



*First American  
Title Insurance Company*

**INDIANA**

Not Just for One Transaction, But for Life

First American Title Insurance Company  
Indianapolis Downtown—Corporate  
251 E. Ohio Street, Suite 200  
Indianapolis, IN 46204  
Telephone (317) 684-7556

## Subdivision Covenants and Restrictions

The information is provided as a public service only. The information on this site is general in nature, unofficial and is not a valid reference for any legal purposes. The user agrees to hold harmless, protect, indemnify, and forever release First American Title Insurance Company and its officers, directors, agents, and employees, from and against any and all liabilities, losses, damage, expenses and charges, including but not limited to attorneys' fees and expenses of litigation, which may be sustained or incurred by the user under, or arising directly or indirectly out of the use of the information contained in this site.

8743224

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FOR RECORD

SEP 24 2 21 PM '87

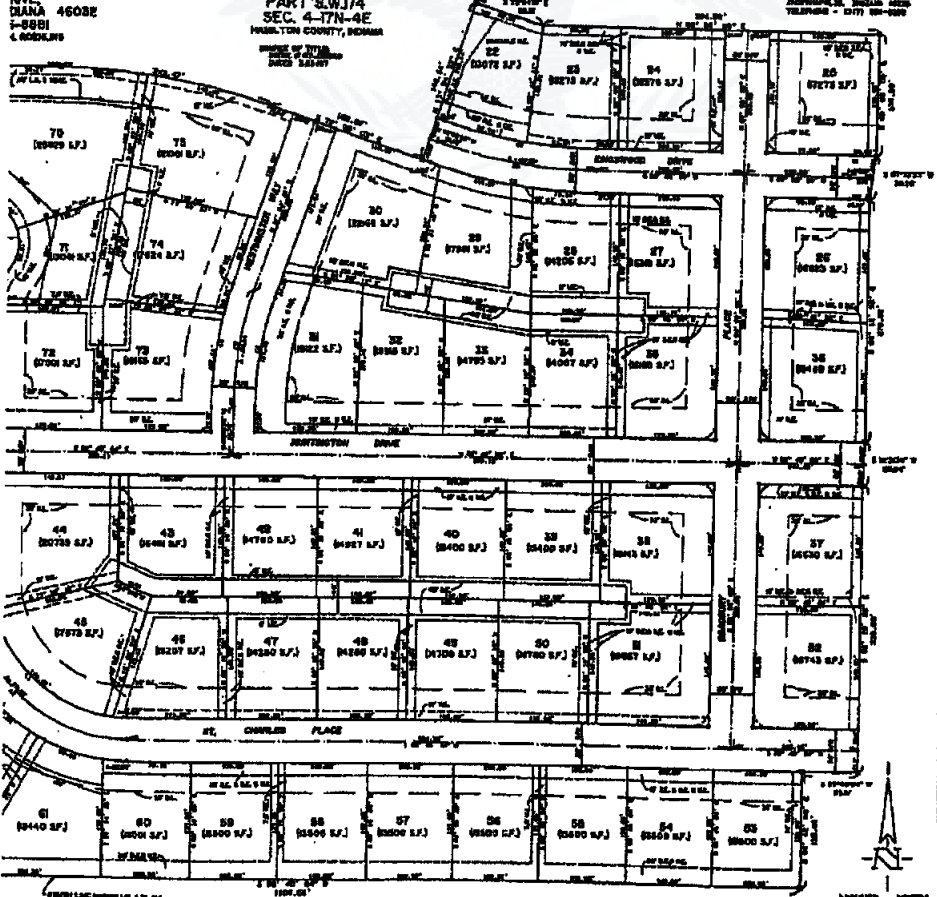
SHARON K. CHERRY  
RECORDER

**KINGSWOOD SUBDIVISION SECTION 2**

SECONDARY PLAT *PH 102-107*  
PART 8.W.1/4  
SEC. 4-TN-4E  
HAMILTON COUNTY, INDIANA

DIVISION:  
INC.  
NYE  
DATA 4608E  
I-8881  
L 6008183

THIS INSTRUMENT HAS BEEN FILED  
IN OFFICE OF RECORDER OF DEEDS  
HAMILTON COUNTY, INDIANA  
RECORDING INSTRUMENT NO. 8743224  
DATE WHEN FILED  
SEP 24 1987  
HAMILTON, INDIANA 46001  
TELEPHONE - 871-2000



