97

STATE OF INDIANA )  
                          ) SS:  
HENDRICKS COUNTY )

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 26<sup>TH</sup> day of AUGUST, 1997.

My commission expires: 6/24/95

Jane A Hendrickson  
Notary Public  
JANE A. HENDRICKSON

Resident of MARION County.

This instrument was prepared by:  
Lee T. Comer  
Attorney-at-Law  
P.O. Box 207  
Danville, IN 46122  
(317) 745-4300.

16195

BOOK 132 PAGE 410

ADDENDUM TO RESTRICTIVE COVENANTS, AUSTIN WINDS III

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Mark E. Sanders, Developer of Austin Winds, Section III, a subdivision in Brown Township, Hendricks County, Indiana, the plat of which was recorded on December 13, 1990 in Plat Cabinet 1, Slide 104, page 2; and Slide 105, page 1 in the Office of the Recorder of Hendricks County, Indiana; and

WHEREAS, all of the undersigned are owners of Austin Winds, Section III Subdivision; and

WHEREAS, declared Restrictive Covenants for said subdivision, which were recorded December 20, 1990 in Miscellaneous Record 124, page 230 in the Office of the Recorder of Hendricks County, Indiana; and

WHEREAS, the said Developer and owners are now desirous of adding certain restrictions to the already recorded covenants for said subdivision.

The undersigned, owners of Austin Winds, Section III Subdivision do hereby declare and covenant the following as additional restrictive covenants to Austin Winds, Section III, a subdivision as hereinabove described:

22. DWELLING SIZE. No dwelling shall be erected, altered, placed or permitted to remain on any lot other than one (1) single family residence not to exceed three stories in height. The ground floor of the main structure of any one story dwelling, excluding garages and one story porches, shall be not less than 1800 square feet. The ground floor area of the main structure of any two story dwelling, excluding garages and one story porches, shall not be less than 900 square feet, with no less than a total of 1800 square feet of finished floor space in such two story structure.

23. EXTERIOR MATERIAL. All exterior materials of any structure located on any lot within said subdivision must receive approval of the Architectural Control Committee as established under the Restrictive Covenants of this subdivision.

So covenanted and restricted this 27th day of November, 1991.

ENTERED FOR RECORD

SEP 2 1992  
BOOK 132  
Page 410  
HENDRICKS COUNTY RECORDER

Mark E. Sanders  
Lots 65, 66, 67, 68, 69, 70, 71,  
74, 75, 76, 77, 78, 82, 83, 85, 86,  
87, 88, 90, 92, 93, 100, 101.

*Gregory R. Billman*  
Gregory R. Billman Lot 72

*Anton Arnoldy*  
Anton Arnoldy Lot 73

*Jeffery R. Bruns*  
Jeffery R. Bruns Lot 80

*John M. Hopkins*  
John M. Hopkins Lot 81

*Scott A. Miller*  
Scott A. Miller Lot 84

*Richard C. Wehlerman*  
Richard C. Wehlerman Lot 91

*Ronald J. Kirchner*  
Ronald J. Kirchner Lot 95

*Jeffrey T. Waggoner*  
Jeffrey T. Waggoner Lot 96

*Wayne Walters*  
Wayne Walters Lot 98

*Michael M. Anthony*  
Michael M. Anthony Lot 99

*Barbara A. Huff*  
Barbara A. Huff Lot 79

Zeller Construction Co.  
By: *Dana B. Miller*  
Lot 89

*Janet V. Billman*  
Janet V. Billman Lot 72

*Jacquelyn Arnoldy*  
Jacquelyn Arnoldy Lot 73

*Barbara Bruns*  
Barbara Bruns Lot 80

*Robin N. Hopkins*  
Robin N. Hopkins Lot 81

*Theresa J. Miller* (For Theresa)  
Theresa J. Miller Lot 84

*Mary Ann Wehlerman*  
Mary Ann Wehlerman Lot 91

*Rebecca J. Kirchner*  
Rebecca J. Kirchner Lot 95

*Kelli Waggoner*  
Kelli Waggoner Lot 96

*Lisa Walters*  
Lisa Walters Lot 98

*Christine H. Anthony*  
Christine H. Anthony Lot 99

*Jeffery Adams*  
Jeffery Adams Lot 94

PGL Enterprises, Inc.  
By: *Dana B. Miller*  
Lot 97

STATE OF INDIANA )  
  ) SS:  
HENDRICKS COUNTY )

Subscribed and sworn to before me, a Notary Public in and  
for said County and State, this 26th day of AUGUST, 1994.

