

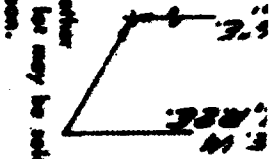
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PROTECTIVE COVENANTS FOR COUNTRYWOOD SUBDIVISION
SECTION TWO



1. **LAND USE** - Lots may be used only for residential purposes and only one single-family dwelling, a private garage and other such outbuildings, used and incidental to the use of a residential lot, may be constructed thereon. No portion of any lot may be sold or subdivided such that there will be, thereby, a greater number of houses than the number of original lots platted thereon.
2. **BUILDING CONTROL** - Prior to construction of any structure upon a lot, the building plans therefor, including plot plans, specifications, plans for landscaping and any other data or information which may be requested must be submitted to the building committee for its approval, said approval being evidenced by a written instrument and stamped approval executed by the committee delivered to the person or persons requesting such approval.
3. **MEMBERSHIP COMMITTEE** - The Building Committee consists of three members and is composed of the following members: George F. Smart, and Thomas J. Clark, Chairman. In the event of the death, disability or resignation of any of the aforementioned members, the remaining members of the committee are authorized to select the successor or successors to fill the vacancy or vacancies created. A majority of the members constituting a quorum for the transaction of business and the decision of a majority is controlling and final.
The Building Committee is authorized to determine whether the proposed structures, plans and specifications show uniformity and harmony of design with the existing structures and property setbacks thereon in conformity with applicable city regulations. The committee shall have the authority to require such plans and specifications as are judged to be needed. No change shall be made to any approved plan or specification without the approval of the committee. In the event the Building Committee does not approve a plan or specification, the applicant or applicant's agent shall be given a period of 15 days after notification, the expiration of which shall be deemed to have approved such plan.
4. **UTILITIES** - No underground pipe or equipment on any lot unless such easements, including of other existing, overhead gas and water lines, shall be installed in any lot, and such lines shall be installed in a trench which shall be at least six inches deep and shall be covered with a concrete slab. No other utility lines shall be installed in the ground floor area, provided existing lines in the ground floor area of lots shall be covered with a concrete slab.
5. **REPAIRS AND MAINTENANCE** - The owner of any structure shall be responsible for the repair and maintenance of any structure, including the roof, gutters, downspouts, and other appurtenances, and shall be responsible for the repair and maintenance of any structure, including the roof, gutters, downspouts, and other appurtenances, and shall be responsible for the repair and maintenance of any structure, including the roof, gutters, downspouts, and other appurtenances.
6. **REPAIRS AND MAINTENANCE** - The owner of any structure shall be responsible for the repair and maintenance of any structure, including the roof, gutters, downspouts, and other appurtenances, and shall be responsible for the repair and maintenance of any structure, including the roof, gutters, downspouts, and other appurtenances.

(See from any requirements, but where there is no such requirement, the owner shall be responsible for the cost of such work.)
reasonably clear from such unhealthy growth at all times. Failure to comply shall warrant any land owner in said subject areas to cut weeds and clear the lot of such growth at the expense of the lot owner, together with a lien against said real estate for expense thereof.

15. NUISANCES - No noxious or offensive activity shall be carried on upon any lot; nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

16. GARBAGE AND REFUSE DISPOSAL - No lot shall be used or maintained as a dumping ground for trash. Rubbish, garbage or other wastes shall not be kept except in sanitary containers. All equipment for storage or disposal of such materials shall be kept clean and sanitary.

17. LIVESTOCK AND POULTRY - No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

18. STORAGE TANKS - Any gas or oil storage tanks used, shall be either buried or located in a garage or house, such that they are completely concealed from public view.

19. SEWAGE DISPOSAL SYSTEMS - Private sewage disposal systems must be installed on lots in strict compliance with the following procedures:
(A.) Detailed plans must be prepared by the owner or any designated builder ("owner"), illustrating: The location of the house, building lines, lot lines, easements, septic tank, distribution box or equivalent, absorption field (the absorption field is to be located in the maximum area of two certified percolation tests - change in location thereof requires retesting - the location of pore tests and results are to be shown on the plan (footings) plan. Said plans shall also show the location and type of water well, the location, depth, size, direction of flow and gradient of peripheral subsurface drain tile, proposed grade and the direction of subsurface water flow on the lot, details of construction including wall load carrying and elevation, depth of septic tank, distribution box and depth, and gradient and flow of absorption field. Also the detailed installation specifications, performance data, and name of manufacturer. If in the case of a constructed septic tank and equipment, as well as any other detail necessarily required by the committee. (B.) The owner must specify the contractor or who is to install the sewage system. The contractor must be bonded, experienced and competent in the type of installation. (C.) The owner must submit the following information, as required for approval by the State County Suburban, and for review by the State County Building Commission: (1.) Plans and documents prepared with approval by the State County Suburban, and for review by the State County Building Commission. (2.) Plans and documents prepared with approval by the State County Suburban and for review by the State County Building Commission. (3.) Plans and documents prepared with approval by the State County Suburban and for review by the State County Building Commission. (4.) Plans and documents prepared with approval by the State County Suburban and for review by the State County Building Commission. (5.) 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20. SUBJECT TO THE PROVISIONS OF THIS ORDINANCE, THE STATE COUNTY SUBURBAN, INCLUDING AND THE STATE OF MISSISSIPPI, shall have the right to inspect and verify the construction, including and the state of said work.