HAMILTON COUNTY, INDIANA  
RECORDER OF DEEDS  
KINGSWOOD SECTION 2  
SECONDARY PLAT  
HAMILTON, INDIANA 46001  
TELEPHONE 871-2000

NOT RETURNED FOR EXAMINATION

*Sharon K. Cherry*  
Sharon K. Cherry  
Recorder  
Hamilton Co.

RECEIVED

RECORD

FOR RECORD

SEP 24 2 21 PM '94

SHARON M. BUCHHEIT

RECORDS MANAGER

CITY OF HAMILTON

400 KING STREET

LAND DEPARTMENT

ARTICLE I... ARTICLES II through VII... ARTICLES VIII through XII... ARTICLES XIII through XVII... ARTICLES XVIII through XXI... ARTICLES XXII through XXV... ARTICLES XXVI through XXVIII... ARTICLES XXIX through XXXI... ARTICLES XXXII through XXXIV... ARTICLES XXXV through XXXVII... ARTICLES XXXVIII through XXXIX... ARTICLES XL through XLII... ARTICLES XLIII through XLV... ARTICLES XLVI through XLVIII... ARTICLES XLIX through LI... ARTICLES LII through LIV... ARTICLES LV through LVII... ARTICLES LVIII through LX... ARTICLES LXI through LXIII... ARTICLES LXIV through LXVI... ARTICLES LXVII through LXIX... ARTICLES LXX through LXXII... ARTICLES LXXIII through LXXV... ARTICLES LXXVI through LXXVIII... ARTICLES LXXIX through LXXXI... ARTICLES LXXXII through LXXXIV... ARTICLES LXXXV through LXXXVII... ARTICLES LXXXVIII through LXXXIX... ARTICLES XL through XLII... ARTICLES XLIII through XLV... ARTICLES XLVI through XLVIII... ARTICLES XLIX through LI... ARTICLES LII through LIV... ARTICLES LV through LVII... ARTICLES LVIII through LX... ARTICLES LXI through LXIII... ARTICLES LXIV through LXVI... ARTICLES LXVII through LXIX... ARTICLES LXX through LXXII... ARTICLES LXXIII through LXXV... ARTICLES LXXVI through LXXVIII... ARTICLES LXXIX through LXXXI... ARTICLES LXXXII through LXXXIV... ARTICLES LXXXV through LXXXVII... ARTICLES LXXXVIII through LXXXIX... ARTICLES XL through XLII... ARTICLES XLIII through XLV... ARTICLES XLVI through XLVIII... ARTICLES XLIX through LI... ARTICLES LII through LIV... ARTICLES LV through LVII... ARTICLES LVIII through LX... ARTICLES LXI through LXIII... ARTICLES LXIV through LXVI... ARTICLES LXVII through LXIX... ARTICLES LXX through LXXII... ARTICLES LXXIII through LXXV... ARTICLES LXXVI through LXXVIII... ARTICLES LXXIX through LXXXI... ARTICLES LXXXII through LXXXIV... ARTICLES LXXXV through LXXXVII... ARTICLES LXXXVIII through LXXXIX...

