

SHILOH MORNING ESTATES RESTRICTIVE COVENANTS

WE, THE UNDERSIGNED, EDWARD E. REEVE AND MARJORIE J. REEVE, HUSBAND AND WIFE JOINTLY, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "SHILOH MORNING ESTATES", JACKSON TOWNSHIP, BROWN COUNTY, INDIANA. ALL THAT PORTION OF THE 20 FOOT WIDE RIGHT-OF-WAY THAT LIES WESTERLY OF THE GREASY CREEK ROAD AS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED, IS HEREBY DEDICATED TO THE PUBLIC.

FRONT BUILDING SETBACK LINES ARE HEREBY ESTABLISHED ON SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND PROPERTY LINE OF THE STREETS THERE SHALL BE ERECTED OR MAINTAINED NO BUILDING OR STRUCTURE. THE STRIPS OF GROUND SHOWN ON THIS PLAT AND MARKED "UTILITY AND DRAINAGE EASEMENT" ARE RESERVED FOR THE USE OF THE PUBLIC UTILITIES FOR THE INSTALLATION OF WATER AND SEWER MAINS, POLES, DUCTS, LINES AND WIRES, AND DRAINAGE FACILITIES; SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. A SEVEN-AND ONE HALF FOOT WIDE UTILITY AND DRAINAGE EASEMENT OR RESERVED ON BOTH SIDES OF SIDE LOT LINES, UNLESS SHOWN OTHERWISE ON THE ABOVE PLAT. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERECTED OR MAINTAINED UPON SAID STRIPS OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLED SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES, AND THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THE SUBDIVISION.

THE LOTS IN THE SUBDIVISION AND THE USE OF THE LOTS IN THIS SUBDIVISION BY PRESENT AND FUTURE OWNERS OR OCCUPANTS SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS, WHICH SHALL RUN WITH THE LAND.

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERECTED, ALTERED OR PLACED ON ANY LOT, OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING NOT TO EXCEED TWO STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN THREE CARS.
2. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 1600 SQUARE FEET FOR A ONE-STORY DWELLING AND NOT LESS THAN 1000 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY. ALL TWO STORY, BI-LEVEL, OR TRI-LEVEL DWELLINGS SHALL HAVE A MINIMUM OF 1600 SQUARE FEET OF LIVING AREA.
3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE, NEARER TO THE SIDE STREET LINE, OR NEARER TO THE LAKE THAN THE MINIMUM BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. NO BUILDING SHALL BE LOCATED NEARER THAN 15 FEET TO AN INTERIOR LOT LINE. FOR THE PURPOSE OF THIS COVENANT, SAVERS, STEPS AND OPEN PORCHES SHALL NOT BE CONSIDERED AS A PART OF THE BUILDING PROVIDED, HOWEVER, THAT THIS SHALL NOT BE CONSTRUED TO PERMIT ANY PORTION OF A BUILDING TO ENCRoACH UPON ANOTHER LOT.
4. NO NOISY OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE UPON ANY LOT WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOODS.
5. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BACHEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.
6. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT FOR ONE PROFESSIONAL SIGN OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY FOR SALE OR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.
7. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERECTED, MAINTAINED OR PERMITTED ON ANY LOT.
8. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY LOT, EXCEPT THAT EGGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE. NO PETS OWNED BY OWNERS OF LOTS IN THIS SUBDIVISION SHALL BE PERMITTED TO RUN LOOSE ON OR ACROSS THE PROPERTY OF OTHERS.
9. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING ORJUND FOR RUBBISH, TRASH, OR GARBAGE. WASTE MATTER OR MATERIALS SHALL BE KEPT ONLY IN SANITARY CONTAINERS, AND ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION. LOT OWNERS ARE INDIVIDUALLY RESPONSIBLE FOR DISPOSAL OF SAME.
10. A LOT OWNERS ASSOCIATION WILL BE ESTABLISHED. EACH LOT OWNER WILL AUTOMATICALLY BECOME A MEMBER IN THE LOT OWNERS ASSOCIATION AND PARTICIPATE EQUALLY IN SAME.
11. NO EXPOSED FOUNDATION MATERIALS SHALL BE PERMITTED.
12. ALL HOMES AND OUTBUILDINGS ARE TO BE FORMED AESTHETICALLY TO BROWN COUNTY SURROUNDINGS.
13. INDIVIDUAL SEWAGE SYSTEMS ON ALL LOTS SHALL BE OF THE AERATION TYPE AND SHALL CONFORM TO ALL STATE AND LOCAL REGULATIONS.
14. WATER SUPPLY SHALL BE BY PUBLIC WATER UTILITY.
15. LOT OWNERS SHALL BE RESPONSIBLE FOR ANY ASSESSMENTS BY WATER UTILITIES FOR TAP-ON FEES.
16. THERE SHALL BE NO INCOME PRODUCING FACILITIES ON ANY LOTS.
17. TREE REMOVAL SHALL BE PERMITTED ONLY IN THE IMMEDIATE BUILDING SITE AREA AND IN DRIVE AND ROADWAY AREAS.
18. THERE SHALL BE NO HUNTING PERMITTED ON ANY LOT.
19. BURIED UTILITY SERVICE SHALL BE UTILIZED WHENEVER POSSIBLE.
20. MAILBOXES SHALL BE LOCATED AT THE ENTRANCE ON GREASY CREEK ROAD.
21. PARTICIPATION IN ASSESSMENTS FOR REQUIRED MAINTENANCE TO BE BASED ON PRO-RATA SHARE OF LOT OWNERSHIP. SELLER SHALL BE RESPONSIBLE FOR PERCENTAGE PARTICIPATION OF UNSOLD PLATTED LOTS. MAINTENANCE REQUIREMENTS SHALL BE IN ACCORDANCE WITH RECOMMENDATIONS OF THE LOT OWNERS ASSOCIATION.
22. LOT OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE ON ROADS AND DAMS.
23. NO LOT SHALL BE FURTHER SUBDIVIDED.
24. NO DISRUPTION OF THE EXISTING GRADE SHALL BE PERMITTED TO CAUSE EROSION INTO THE EXISTING LAKES OR WATERSHED.
25. LAKES SHALL BE KEPT CLEAN, PURE, AND FREE OF DEBRIS.
26. NO GASOLINE POWERED MOTOR BOATS AND NO OFF-ROAD MOTORCYCLES OR DIRT BIKES SHALL BE PERMITTED.
27. ALL DOGS SHALL BE ATTACHED TO THE LEASH AND SHALL NOT EXTEND MORE THAN 20 FEET INTO THE WATER.
28. ALL FENCES SHALL BE APPROVED BY THE LOT OWNERS ASSOCIATION AND SHALL NOT EXTEND INTO THE LAKES.
29. LOTS B AND M SHALL HAVE ACCESS TO THE LARGE LAKE BY AN ACCESS EASEMENT ACROSS A PARCEL OF LAND LOCATED BELOW THE DAM OF THE SMALL NORTH LAKE ADJOINING THE ROADWAY AND EXTENDING TO THE WATER OF THE SOUTH LAKE AS SHOWN ON THE PLAT. THIS PARCEL OF LAND FOR THE USE OF THE OWNERS OF LOTS B AND M ONLY. THE MAINTENANCE OF THIS AREA SHALL BE BY THE LOT OWNERS ASSOCIATION AS BEFORE MENTIONED.
30. ALL LOTS HAVING LAKE FRONTAGE SHALL HAVE USE OF ENTIRE LAKE ON WHICH THEY ARE LOCATED. OWNERS OF LOTS B AND M SHALL HAVE USE OF THE LARGE LAKE AS DESIGNATED IN NO. 29 ABOVE.

THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES, AND ON ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF 25 YEARS FROM THE DATE THE COVENANTS ARE RECORDED, AFTER WHICH TIME SUCH COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS, AT ANY TIME FOLLOWING RECORDEATION, AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS ON THE PLAT IS RECORDED, AGREEING TO THE ALTERATION OF SUCH COVENANTS IN WHOLE OR IN PART.

ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT, EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THE OWNERS OF LOTS IN THIS SUBDIVISION ARE SOLELY RESPONSIBLE FOR THE MAINTENANCE AND UPKEEP OF THE PRIVATE ROADWAY THAT IS CONSTRUCTED IN THE ROADWAY EASEMENT AS SHOWN ON THE PLAT.

DRAINAGE DITCHES ALONG GREASY CREEK ROAD SHALL BE PRESERVED AND KEPT UNOBTSTRUCTED. EACH DRIVEWAY OVER A DRAINAGE DITCH SHALL BE PROVIDED WITH A DRAINAGE STRUCTURE WITH SIZE, MATERIAL, LENGTH, LOCATION, AND GRADE APPROVED BY BROWN COUNTY AUTHORITIES.

STATE OF INDIANA) ss:
COUNTY OF BROWN)

WE, THE UNDERSIGNED, EDWARD E. REEVE AND MARJORIE J. REEVE, PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY OF BROWN, INDIANA, AND THEY HAVE ACKNOWLEDGED THAT THEY ARE THE OWNERS OF THE PROPERTY AND THE SAID ABOVE DESCRIBED PROPERTY TO BE A FREE AND VOLUNTARY ACT AND DEED.

Edward E. Reeve
EDWARD E. REEVE

STATE OF INDIANA) ss:
COUNTY OF JOHNSON)

I, GILMORE C. ASPLAND, A NOTARY PUBLIC IN AND FOR THE COUNTY OF JOHNSON, INDIANA, DO HEREBY CERTIFY THAT THE ABOVE CERTIFICATE APPEARED BEFORE ME AND I HAVE SUBDIVIDED THE SAID ABOVE DESCRIBED PROPERTY TO BE A FREE AND VOLUNTARY ACT AND DEED.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS

MY COMMISSION EXPIRES:
July 26 1981

STATE OF INDIANA) ss:
COUNTY OF JOHNSON)

I, GILMORE C. ASPLAND, HEREBY CERTIFY THAT THE STATE OF INDIANA, AND I DO HEREBY CERTIFY THAT THE ABOVE CERTIFICATE APPEARED BEFORE ME AND I HAVE SUBDIVIDED THE SAID ABOVE DESCRIBED PROPERTY TO BE A FREE AND VOLUNTARY ACT AND DEED.

ALL LOT CORNERS WILL BE MARKED WITH MARKS TYPE AS INDICATED PRIOR TO THE RECORDING.

UNDER AUTHORITY PROVIDED BY CHAPTER 174, INDIANA, AND ALL ACTS AMENDATORY THEREOF, THE COUNTY OF BROWN, INDIANA, THIS PLAT IS

APPROVED BY THE BROWN COUNTY PLAN COMMISSION

John D. Rood
PRESIDENT

UNDER AUTHORITY PROVIDED BY CHAPTER 47, A HAS GIVEN APPROVAL BY THE BOARD OF COUNTY

2nd DAY OF *June*
Harry J. Snider
CLERK

ENTERED FOR TAXATION THIS *19th* DAY OF

NO. *10465*

RECEIVED FOR RECORD THIS *19* DAY OF

PLAT BOOK *1*, PAGE *102*.

FEES *11.00*

Shiloh Morning Estates
5/28/81
County Recorder
Greasy Creek Road
Shiloh Morning Estates