21. REVISIONS - The right to revise such of the foregoing specifications by inspection, together with the right to cause the removal by the owner of any construction not in compliance with the specifications, is reserved to the engineer of the lot in the subdivision. Such plans and specifications, and in the State County Building Commission, shall remain in effect until such time as the owner shall submit to the State County Building Commission any plans and specifications for review by or through any such revision or amended specifications.

22. GENERAL PROVISIONS - The provisions contained here shall prevail if any time by the owner of or their successors of the lot subject to

direction of flow and gradient of perforated subsurface drain file, proposed grades and the direction of subsurface water flowings on the lot, details of construction including well head casing and elevation, depth of septic tank, distribution box and ducts, and gradient and flow of septic tank and appurtenances, as well as any other detail necessarily required by the committee. (b.) The owner must specify the contractor or who is to install the septic system. The contractor must be bonded, experienced and competent in the type of installation. (c.) The owner must submit the following information, as required for approval by the Board County Sanitation, and for review by the Board County Building Commission: (1.) Plans and documents stamped with approval by the Board County Sanitation shall show in fully detailed by the building engineer and, if approved, stamped for approval. (2.) The owner must install the system in accordance with the plans and specifications and have the system inspected by inspection by a registered engineer as approved by the Building Commission. Such engineer must submit a report to the Board County Building Commission with the plans and specifications. Within forty-eight hours of the report, the Board County Building Commission shall advise the owner of any deficiencies. (3.) A copy of the engineer's certification must be sent to the Board County Health Officer for his review. (4.) The plans shall be submitted to the Board County Sanitation for its review, and the plans shall be approved by the Board County Health Officer.

20. **PLANS** - Plans for the plan, to be attached to the owners of Lots 23 through 26 who shall own as tenants-in-common being subdivided into subdivisions, landscaping and lawn care of said tract.

21. **ENFORCEMENT** - The duty to enforce each of the foregoing provisions by injunction, together with the duty to cause the removal of the same of any structure erected or maintained in violation thereof, is reserved to the owners of the lot in the subdivision. The Board County Health Officer, the Board County Building Commission, their assistants or officers, who are entitled to such relief, shall have the right to file any demand of any kind in any court state or federal by or through any such violation or enforcement of the provisions.

22. **GENERAL PROVISIONS** - The foregoing provisions may be amended at any time by the owners of a lot or lots of the lot subject to such provisions. Such amendments shall be reviewed by a written instrument, signed and acknowledged by the owner of the lot or lots and filed with the Board County Building Commission in compliance with the plan provided substantially heretofore, and subject to the Board County Health Officer.

There is no other provision of law or other provision of law which shall apply to the provisions of this plan, and the provisions of this plan shall be construed to conform to the provisions of any other law or other provision of law which may be enacted after the date of this plan.

25.00

M: David M. Analin
525 Congressional Blvd.
Carmel, Ind. 46032

**AMENDMENT AND REVISION OF PROTECTIVE COVENANTS
AND RESTRICTIONS FOR COUNTRY WOOD SUBDIVISION,
SECTION ONE, TWO AND THREE**

THIS AMENDMENT executed as of November 20, 1992, by Country Wood Community Association, Inc., an Indiana Not-For-Profit Corporation.

WITNESSETH THAT:

WHEREAS, the Plat of Country Wood Subdivision, Section 2 ("First Flat") was recorded in the Office of the Recorder of Boone County, Indiana, on July 19, 1976, in Plat Book 6, page 1; and,

WHEREAS, the Plat of Country Wood Subdivision, Section 2 ("Second Flat") was recorded in the Office of the Recorder of Boone County, Indiana, on June 15, 1977, in Plat Book 6, page 18; and,

WHEREAS, the Plat of Country Wood Subdivision, Section 3 ("Third Flat") was recorded in the Office of the Recorder of Boone County, Indiana, on December 20, 1977, in Plat Book 6, page 25, and,

WHEREAS, the Country Wood Community Association, Inc. (hereinafter referred to as "The Community Association"), a not-for-profit Indiana Corporation was formed on August 12, 1991; and,