The Board of Public Works and Safety Certificate... This instrument prepared by Registrar N. [Signature]



# KINGSWOOD SUBDIVISION SECTION 2

SECONDMENT PLAN

*By: [Signature]*  
*City Recorder*  
 [Stamp]

**ARTICLE VI**  
**MANAGED UTILITIES, UTILITY, SERVICE**  
**WALL AND LANDSCAPE ELEMENTS.**

Section 1. The owner of the lots in this subdivision shall be responsible for the maintenance, repair and replacement of all utility lines, including but not limited to water, sewer, gas, electric, and telecommunications lines, located within the boundaries of the lots. The owner shall also be responsible for the maintenance, repair and replacement of all walls and landscape elements located on the lots. The owner shall be responsible for the maintenance, repair and replacement of all utility lines, including but not limited to water, sewer, gas, electric, and telecommunications lines, located within the boundaries of the lots. The owner shall also be responsible for the maintenance, repair and replacement of all walls and landscape elements located on the lots.

**ARTICLE VII**  
**CONSULTANT FOR MAINTENANCE ASSESSMENTS**

Section 1. The Board of Directors shall have the authority to hire and terminate a consultant for maintenance assessments. The consultant shall be responsible for conducting assessments of the condition of the utility lines, walls and landscape elements located on the lots. The consultant shall also be responsible for preparing reports and recommendations based on the assessments. The consultant shall be responsible for conducting assessments of the condition of the utility lines, walls and landscape elements located on the lots. The consultant shall also be responsible for preparing reports and recommendations based on the assessments.

**ARTICLE VIII**  
**RESERVATIONS**

Section 1. The Board of Directors shall have the authority to reserve certain areas of the subdivision for future use. The Board of Directors shall also have the authority to reserve certain areas of the subdivision for future use. The Board of Directors shall also have the authority to reserve certain areas of the subdivision for future use. The Board of Directors shall also have the authority to reserve certain areas of the subdivision for future use.

**ARTICLE IX**  
**GENERAL PROVISIONS**

Section 1. This Secondment Plan shall be governed by the laws of the State of Maryland. The Board of Directors shall have the authority to amend this Secondment Plan. The Board of Directors shall also have the authority to amend this Secondment Plan. The Board of Directors shall also have the authority to amend this Secondment Plan. The Board of Directors shall also have the authority to amend this Secondment Plan.

STATE OF MARYLAND  
 COUNTY OF MONTGOMERY  
 I, *[Signature]*  
 Clerk of the Board of Directors  
 do hereby certify that the foregoing is a true and correct copy of the Secondment Plan as recorded in the Office of the County Clerk of the County of Montgomery, Maryland, on this *[Date]* day of *[Month]*, 20*[Year]*.

I, *[Signature]*  
 City Recorder  
 do hereby certify that the foregoing is a true and correct copy of the Secondment Plan as recorded in the Office of the County Clerk of the County of Montgomery, Maryland, on this *[Date]* day of *[Month]*, 20*[Year]*.

RECEIVED  
 FOR RECORD  
 20*[Year]* 2*[Month]* 2*[Day]* PM 2:45  
 LAND RECORDS DEPARTMENT

BOARD OF PUBLIC WORKS AND SAFETY CERTIFICATES  
 The Board of Public Works and Safety Certificates of the County of Montgomery, Maryland, do hereby certify that the foregoing is a true and correct copy of the Secondment Plan as recorded in the Office of the County Clerk of the County of Montgomery, Maryland, on this *[Date]* day of *[Month]*, 20*[Year]*.

This Secondment Plan shall be governed by the laws of the State of Maryland. The Board of Directors shall have the authority to amend this Secondment Plan. The Board of Directors shall also have the authority to amend this Secondment Plan. The Board of Directors shall also have the authority to amend this Secondment Plan.

The Board of Directors shall have the authority to hire and terminate a consultant for maintenance assessments. The consultant shall be responsible for conducting assessments of the condition of the utility lines, walls and landscape elements located on the lots. The consultant shall also be responsible for preparing reports and recommendations based on the assessments.

The Board of Directors shall have the authority to reserve certain areas of the subdivision for future use. The Board of Directors shall also have the authority to reserve certain areas of the subdivision for future use. The Board of Directors shall also have the authority to reserve certain areas of the subdivision for future use.