My commission expires:  
6/24/95

Resident of MARION County.

*Jane A. Hendrickson*  
Notary Public  
JANE A. HENDRICKSON

This instrument was prepared by:  
Lee T. Comer  
Attorney-at-Law  
P.O. Box 207  
Danville, IN 46122  
(317) 745-4300.

16196

132-412

## ADDENDUM TO RESTRICTIVE COVENANTS, AUSTIN WINDS, SECTION II

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Mark E. Sanders, Developer of Austin Winds, Section II, a subdivision in Brown Township, Hendricks County, Indiana, the plat of which was recorded on September 12, 1990 in Plat Cabinet 1, Slide 93, pages 1-2 in the Office of the Recorder of Hendricks County, Indiana; and

WHEREAS, all of the undersigned are owners of Austin Winds, Section II Subdivision; and

WHEREAS, declared Restrictive Covenants for said subdivision, which were recorded September 12, 1990 in Miscellaneous Record 123, pages 131-36 in the Office of the Recorder of Hendricks County, Indiana; and (C)

WHEREAS, the said Developer and owners are now desirous of adding certain restrictions to the already recorded covenants for said subdivision.

The undersigned, owners of Austin Winds, Section II Subdivision do hereby declare and covenant the following as additional restrictive covenants to Austin Winds, Section II, a subdivision as hereinabove described:

22. DWELLING SIZE. No dwelling shall be erected, altered, placed or permitted to remain on any lot other than one (1) single family residence not to exceed three stories in height. The ground floor of the main structure of any one story dwelling, excluding garages and one story porches, shall be not less than 1800 square feet. The ground floor area of the main structure of any two story dwelling, excluding garages and one story porches, shall not be less than 900 square feet, with no less than a total of 1800 square feet of finished floor space in such two story structure.

23. EXTERIOR MATERIAL. All exterior materials of any structure located on any lot within said subdivision must receive approval of the Architectural Control Committee as established under the Restrictive Covenants of this subdivision.

So covenanted and restricted this 27th day of November, 1991.

ENTERED FOR RECORD

Mark E. Sanders

Lots 26, 27, 28, 31, 32, 35, 38,  
40, 41, 42, 43, 44, 45, 46, 47, 48,  
49, 50, 51, 52, 53, 54, 55, 62 & 64.

SEP 21 1992

BOOK

HENDRICKS COUNTY RECORDER

Joe E. Campbell  
Joe E. Campbell Lot 29

Judy M. Campbell  
Judy M. Campbell Lot 29

Nathaniel Ersoz  
Nathaniel Ersoz Lot 30

Jennifer L. Ersoz  
Jennifer L. Ersoz Lot 30

Raymond J. Crady  
Raymond J. Crady Lot 33

Judy L. Crady  
Judy L. Crady Lot 33

Douglas W. Moffett  
Douglas W. Moffett Lot 34

Pamela J. Moffett  
Pamela J. Moffett Lot 34

James M. Cook  
James M. Cook Lot 39

Barbara Cook  
Barbara Cook Lot 39

David Hart  
David Hart Lot 56

Janice Hart  
Janice Hart Lot 56

Gregory A. Smith  
Gregory A. Smith Lot 57

June K. Smith  
June K. Smith Lot 57

Donald L. Tyler  
Donald L. Tyler Lot 58

Martha L. Tyler  
Martha L. Tyler Lot 58

Wendy K. Kramer  
Wendy K. Kramer Lot 59

Daniel M. Sulkoske  
Daniel M. Sulkoske Lot 59

Dennis M. Escol  
Dennis M. Escol Lot 60

Donna Escol  
Donna Escol Lot 60

Bryan R. Swallow  
Bryan R. Swallow Lot 61

Elaine L. Swallow  
Elaine L. Swallow Lot 61

Samuel L. Scott  
Samuel L. Scott Lot 63

Hein Scott  
Hein Scott Lot 63

Sanders Building & Contracting  
BY: Mark E. Sanders  
Mark E. Sanders Lot 37

Leslie Builders, IGI, Inc.  
BY: John Leski  
John Leski Lot 36

STATE OF INDIANA )  
                                  ) SS:  
HENDRICKS COUNTY )

Subscribed and sworn to before me, a Notary Public in and  
for said County and State, this 20th day of AUGUST, 1992.