WHEREAS, The Community Association has received the approval of at least two thirds (2/3) of the owners of the lots subject to said restrictions and covenants, for revision, which approval is reflected in the Certification of Approval, attached hereto, made a part hereof and incorporated herein as Exhibit A; and,

WHEREAS, the revised Protective Covenants for Country Wood Subdivision are hereby submitted by The Community Association Board of Directors, which covenants are attached hereto, made a part hereof and incorporated herein as Exhibit B; and,

WHEREAS, paragraph 20 of the Protective Covenants for the Second Flat shall remain undisturbed, and reads as follows:

"20. TRACT A - Tract A, as shown on the plat, is dedicated to the owners of Lots 22 through 28 who shall own as tenants-in-common, being wholly responsible for maintenance, landscaping and lawn care of said tract."; and,

WHEREAS, paragraph 20 of the Protective Covenants for the Third Flat shall remain undisturbed, and reads as follows:

"20. TRACT B - Tract B, as shown on the plat, is dedicated to the owners of Lots 40 through 48 who shall own as tenants-in-common, being wholly responsible for maintenance, landscaping and lawn care of said tract."; and,

NOV 21 1992

MARY ALICE BALDWIN
RECORDER OF BOONE COUNTY
LEBANON, INDIANA 46032

Section 10. Signs, shall not be construed to restrict, in any manner, the expression of free speech under the First Amendment of the U.S. Constitution, and the freedom to disseminate political opinions; and,

Section 11. The Community Association, acting pursuant to paragraph 11 of the Restrictive Covenants as set forth in the First, Second, Third, and Fourth Subdivisions of the Subdivided Property, shall not be construed to restrict, in any manner, the expression of free speech under the First Amendment of the U.S. Constitution, and the freedom to disseminate political opinions; and,

Section 12. The Community Association, acting pursuant to paragraph 12 of the Restrictive Covenants as set forth in the First, Second, Third, and Fourth Subdivisions of the Subdivided Property, shall not be construed to restrict, in any manner, the expression of free speech under the First Amendment of the U.S. Constitution, and the freedom to disseminate political opinions; and,

IN WITNESS WHEREOF, this Amendment has been executed as of the date first above written.

Country Wood Community Association, Inc.

By the Board of Directors

David M. Baskin
DAVID M. BASKIN

Date: 3/24/93

Date: 3/24/93

Date: 3/24/93

Date: 3/31/93

Date: 4/2/93

[Signature]

[Signature]

[Signature]

[Signature]

STATE OF INDIANA)
COUNTY OF []) ss:

I, [Name], the undersigned, a Notary Public in and for said
State of Indiana, personally appeared [Name], of County,
State of Indiana, full name and J. Michael Lewis, [Name], as
[Name] of [Name] as the [Name] of [Name] in County, State of Indiana,
[Name], an Indiana Not-For-Profit Corporation, and
[Name], the Secretary of the [Name] and [Name]
of [Name] and [Name] for [Name] of said
corporation, Sections One, Two and Three for and on behalf of said
corporation.

Witness my hand and notarial seal this [] day of [] 19[]

My Commission Expires:

[]

My County of Residence:

[]



This instrument prepared by J. Michael Lewis, Attorney at Law,
Room 1200, 231 South Illinois, Indianapolis, Indiana

The vote total constitutes two thirds (2/3) of the lot owners, thereby satisfying paragraph 22, General Provisions, as set forth in the First Plat, Second Plat and Third Plat for the Country Wood Subdivision, Section 1, Section 2 and Section 3, respectively. The revised Protective Covenants are hereby placed in full force and effect, as of the date and time of recording in the Office of the Recorder of Boone County.

Country Wood Community Association, Inc.
By The Board of Directors

Date: 3/31/93

David M. Baillie
David M. Baillie

Date: 3/31/93

Jo Hazard
Jo Hazard

Date: 3/31/93

Kathy Williams
Kathy Williams

Date: 3/31/93

Jeff Sautter
Jeff Sautter

Date: 1-12-93

[Signature]
J. [Name]


STATE OF INDIANA)
COUNTY OF BOONE)SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared David M. Baillie, Kathy Williams, Jo Hazard, and Jeff Sautter, who are known to me in the State of Indiana, as members of the Country Wood Community Association, Inc., an Indiana not-for-profit corporation, and acknowledged the execution of the foregoing "revised" Protective Covenants and Restrictions for Country Wood Subdivision, Sections One, Two and Three, for and on behalf of said corporation.

BOOK 222 PAGE 22

Witness my hand and notarial seal this 31st day of November, ~~1992~~ 1993.