This Secondment Plan shall be governed by the laws of the State of Maryland. The Board of Directors shall have the authority to amend this Secondment Plan. The Board of Directors shall also have the authority to amend this Secondment Plan. The Board of Directors shall also have the authority to amend this Secondment Plan.



# KINGSWOOD SUBDIVISION SECTION 2

## SECONDARY PLAN

RECEIVED  
FOR RECORDS OF GOVERNMENT  
COUNTY OF HAMILTON  
SEP 24 2 21 PM '02

CONTRACT NO. 117  
HAMILTON DISTRICT NO. 103

ARTICLE I  
The purpose of this plan is to provide for the subdivision of the land shown on the plan into lots and to provide for the layout of streets and other improvements.

ARTICLE II  
The boundaries of the lots shown on the plan shall be as shown on the plan.

ARTICLE III  
The owner of each lot shall be responsible for the maintenance of the lot and for the payment of taxes and other charges.

ARTICLE IV  
The owner of each lot shall be responsible for the maintenance of the lot and for the payment of taxes and other charges.

ARTICLE V  
The owner of each lot shall be responsible for the maintenance of the lot and for the payment of taxes and other charges.

ARTICLE VI  
The owner of each lot shall be responsible for the maintenance of the lot and for the payment of taxes and other charges.

ARTICLE VII  
The owner of each lot shall be responsible for the maintenance of the lot and for the payment of taxes and other charges.

ARTICLE VIII  
The owner of each lot shall be responsible for the maintenance of the lot and for the payment of taxes and other charges.

ARTICLE IX  
The owner of each lot shall be responsible for the maintenance of the lot and for the payment of taxes and other charges.

ARTICLE I  
NAME

ARTICLE II  
COMPOSITION

ARTICLE III  
GENERAL PROVISIONS

ARTICLE IV  
GENERAL PROVISIONS

ARTICLE V  
GENERAL PROVISIONS

ARTICLE VI  
GENERAL PROVISIONS

ARTICLE VII  
GENERAL PROVISIONS

ARTICLE VIII  
GENERAL PROVISIONS

ARTICLE IX  
GENERAL PROVISIONS

ARTICLE X  
GENERAL PROVISIONS

ARTICLE XI  
GENERAL PROVISIONS

ARTICLE XII  
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ARTICLE XIII  
GENERAL PROVISIONS

ARTICLE XIV  
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ARTICLE XV  
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ARTICLE XVI  
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ARTICLE XVII  
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ARTICLE XVIII  
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ARTICLE XIX  
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ARTICLE XX  
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ARTICLE XXV  
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ARTICLE XXVI  
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ARTICLE XXVII  
GENERAL PROVISIONS

ARTICLE XXVIII  
GENERAL PROVISIONS

ARTICLE XXIX  
GENERAL PROVISIONS

ARTICLE XXX  
GENERAL PROVISIONS

ARTICLE XXXI  
GENERAL PROVISIONS

ARTICLE XXXII  
GENERAL PROVISIONS

ARTICLE XXXIII  
GENERAL PROVISIONS

ARTICLE XXXIV  
GENERAL PROVISIONS

ARTICLE XXXV  
GENERAL PROVISIONS

ARTICLE XXXVI  
GENERAL PROVISIONS

Approved and Assented to by the  
CABINET CITY PLANNING COMMISSION  
on this 12th day of \_\_\_\_\_, 19\_\_  
at \_\_\_\_\_, Illinois  
By: \_\_\_\_\_  
Secretary

This instrument prepared by Raymond H. Spillinger  
Page 2 of 2

9562099

15.00  
②

FIRST AMENDMENT TO THE DECLARATIONS OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
KINGSWOOD - SECTIONS 1 THRU 4

This First Amendment to the Declarations of Covenants, Conditions and Restrictions of Kingswood - Sections 1 thru 4, made on this 20<sup>th</sup> day of November 1995, by the Kingswood Homeowners Association, Inc., an Indiana Corporation (herein referred to as "Declarant"), to the Declarations of Covenants, Conditions and Restrictions dated July 21, 1987 and recorded as Instrument Number 8743223, PB 14, Pages 99-101; Instrument Number 8743224, PB 14, Pages 102-104; Instrument Number 8813146, PB 16, Pages 1-4; and Instrument Number 8907974, PC 1, Slide #14 in the Office of the Recorder of Hamilton County, Indiana:

