



FOR FILING IN THE OFFICE OF THE RECORDER OF OWEN COUNTY, INDIANA
PLEASE INDEX UNDER THE NAME OF LAKE HOLLYBROOK, INC
(UPDATES/REPLACES Misc. record no. 53 pp 591)

OWEN COUNTY RECORDER, IN
03/26/2008 12:22:46PM

**RESTRICTIONS FOR THE ORIGINAL AND ALL ADDITIONS OF LAKE HOLLYBROOK,
WAYNE TOWNSHIP, OWEN COUNTY, INDIANA.**

All lots are subject to each and every of the following restrictions, specifications and requirements as to occupancy and use of Lake Hollybrook Inc. property and these covenants run with the land. The property in Lake Hollybrook is part of a recreation park and its use shall not be inconsistent with such purpose.

Owners of lots in Lake Hollybrook agree to indemnify and hold harmless Lake Hollybrook Inc., herein for any loss sustained by them, or anyone using the Corporation's property with the owner's consent, as the result of any accidents to the owner or their guests.

★ Owners of all improved or unimproved lots in the above named park shall pay assessments and fines as determined by the Board of Directors; upon a majority vote of the members present at such meeting upon due notice. All such assessments/fines are payable by the owners of record, their successors and assigns. THE ASSESSMENTS/FINES SHALL BE A LIEN UPON ALL PROPERTY SUBJECT TO SUCH ASSESSMENTS AND SHALL FOLLOW THE LAND. Property owners are members of Lake Hollybrook, Inc. and shall be entitled to one vote and privileges of use, subject to being in good standing.

The following facilities and properties shall be available for use by the property owners, renters and their guests: The lake; access to the lake per designated right-of-ways and lake owned docks; roadways for access to lots and lake areas; the clubhouse and adjoining areas; and the campgrounds. The dam, the spillway, the maintenance building and storage barn are limited access per permission of the Board.

Families and guests of owners are allowed to use common lake facilities while visiting owners, but continuous use by non-owners who do not contribute to the upkeep cost and management is discouraged. The Board of Directors shall have the right to investigate use of corporate facilities by a non-member to determine the extent of use and to place reasonable restrictions thereon. The Board of Directors may invite the general public to specific events.

ACTIVITY RESTRICTIONS

1. Use of the clubhouse by a non-member.
2. Use of the campground by minors, without a responsible adult.
3. Use of any watercraft that creates a white water wake in any area of the lake.
4. Use of any trapping devise to capture animals or birds without approval of the Board.
5. Use of a firearm, except in an emergency for the protection of persons or property.
6. Use of pellet or air guns, bows and arrows, or other devices capable of casting a projectile.

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7. Any commercial business venture that is conducted in such a manner as to interfere with the rights of other owners to have Lake Hollybrook as a quiet and orderly residential community. This shall include any use of signs or sounds and use of common areas for parking. The Board of Directors may restrict any commercial activity as to time and operation, to ensure compliance with this goal.
8. The keeping of an animal that is not properly vaccinated against rabies; or that is a danger to persons, property or to other animals due to demonstrated viciousness; or is creating a nuisance by continuous noise-making; or is running unrestrained about the Lake property.
9. Creation of, or the continuation of noise or odor that is offensive to other members.
10. Use of any motorized vehicle, dirt bike, or other device that causes damage to corporate property; creates unreasonable noise, dust, or odor, or that interferes with the allowable uses of corporate properties by members and guests.
11. Storage, accumulation, or dumping of non-operating vehicles, appliances, or general trash.
12. Use of property in violation of a federal, state, or county law or ordinance.

BUILDING RESTRICTIONS

All new structures intended for, or used for occupancy shall meet the following standards. Existing structures are exempted. Prior to commencement of construction of any new structure or the addition to any existing structure, written plans showing compliance must be presented to the Board of Directors for approval. The corporation shall be entitled to a court order prohibiting violation of these restrictions, including an order of removal.

1. They shall be only for single family occupancy.
2. They shall contain a minimum of 750 square feet of interior floor space.
3. They shall have a permanent foundation and shall not be of the mobile home variety.
4. They shall be situated not closer than twenty (20) feet from the water edge of the lake, and not less than ten (10) feet from a side yard boundary of an adjoining lot owned by another member of the corporation, and not be less than ten (10) feet from any roadway right-of-way line. (These location guidelines also apply to outbuildings.)
5. Septic tanks and finger systems shall not be located within fifty (50) feet of a lake water edge or within twenty (20) feet of any other lot boundary line that separates lots owned by different members, without consent of all adjoining property owners.
6. Docks, piers, sides and other structures intended or used for access to the lake shall not extend more than fifteen (15) feet into the water. All such structures shall be attached to the land. No free-floating structures shall be used, even if anchored to the lake bottom.

All buildings shall be maintained in a reasonable manner so as not to create a common nuisance or a hazardous condition. In order to maintain property values of all memberships, the Board of Directors shall have the authority to require structures and lots to be maintained in accordance with standards adopted and published from time to time.

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Abandoned houses or outbuildings, and such property that is not adequately maintained may be repaired or removed by action of the Board of Directors. Notice of any action required of a member or action to be taken by the Board shall be given to the member owning such property at least thirty (30) days prior to the Board taking action. If action to properly maintain is not taken after notice to the member owner, costs of such repair or removal shall be assessed to the owner and may constitute a lien upon the real estate owned by that member. Such cost shall include interest at the rate of 10% per annum. Should an emergency exist, the Board shall have the authority to waive the 30 day notice; by placing a telephone call to the owner, followed by a notice sent by certified mail.

Each and every present and future owner of Lake Hollybrook Property will be bound by each and every of the foregoing provisions, specifications, regulations and restrictions concerning use and occupancy of the property of Lake Hollybrook; upon failure of any lot owner to comply with any of the foregoing provisions, notice and fair hearing as set out in the current By-Laws will ensue. Lake Hollybrook Inc. or any property owner shall have the right at law or in equity to obtain compliance with these restrictions, with costs, charges, interest and attorney's fees assessed against the noncomplying property owner and his/her property.

Dated this 22 day of MARCH, 2008
Lake Hollybrook Inc.

Charles Grubb

Charles Grubb, President

Melissa Nicola

Melissa Nicola, Secretary

(Seal)

STATE OF INDIANA)
) SS
COUNTY OF OWEN)

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Charles Grubb and Melissa Nicola, the President and Secretary respectively of Lake Hollybrook Inc. and acknowledged the execution of the foregoing instrument.

Dated this 22 day of March 2008

"I AFFIRM, UNDER THE PENALTIES FOR PERJURY,
THAT I HAVE TAKEN REASONABLE CARE TO REDACT
EACH SOCIAL SECURITY NUMBER IN THIS
DOCUMENT, UNLESS REQUIRED BY LAW."

Witness my hand and official seal.

SHANDA WALKER
NOTARY PUBLIC, STATE OF INDIANA
OWEN COUNTY
MY COMMISSION EXPIRES 9-17-2014

Melissa Nicola