Jo Ellen Spivey
Notary Public Jo Ellen Spivey
County of Marion



My Commission Expires:

9-1-93

My County of Residence: Marion

NOTARY PUBLIC

PROTECTIVE COVENANTS FOR
COUNTRY WOOD SUBDIVISION

1. LAND USE - Lots may be used only for residential purposes and only one single-family dwelling with a private garage and other such outbuildings usual and incidental to the use of a residential lot may be constructed thereon. No portion of any lot may be sold or subdivided such that there will be, thereby, a greater number of houses than the number of original lots plotted thereon.
2. BOARD OF DIRECTORS - The Country Wood Community Association Board of Directors consists of lot owners in the Country Wood subdivision. It shall undertake such duties and responsibilities as are assigned to it herein.
3. NEW BUILDINGS - The Board of Directors is authorized to determine whether any new structure shows conformity and harmony of external design with existing structures and whether the building and property set-back lines are in conformity with applicable plot requirements.
4. TEMPORARY STRUCTURES - No trailer, shack, tent, basement, garage or other outbuilding may be used at any time as a residence.
5. BUILDING POSITION AND GRADE LINE ELEVATION - No building may be erected between the building line shown on the plot and the front lot line.
6. BUILDING COMPLETION - Unless a delay is caused by strikes, hostilities or acts of God, the exterior of any building or structure built upon any lot shall be completed within one year after the date of commencement of the building process.
7. DRAINAGE, SEWERAGE AND UTILITIES - Lots are subject to easements, rights and interests in and to the land, in connection with the drainage, sewerage and utility systems, which are necessary for the use of the lot owners, public utility companies and for governmental agencies as follows: (A) Drainage easements are created to provide pipes and conduits for the collection and removal of surface water, storm water or in drainage easements created to serve the needs of the subdivision and adjoining ground and/or public drainage systems. It shall be the individual responsibility of each lot owner to maintain the drainage system on his own lot. All drainage easements shall be indicated annually by the Board of Directors. Under no circumstances shall said easements be blocked, in any manner, by the construction or reconstruction of any improvement, nor shall any building be erected in any manner, which interferes with the flow of water. Said easements shall be constructed or reconstructed to any extent necessary to obtain easements.

EXHIBIT A

BOOK 100 PAGE 10

drainage at any time by any government agency having jurisdiction over said drainage. Said easements are for the mutual use and benefits of the owners of all lots in the addition. (B) Sewer easements are created for the use of the local government agency having jurisdiction over the storm and sanitary waste disposal system of said city/county for the purpose of installation and maintenance of streets that are a part of said system. (C) Utility easements are created for the use of all public utility companies, not including transportation companies, for the installation and maintenance of mains, ducts, poles, lines and wires as well as for the uses specified in the case of sewer easements. All such easements mentioned herein include the right of reasonable ingress and egress for the exercise of other rights reserved.

8. **DRIVEWAYS** - All driveways shall be paved and maintained.
9. **VEHICLE PARKING** - No camper, motor home, truck trailer, boat, auto or other vehicles may be permanently parked on any lot in open public view.
10. **SIGNS** - No sign of any kind shall be displayed to the public view on any lot except that the signs of lot home time sign boards may be used at any time to advertise the property for sale or for rent, or by a builder to advertise the property during the construction and sales period.
11. **FENCES** - No fence or wall, taller than 36 inches, shall be permitted between the front property line and the front building line.
12. **ELECTRONIC EQUIPMENT** - No satellite dish or radio/television antenna shall be permitted between the front property line and the front building line.
13. **CHIMNEYS AND WINDMILLS** - Chimney caps or windmills shall not be permitted on any lot unless they are necessary for the safe operation of the chimney or windmill. No windmill shall be permitted on any lot unless it is necessary for the safe operation of the chimney or windmill. No windmill shall be permitted on any lot unless it is necessary for the safe operation of the chimney or windmill.
14. **NUISANCES** - No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
15. **CHIMNEYS AND WINDMILLS** - No lot shall be used or maintained as a dumping ground for trash, rubbish, garbage or other waste which may be an annoyance or nuisance to the neighborhood. All equipment for disposal of garbage shall be kept clean, sanitary and out of public view.

advise the Boone County Health Officer and the Boone County Building Commissioner that the construction is ready for inspection. (7) A copy of the architect's specification shall be sent to the Boone County Health Officer for his review. Such notification, together with the plans submitted to the Boone County Health Officer for his review, shall be available for inspection by interested property owners.

19. ~~Whenever the plans to enlarge, alter or reconstruct any building~~

~~controlled by injunction together with the plans to be enlarged, altered or reconstructed shall be approved by the Boone County Health Officer and the Boone County Building Commissioner, the contractor shall be required to file with the Boone County Health Officer a copy of the architect's specification and the Boone County Building Commissioner a copy of the architect's specification and the Boone County Building Commissioner a copy of the architect's specification.~~

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