WITNESSETH:

WHEREAS, Declarant is an Indiana not-for-profit corporation and its membership consist of lot owners in Sections 1 thru 4;

WHEREAS, Declarant is desirous of amending the Declarations of Covenants, Conditions and Restrictions of Kingswood - Sections 1 thru 4;

WHEREAS, A RESOLUTION TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF KINGSWOOD has been approved and signed by at least seventy five per cent (75%) of the then Owners and are on file in the records of the Declarant and are made a part hereof and incorporated by reference herein;

NOW, THEREFORE, Declarant thereby declares that the Declaration of Covenants, Conditions and Restrictions of Kingswood be amended by adding the following:

ARTICLE III

USE RESTRICTIONS AND ARCHITECTURAL CONTROL

Section 3.10 "Trash Removal" Beginning January 1, 1996, trash and garbage removal shall be arranged by the Association for the entire Association membership. Trash and garbage containers shall not be permitted to remain in public view prior to 6:00pm the day prior to pickup.

Annual Assessments under Section 8.3 will be made for the purposes of trash collection.

ARTICLE VIII

COVENANT FOR MAINTENANCE ASSESSMENTS

Section 8.3

(4) Regular Annual Assessments for Trash Removal

THOMAS H. OLSON  
RECORDER  
HAMILTON CO., IN  
95 NOV 22 PM 2:03





8901743

AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS OF  
KINGSWOOD - SECTIONS I - IV

This Amendment made on this 14<sup>th</sup> day of December, 1988, by Kingswood, Inc., an Indiana corporation, hereinafter referred to as Declarant.

1. Kingswood, Inc., pursuant to Section 10.3 of the Declaration of Covenants, Conditions and Restrictions of Kingswood, executed on the 16th day of June, 1988 and recorded in the Office of the Recorder of Hamilton County, Indiana on the 5th day of July, 1988 in Book 16, Pages 1-4 inclusive and identified as Instrument No. 88-13146, having an ownership interest in the real estate described on Exhibit A hereto, hereby declares that the front building setback line for Lot 111 in Section 3 of Kingswood shall be amended to be 25 feet.

IN WITNESS WHEREOF, Kingswood, Inc., an Indiana Corporation has caused this Amendment to the Declaration of Covenants, Conditions and Restrictions of Kingswood - Sections I - IV, to be executed as of the date first written above.

KINGSWOOD, INC.

BY: Raymond H. Roehling  
Raymond H. Roehling  
President

RECEIVED  
FOR RECORD  
JAN 25 12 50 PM '89  
SHARON K. CHERRY  
RECORDER  
HAMILTON CO., IN

This Instrument Recorded Jan 25 1989  
Sharon K. Cherry Recorder, Hamilton County, IN

STATE OF INDIANA )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said county and states, personally appeared Raymond H. Roehling, known to me as the President of Kingswood, Inc., an Indiana corporation, who having been first duly sworn, acknowledged the execution of the foregoing Amendment for and on behalf of said corporation.

Witness my hand and seal this 14th day of December, 1988.

Karen E. Roehling  
Notary Public

Karen E. Roehling

Printed Name

My Commission Expires:  
3-16-92

Residing in Hamilton County.