My commission expires: 6/04/95

Jane A. Hendrickson  
Notary Public  
JANE A. HENDRICKSON

Resident of MARION County.

This instrument was prepared by:  
Lee T. Comer  
Attorney-at-Law  
P.O. Box 207  
Danville, IN 46122  
(317) 745-4300.

16197

132 PAGE 414

AMENDMENT TO PLAT, AUSTIN WINDS, SECTION II

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Mark E. Sanders, is Developer of Austin Winds, Section II; and

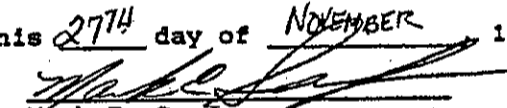
WHEREAS, contained within said plat of said Austin Winds, Section II are building set back lines of twenty-five feet (25') for all lots within said subdivision; and

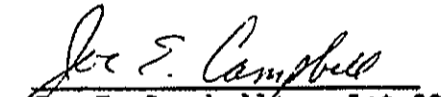
WHEREAS, the said Developer and the undersigned, being all owners of lots in said Austin Winds, Section II are desirous of reestablishing the building set back line at <sup>forty</sup> ~~XXIX~~ <sup>40'</sup> feet (50') for all lots within said subdivision.

NOW THEREFORE, for a good and valuable consideration the receipt and sufficiency which is hereby acknowledged it is hereby declared and established as follows:

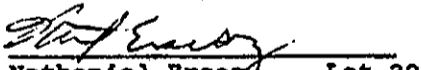
1. That the set back lines as originally depicted on the plat of Austin Winds, Section II are hereby amended and changed to be <sup>forty</sup> ~~XXXX~~ <sup>40'</sup> feet (50X).
2. That this declaration and amendment shall be binding upon the heirs, successors and assigns of the parties hereto and shall run with the land.

So declared and amended this 27<sup>th</sup> day of NOVEMBER 1991.

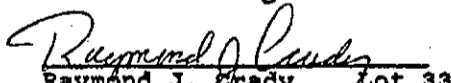
  
 Mark E. Sanders  
 Lots 26, 27, 28, 31, 32, 35, 38,  
 40, 41, 42, 43, 44, 45, 46, 47, 48,  
 49, 50, 51, 52, 53, 54, 55, 62 & 64.

  
 Joe E. Campbell Lot 29

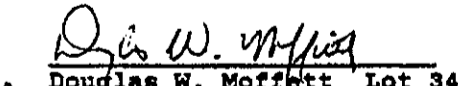
  
 Judy M. Campbell Lot 29

  
 Nathaniel Ersoz Lot 30

  
 Jennifer L. Ersoz Lot 30

  
 Raymond J. Grady Lot 33

  
 Judy L. Crady Lot 33

  
 Douglas W. Moffett Lot 34

  
 Pamela J. Moffett Lot 34

ENTERED FOR RECORD

BOOK 132 SEP 21 1992 AT 2:00 PM #4-15  
 HENDRICKS COUNTY RECORDER





16198

BOOK 132 PAGE 416

AMENDMENT TO RESTRICTIVE COVENANTS  
AUSTIN WINDS SUBDIVISION, SECTION TWO

Comes now the undersigned, being all owners of lots in Austin Winds Subdivision, Section Two, as per plat thereof recorded September 11, 1990 in Plat Cabinet 1, Slide 93, pages 1 and 2 in the Office of the Recorder of Hendricks County, Indiana, and do hereby amend the Restrictive Covenants of said subdivision, which were recorded September 12, 1990 in Miscellaneous Record 123, page 131 in the Office of the Recorder of Hendricks County, Indiana, as follows:

Added to said Restrictive Covenants is the following:

MAIL BOXES. Size, location, lighting, height and composition of every mail box shall be approved by the Architectural Control Committee prior to installation and shall conform to the specifications set forth by the United States Postal Service and/or Postmaster General.

So amended this 27<sup>th</sup> day of August, 1991.

