Covenants

For

Auburn Springs
Plantana
Parkshore

51 pages

Hamilton County

Assmnts, Liens if unpaid
Sub. to 1st Mtgs
Parkshore Property Owners
Association, Inc.
Automatic Membership

55.00

9556842

DECLARATION OF COVENANTS AND RESTRICTIONS

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"PARKSHORE"

THIS DECLARATION, made this 18th day of October, 1995, by MANN REALTY CO., an Indiana Partnership, (hereinafter referred to as the "Developer"), WITNESSETH:

WHEREAS, the Developer is the owner of all the lands contained in the area shown on Exhibit "A", attached hereto and made a part hereof, and additional land, which lands will be subdivided into the three communities Rosewood, Parkshore and Plantana will be collectively known as Parkshore, (hereinafter referred to as the "Development"), and will be more particularly described on the plat thereof which will be recorded in the office of the Recorder of Hamilton County, Indiana; and

WHEREAS, the Developer is about to sell and convey the residential lots situated within the platted areas of the Development and, before doing so, desires to subject and impose upon all real estate within the platted areas of the Development mutual and beneficial restrictions, covenants, conditions and charges (hereinafter referred to as the "Restrictions") under a general plan or scheme of improvement for the benefit of the lots and lands in the Development and the future owners thereof;

NOW, THEREFORE, the Developer hereby declares that all of the platted lots and lands located within the Development as they become platted are held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved, subject to the following Restrictions, all of which are declared and agreed to be in furtherance of a plan for the improvement and sale of said lots and lands in the Development, and are established and agreed upon for the purpose of enhancing and protecting the value, desirability and attractiveness of the Development as a whole and of each of said lots situated therein. All of the Restrictions shall run with the land and shall be binding upon the Developer and upon the parties having an interest in and to the real property or any part or parts thereof subject to such Restrictions, and shall inure to the benefit of the Developer and every one of the Developer's successors in title to any real estate in the Development. The Developer specifically reserves unto itself the right and privilege, prior to the recording of the plat by the Developer of a particular lot or tract within the Development as shown on Exhibit "A", to exclude any real estate so shown from the Development, or to include additional real estate as described herein.

The developer shall have the unilateral right, privilege, and option, from time-to-time at any time until all property described on Exhibit "B" has been subjected to the Declaration or January 1, 2005, whichever is earlier, to subject to the provisions of this Declaration and the jurisdiction of the Association all or any portion of the real property described in Exhibit "B", attached hereto. Such annexation shall be accomplished by filing in the public records of Hamilton County, Indiana, a

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Supplemental Declaration annexing such property. Such Supplemental Declaration shall not require the consent of Voting Members, but shall require the consent of the Owner of such property, if other than the Developer. Any such annexation shall be effective upon the filing for record of such Supplemental Declaration unless otherwise provided therein. The Developer shall have the unilateral right to transfer to any other person, firm, corporation, or other entity the right, privilege, and option to annex additional property which is herein reserved to Developer, provided that such transferee or assignee shall be an affiliate of the Developer or the developer of at least a portion of the real property described in Exhibit "B" and that such transfer is memorialized in a written, recorded instrument executed by the Developer.

1. DEFINITIONS. The following are the definitions of the terms as they are used in this Declaration:

A. "Committee" shall mean the Parkshore Architectural Review Committee, composed of three (3) members appointed by the Developer, who shall be subject to removal by the Developer at any time, with or without cause. Any vacancies from time to time shall be filled by appointment of the Developer. The Developer may, at its sole option, at any time hereafter, but in no case after the Developer has sold its last lot, relinquish to the Association the power to appoint and remove one or more members of the Committee.

B. "Association" shall mean the Parkshore Property Owners' Association, Inc. a not-for-profit corporation, the membership and powers of which are more fully described in paragraph 9 of the Declaration.

C. "Lot" shall mean any parcel of residential real estate described by the plat of the Development which is recorded in the office of the Recorder of Hamilton County, Indiana, excluding, however, parcels of real estate designated as "Blocks".

D. Approvals, determinations, permissions, or consents required herein shall be deemed given if they are given in writing, signed, with respect to the Developer, or the Association by the President or a Vice President thereof, and with respect to the Committee, by two (2) members thereof.

E. "Owner" shall mean and refer to one (1) or more persons who hold the record title to any Lot which is part of the Development, but excluding in all cases any party holding an interest merely as security for the performance of an obligation. If a Lot is sold under a recorded contract of sale, and the contract specifically so provides, then the purchaser (rather that the fee owner) will be considered the Owner.

F. "Town" shall mean Town of Fishers, Hamilton County, Indiana.

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G. "Commons" shall mean all real and personal property which the Associati.., now or hereafter owns or otherwise holds or maintains for the common use and enjoyment of all Owners.

H. "Supplemental Declaration" shall mean an amendment or supplement to this Declaration executed by or consented to by Developer or its successors and assigns, and recorded in the public records of Hamilton County, Indiana, which subjects additional property to this Declaration and/or imposes, expressly or by reference, additional restrictions and obligations on the land described therein.