Prepared by:

James J. Nelson  
NELSON & FRANKENBERGER  
3021 East 98th Street, #220  
Indianapolis, IN 46280  
317/844-0106



8901743

Certificate of Survey

I, the undersigned, hereby certify that the within plat is true and correct and represents part of the Southwest Quarter of Section 4, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter; thence South 00 degrees 04 minutes 47 seconds East along the west line of said Southwest Quarter 1374.89 feet to the Southwest corner of Kingswood Subdivision, Section 2; thence North 89 degrees 40 minutes 04 seconds East along the South line of said subdivision 1164.68 feet to the Southeast corner of said Section 2 and the Beginning Point; thence along the east line of said Section 2, the following seven (7) courses: (1) thence North 00 degrees 19 minutes 56 seconds West, 133.00 feet; (2) thence North 89 degrees 40 minutes 04 seconds East, 42.91 feet; (3) thence North 09 degrees 19 minutes 56 seconds West, 330.00 feet; (4) thence North 01 degrees 31 minutes 34 seconds East, 30.04 feet; (5) thence North 00 degrees 19 minutes 56 seconds West, 278.88 feet; (6) thence North 07 degrees 33 minutes 51 seconds East, 30.28 feet; (7) thence North 00 degrees 00 minutes 00 seconds West, 118.59 feet to the Northeast corner of said Section 2; thence North 83 degrees 28 minutes 00 seconds East, 101.39 feet to the Southwest corner of Wood Creek Section III, a subdivision in Hamilton County, Indiana, the plat of which is recorded in Plat Book 11, Page 75 in the Office of the Recorder of Hamilton County, Indiana; thence 12 courses being along the south and southeasterly lines of said Wood Creek Section III: (1) thence North 89 degrees 31 minutes 08 seconds East, 137.19 feet; (2) thence South 00 degrees 08 minutes 32 seconds East, 6.79 feet; (3) thence North 89 degrees 51 minutes 08 seconds East, 193.00 feet; (4) thence South 60 degrees 08 minutes 32 seconds East, 26.25 feet; (5) thence North 89 degrees 31 minutes 08 seconds East, 143.00 feet; (6) thence South 00 degrees 08 minutes 32 seconds East, 23.16 feet; (7) thence North 89 degrees 31 minutes 08 seconds East, 175.00 feet; (8) thence North 00 degrees 08 minutes 32 seconds West, 9.86 feet; (9) thence North 73 degrees 00 minutes 00 seconds East, 320.06 feet; (10) thence North 29 degrees 00 minutes 00 seconds West, 22.48 feet; (11) thence North 36 degrees 00 minutes 00 seconds East, 376.11 feet; (12) thence North 89 degrees 39 minutes 21 seconds East, 108.09 feet to the Southeast corner of said Wood Creek Section III; thence South 09 degrees 20 minutes 32 seconds East along the East line of said Southwest Quarter 1235.68 feet; thence South 89 degrees 40 minutes 04 seconds West a distance of 1503.00 feet to the Beginning Point, containing 34.052 acres, more or less.

This Instrument Recorded *Jan 25* 1989  
Sharon K. Cherry, Recorder Hamilton County, IN

8901743

8901742

AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS OF  
KINGSWOOD - SECTIONS I - IV

This Amendment made on this 14<sup>th</sup> day of December, 1988, by Kingswood, Inc., an Indiana corporation, hereinafter referred to as Declarant.

1. Kingswood, Inc., pursuant to Section 10.3 of the Declaration of Covenants, Conditions and Restrictions of Kingswood, executed on the 16th day of June, 1988 and recorded in the Office of the Recorder of Hamilton County, Indiana on the 5th day of July, 1988 in Book 16, Pages 1-4 inclusive and identified as Instrument No. 88-13146, having an ownership interest in the real estate described on Exhibit A hereto, hereby declares that the front building setback line for Lot 110 in Section 3 of Kingswood shall be amended to be 25 feet.

IN WITNESS WHEREOF, Kingswood, Inc., an Indiana Corporation has caused this Amendment to the Declaration of Covenants, Conditions and Restrictions of Kingswood - Sections I - IV, to be executed as of the date first written above.

KINGSWOOD, INC.