Joe E. Campbell  
Joe E. Campbell Lot 29

Judy M. Campbell  
Judy M. Campbell Lot 29

Nathaniel Ersoz  
Nathaniel Ersoz Lot 30

Jennifer L. Ersoz  
Jennifer L. Ersoz Lot 30

Raymond J. Crady  
Raymond J. Crady Lot 33

Judy L. Crady  
Judy L. Crady Lot 33

Douglas W. Moffitt  
Douglas W. Moffitt Lot 34

Pamela J. Moffitt  
Pamela J. Moffitt Lot 34

James M. Cook  
James M. Cook Lot 39

Barbara Cook  
Barbara Cook Lot 39

David Hart  
David Hart Lot 56

Janice Hart  
Janice Hart Lot 56

Gregory Alan Smith  
Gregory Alan Smith Lot 57

June Kelly Smith  
June Kelly Smith Lot 57

Donald L. Tyler  
Donald L. Tyler Lot 58

Martha L. Tyler  
Martha L. Tyler Lot 58

ENTERED FOR RECORD

BOOK 132 SEP 2 1992 2:00 PM  
HENDRICKS COUNTY RECORDER

Wendy K. Kramer  
Wendy K. Kramer Lot 59

William Meeboer  
William Meeboer Lot 60

Bryan R. Swallow  
Bryan R. Swallow Lot 61

Samuel L. Scott  
Samuel L. Scott Lot 63

Daniel H. Sulkoske  
Daniel H. Sulkoske Lot 59

Donna Meeboer  
Donna Meeboer Lot 60

Elaine L. Swallow  
Elaine L. Swallow Lot 61

Helen C. Scott  
Helen C. Scott Lot 63

Sanders Building & Contracting Co., Inc.

BY: Mark E. Sanders  
Lot 37

LESLIE BUILDERS IGI

BY: John P. ...  
Lot 36

Mark E. Sanders  
Mark E. Sanders Lots 26, 27, 28, 31, 32, 35, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 62, & 64.

STATE OF INDIANA )  
                              ) SS:  
HENDRICKS COUNTY )

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 26<sup>th</sup> day of August, 1993.

My commission expires: 6/04/95

Resident of MARION County.

Jane A. Hendrickson  
Notary Public  
JANE A. HENDRICKSON

This instrument was prepared by:  
Lee T. Comer  
Attorney-at-Law  
P.O. Box 207  
Danville, IN 46122  
(317) 745-4300

#16195 Sept 2, 1992  
For addendum to  
restrictive covenants  
see misc Pub 152 page 410-11  
Jay Bradley RHeu

14885

BOOK 124 PAGE 230

RATIFICATION, DEDICATION AND RESTRICTIVE COVENANTS

Whereas, Mark E. Sanders of Hendricks County, Indiana, does hereby state that he is the owner of certain real estate in Hendricks County, Indiana, which has been platted and is now known as Austin Winds, Section Three, a subdivision in Brown Township, Hendricks County, Indiana, the plat of which was recorded on December 13, 1990, in Plat Cabinet 1, Slide 104, pages 2 and Slide 105, page 1 in the Office of the Recorder of Hendricks County, Indiana; and

Whereas, the undersigned is desirous of ratifying the plat of Austin Winds, Section Three; and the undersigned is further desirous of joining in the dedication of all easements and streets as platted.

NOW THEREFORE, Mark E. Sanders, does hereby ratify the plat of Austin Winds, Section Three, as recorded on December 13, 1990, in Plat Cabinet 1, Slide 104, pages 2 and Slide 105, page 1, in the office of the Recorder of Hendricks County, Indiana.

AND FURTHER, the undersigned, as developer of Austin Winds, Section Three, aforesaid, does hereby covenant and restrict the lots therein with the restrictive covenants, dated January 4, 1990 and recorded September 12, 1990 in Miscellaneous Record 123, as Instrument Number 525, in the Office of the Recorder of Hendricks County, Indiana.

AND FURTHER, does hereby join in the dedication of the easements and streets as therein platted.

So ratified and dedicated this 19th day of December, 1990.



ENTERED FOR RECORD

BOOK 124 DEC 20 1990 PAGE 230

*Mark E. Sanders*  
Mark E. Sanders

STATE OF INDIANA  
HENDRICKS COUNTY RECORDER  
)SS:  
HENDRICKS COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared Mark E. Sanders, who acknowledged the execution of the foregoing Ratification and Dedication.

Witness my hand and Notarial Seal this 19th day of December, 1990.

My commission expires:  
March 25, 1993

*Lee T. Comer*  
Notary Public - Lee T. Comer

Resident of Hendricks County.

Lee T. Comer  
Attorney-at-Law  
P.O. Box 207  
Danville, IN 46122  
(317) 745-4300.