2. CHARACTER OF THE DEVELOPMENT.

A. In General. Every numbered lot platted as a part of the Development is for residential purposes. No structure shall be erected, placed or permitted to remain upon any of said residential lots except a single-family dwelling house and such out-buildings as are usually accessory to a single-family dwelling house. No double occupancy dwelling shall be permitted on any part of the Development. All tracts of land located within the Development which have not been designated by numbering as residential building lots in the recorded plat shall be used in a manner consistent with the zoning and use designated in the plan filed by the Developer with the Department of Development in the Town of Fishers. However, the Developer reserves unto itself the right to change the character of such designated use at any time in the future by applying to the Fishers Plan Commission and its staff for modifications of the plan, and, where necessary, to apply to any other necessary governmental body for such reclassification, rezoning or variance of use needed to accommodate the Developer's planned use.

B. Residential Use of Accessory Outbuilding Prohibited. No accessory outbuildings shall be erected on any of the residential lots prior to the erection thereon of a single-family dwelling house, and in no event shall any such accessory outbuilding or any temporary structure which may be constructed upon a residential lot under these Restrictions ever be used as a residence or dwelling house or place for human occupancy.

C. Occupancy or Residential Use of Partially Completed Dwelling House Prohibited. No dwelling house constructed on any of the residential lots shall be occupied or used for residential purposes or human habitation until it shall have been substantially completed.

D. Other Restrictions. All tracts of ground in the Development shall be subject to the easements, restrictions, and limitations of record appearing on the recorded plat of the subdivision, on recorded easements, rights-of-way, and also to all governmental zoning authority and regulation affecting the Development, all of which are incorporated herein by reference.

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3. RESTRICTIONS CONCERNING SIZE, PLACEMENT AND MAINTENANCE OF DWELLING HOUSES AND OTHER STRUCTURES.

A. Minimum Living Space Areas. The minimum square footage of living space of dwellings constructed on various residential lots in the Development, exclusive of porches, terraces, garages, carports, accessory buildings or portions thereof, or similar facilities not modeled and decorated for regular and continuous habitation, shall be in accordance with requirements set forth in Exhibit "C". Basements shall not be included in the computation of the minimum living area, except for that portion of a walkout basement which is to be finished as a living area.

B. Residential Set-Back Requirements.

(i) Front Set-Backs. Unless otherwise provided in these restrictions or on the recorded plat, all dwelling houses and above-ground structures shall be constructed or placed on residential lots in the Development so as to comply with the set-back lines, as established on the plat of the Development.

(ii) Side Yards. The side yard set-back lines shall be in accordance with the guidelines set forth in Exhibit "C", unless otherwise approved by the Committee and the Fishers Board of Zoning Appeals.

(iii) Rear Yards. The rear set-back line shall be at least 25 feet from the rear lot line, unless otherwise approved by the Committee and the Fishers Board of Zoning Appeals.

C. Fences, Mailboxes, and Trees. In order to preserve the natural quality and aesthetic appearance of the existing geographic areas within the Development, any fence or mailbox must be approved by the Committee as to size, location, height, and composition before it may be installed. A standard mailbox design will be established by the Committee. Mailbox placement may be undertaken without special review if the proposed type and placement conforms to the standard design. See Exhibit "C" for landscape requirements.

D. Exterior Construction. The finished exterior of every building constructed or placed on any lot in the Development shall be of material other than tar paper, rollbrick siding, T1-11 plywood sheet, or aluminum siding, or any other similar material. No house shall have metal prefabricated flues that extend above the highest roof line. All driveways must be paved in accordance with guidelines set forth in Exhibit "C". All exterior building materials are to be of an aesthetically pleasing natural earthtone.

E. Garages Required. All residential dwellings in the Development shall include an enclosed attached two-car garage minimum.

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F. Heating Plants. Every house in the Development must contain a heating plant, installed in compliance with the required codes, and capable of providing adequate heat for year-round human habitation of the house.

G. Diligence in Construction. Every building whose construction or placement on any residential lot in the Development shall be completed within nine (9) months after the beginning of such construction or placement. No improvement which has partially or totally been destroyed by fire or otherwise shall be allowed to remain in such state for more than three (3) months from the time of such destruction or damage.

H. Sales of Lots by Developer. Every lot within the Development shall be sold to a builder or individual approved by the Developer or developed by the Developer.

I. Prohibition of Used Structures. All structures constructed or placed on any numbered lot in the Development shall be constructed with substantially all new materials and no used structures shall be relocated or placed on any such lot.

J. Maintenance of Lots and Improvements. The Owner of any lot in the Development shall at all times maintain the lot and any improvements situated thereon in such a manner as to prevent the lot or improvements from becoming unsightly and, specifically, such Owner shall:

(i) Mow the lot at such times as may be reasonably required in order to prevent the unsightly growth of vegetation and noxious weeds.

(ii) Remove all debris or rubbish.

