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DECLARATION OF RESTRICTIONS

This 14 day of June
A. D. 1975 at 1:25 o'clock P.M.
and recorded in record 24
Page 565-569

RECORDER BROWN COUNTY

WHEREAS, Elks Draw Corporation, an Indiana corporation, (hereinafter referred to as "Elks Draw") originally owned all of the real estate more particularly described in Exhibit "A" attached hereto and by reference made a part hereof (hereinafter referred to as the "Real Estate"); and

WHEREAS, in order to impose certain restrictions of the Real Estate for the mutual protection and preservation of such Real Estate and for the benefit of all subsequent owners of any portions of the Real Estate, Elks Draw and all purchasers of any portion of the Real Estate from Elks Draw have declared certain restrictions on the Real Estate; and,

WHEREAS, Thomas Lee Brunton and Donna Lee Brunton (hereinafter referred to as "Bruntons") are purchasers of a portion of the Real Estate desire to impose and reaffirm such restrictions on the real estate purchased by them and to receive the benefit of the restrictions previously imposed on the Real Estate,

NOW THEREFORE, in consideration of the recitals contained herein and the conveyance of certain real estate from Elks Draw to the Bruntons, Elks Draw and the Bruntons hereby agree to and impose upon the Real Estate the following restrictions:

1. Only single-family dwellings and accessory buildings shall be erected on said property, which shall be permanent, single-family dwellings and shall consist of not less than eight hundred (800) square feet of living area, exclusive of garages and open porches, and shall be constructed in accordance with, minimally, the building standards of Volume 5, Group I Occupancy, of the Administrative Building Council of Indiana.
2. No tent, trailers, shack or other structure shall

be erected or located upon said property.

3. All septic and sewer systems installed on said property shall be subject to approval as to type, size and location by the Indiana State Board of Health and such other public health agencies having jurisdiction at the time of construction and shall be constructed and installed to the standard recommended by the Indiana State Board of Health.

4. All purchasers of any property included within the above description shall, as a condition to such purchase, be required to join a Property Owners' Association to be formed for the mutual protection and preservation of said property and shall be subject to all rules and regulations as from time to time may be prescribed by said Property Owners' Association. Said Property Owners' Association following formation, shall have the power and authority to alter, amend, modify or rescind any or all of the foregoing restrictions.

This Declaration of Restrictions shall inure to the benefit and be binding upon all property owners both present and future of the afore-described property and their heirs, successors, and assigns, and shall be enforceable by any property owner of any portion of the above-described tract either by suit in equity to enjoin violation thereof or to cause removal of any structure erected or located in violation thereof; or, as an alternative remedy, by suit for damages caused to any such property owner by reason of violation thereof.

IN WITNESS WHEREOF, the parties have executed this document on the day's date below written.

OWNERS

Thomas Lee Brunton
Thomas Lee Brunton

Donna Lee Brunton
Donna Lee Brunton

STATE OF INDIANA)
COUNTY OF MARION) SS:

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Before me, a Notary Public in and for said County and State, personally appeared THOMAS LEE BRUNTON and DONNA LEE BRUNTON, husband and wife, who acknowledged the execution of the foregoing Declaration of Restrictions.

Witness my hand and Notarial Seal this 2nd day of May, 1973.

Thomas W. Dinnard
Notary Public Thomas W. Dinnard

My commission expires:
2-27-74



ELKS DRAW CORPORATION

By: Marcia C. Berner
Marcia C. Berner, President

STATE OF INDIANA)
COUNTY OF MARION) SS:

Before me, a Notary Public in and for said County and State, personally appeared Marcia C. Berner, President of Elks Draw Corporation, who acknowledged the execution of the foregoing Declaration of Restrictions, and who, having been duly sworn stated that any representations therein contained are true.

WITNESS MY HAND AND SEAL this 2nd day of May, 1973.



My commission expires:
2-22-74

Thomas W. Dinnard
Notary Public Thomas W. Dinnard

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This instrument prepared by William P. Wooden.