BY: Raymond H. Roehling  
Raymond H. Roehling  
President

RECEIVED  
FOR RECORD

JAN 25 12 50 PM '89

SHARON K. CHERRY  
RECORDER  
HAMILTON CO. IN

This Instrument Recorded Jan 25 1989  
Sharon K. Cherry, Recorder, Hamilton County, IN



STATE OF INDIANA )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said county and states, personally appeared Raymond H. Roehling, known to me as the President of Kingswood, Inc., an Indiana corporation, who having been first duly sworn, acknowledged the execution of the foregoing Amendment for and on behalf of said corporation.

Witness my hand and seal this 14<sup>th</sup> day of December, 1988.

Karen E. Roehling  
Notary Public

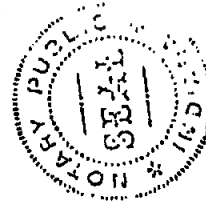
Karen E. Roehling  
Printed Name

My Commission Expires:

3-10-92  
Residing in Hamilton County.

Prepared by:

James J. Nelson  
NELSON & FRANKENBERGER  
3021 East 98th Street, #220  
Indianapolis, IN 46280  
317/844-0106



This Instrument Recorded Jan. 25 1989  
Sharon K. Cherry, Recorder, Hamilton County, IN

891742

Certificate of Survey

I, the undersigned, hereby certify that the within plat is true and correct and represents part of the Southwest Quarter of Section 4, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter; thence South 00 degrees 06 minutes 47 seconds East along the west line of said Southwest Quarter 1326.89 feet to the Southwest corner of Kingswood Subdivision, Section 2, thence North 89 degrees 40 minutes 04 seconds East along the South line of said subdivision 1164.68 feet to the Southeast corner of said Section 2 and the Beginning Point; thence along the East line of said Section 2, the following seven (7) courses: (1) thence North 00 degrees 19 minutes 36 seconds West, 135.00 feet; (2) thence North 89 degrees 40 minutes 04 seconds East, 63.91 feet; (3) thence North 00 degrees 19 minutes 36 seconds West, 130.00 feet; (4) thence North 01 degrees 51 minutes 34 seconds East, 50.94 feet; (5) thence North 00 degrees 19 minutes 36 seconds West, 278.83 feet; (6) thence North 07 degrees 00 seconds West, 138.39 feet to the Northeast corner of said Section 2; thence North 83 degrees 28 minutes 00 seconds East, 101.39 feet to the Southwesterly corner of Wood Creek Section III, a subdivision in Hamilton County, Indiana, the plat of which is recorded in Plat Book 11, Page 73 in the Office of the Recorder of Hamilton County, Indiana, the next 12 courses being along the south and southeasterly lines of said Wood Creek Section III: (1) thence North 49 degrees 31 minutes 08 seconds East, 137.19 feet; (2) thence South 00 degrees 08 minutes 52 seconds East, 6.79 feet; (3) thence North 89 degrees 31 minutes 08 seconds East, 193.00 feet; (4) thence South 60 degrees 08 minutes 52 seconds East, 26.25 feet; (5) thence North 47 degrees 31 minutes 08 seconds East, 145.00 feet; (6) thence South 00 degrees 08 minutes 52 seconds East, 25.26 feet; (7) thence North 89 degrees 31 minutes 08 seconds East, 175.00 feet; (8) thence North 00 degrees 08 minutes 52 seconds West, 9.60 feet; (9) thence North 73 degrees 00 minutes 00 seconds East, 120.00 feet; (10) thence North 29 degrees 00 minutes 00 seconds West, 22.48 feet; (11) thence North 36 degrees 00 minutes 00 seconds East, 326.11 feet; (12) thence North 89 degrees 39 minutes 23 seconds East, 168.09 feet to the Southeast corner of said Wood Creek Section III, thence South 89 degrees 20 minutes 37 seconds East along the East line of said Southwest Quarter 1233.03 feet; thence South 89 degrees 40 minutes 04 seconds West a distance of 1303.00 feet to the Beginning Point, containing 34.052 acres, more or less.

This Instrument Recorded *Jan 25* 1989  
Sharon K Cherry, Recorder Hamilton County, IN

8901742