(iii) Prevent the existence of any other condition that reasonably tends to detract from or diminish the aesthetic appearance of the Development.

(iv) Cut down and remove dead trees.

(v) Keep the exterior of all improvements in such a state of repair or maintenance as to avoid their becoming unsightly.

(vi) Within sixty (60) days following completion of a house on a lot, the Owner shall landscape the lot, weather permitting.

K. Association's Right to Perform Certain Maintenance. In the event that the Owner of any lot in the Development shall fail to maintain his lot and any improvements situated thereon in accordance with the provisions of these Restrictions, the Association shall have the right, but not the obligation, by and through its agents or employees or contractors, to enter upon said lot and repair, mow, clean or perform such other acts as may be reasonably necessary to make such lot and improvements situated thereon, if any,

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conform to the requirements of these Restrictions. The cost therefor to the Association shall be added to and become a part of the annual assessment to which said lot is subject and may be collected in any manner in which such annual assessment may be collected. Neither the Association nor any of its agents, employees, or contractors shall be liable for any damage which may result from any maintenance work performed hereunder.

L. Owner's Responsibility for Tree and Shrub Maintenance. The Town of Fishers shall require all owners to respect the following with regard to the maintenance of trees and shrubs.

(i) The owner of the dominant real estate adjacent to the area between the street and the sidewalk and/or right-of-way easement line on which any tree or shrub is planted shall be responsible for the maintenance and removal of the tree or shrub if such removal is necessary.

(ii) If, after notice from the Town, the said owner fails to maintain or remove a dead tree or shrub or any dead or dangerous limbs or branches thereon, the Town may remove said shrub or limbs and collect the costs thereof from the owner.

(iii) The Town of Fishers and all public utilities retain their ownership and right to access to the area between the street and the right-of-way easement line of the dominant owner and retains the right to reasonably remove any tree or shrub impeding necessary work to be performed by the Town of Fishers and/or all public utilities, or other properly authorized users.

(iv) Neither the Town of Fishers nor any public utility or other properly authorized user of the Town's property located between the street and the sidewalk and/or right-of-way easement line shall be liable to the owner of the dominant real estate for any damages done to trees or shrubs located upon Town property between the street and the sidewalk and/or right-of-way easement line as a result of actions of the Town of Fishers or any public utility or other authorized user or their agents or employees in the performance of their duties.

(v) No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between three (3) and twelve (12) feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points forty (40) feet from the intersection of said street lines or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.

(vi) The same sight line limitations shall apply to any lot within ten (10) feet of the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No driveway shall be located within seventy-five (75) feet of the intersection of two (2) street lines.

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M. Sidewalk. Prior to occupancy, the owner of each lot of the subdivision shall construct a concrete sidewalk parallel to the owner's street frontages(s) on the owner's lot which shall extend from one side of the property line to the other side of the property line. The location of the sidewalk shall be approved by the Committee.

N. Above-Ground Swimming Pools Prohibited. No above-ground swimming pools shall be permitted to be constructed on any lot. The committee shall determine whether or not a pool shall be defined as above-ground.

O. Fencing. Exposed chain link fencing is prohibited. However, fences constructed of vinyl coated chain link, wood, wrought iron, or masonry shall be permitted, subject to prior approval by the Committee.

P. Outbuildings. No freestanding outbuildings will be permitted, including but not limited to, storage sheds, mini-barns or garages.

4. PROVISIONS RESPECTING DISPOSAL OF SANITARY WASTE.

A. Outside Toilets. No outside toilets shall be permitted on any lot in the Development (except during a period of construction).

B. Construction of Sewage Lines. All sanitary sewage lines on the residential building lots shall be designed and constructed in accordance with the provisions and requirements of the Town of Fishers and Hamilton Southeastern Utilities, Inc. No storm water (subsurface or surface) shall be discharged into sanitary sewers.

C. Pavement or concrete, including driveways and sidewalks, shall not be constructed on or within sanitary sewer manhole castings if avoidable. If not avoidable, special precautions must be taken in the construction of an incidental encroachment.

D. All homeowners not serviced by gravity sanitary sewer service are responsible for all maintenance, repair and replacement of all grinder pumps, force mains and gravity laterals from the residence to its connection into the sanitary sewer main.

5. GENERAL PROHIBITIONS.

A. In General. No noxious or offensive activities shall be permitted on any lot in the Development, nor shall anything be done on any of said lots that shall become or be an unreasonable annoyance or nuisance to any Owner of another lot in the Development.

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B. Signs. No signs or advertisements shall be displayed or placed on any lot or structures in the Development, except entry signs and home or lot sales signs.

C. Animals. No animals shall be kept or maintained on any lot in the Development except the usual household pets and, in such case, such household pets shall be kept reasonably confined so as not to become a nuisance.

D. Vehicle Parking. No trucks one (1) ton or larger in size, campers, trailers, boats, or similar vehicles shall be parked on any street in the Development.

E. Garbage and Other Refuse. No Owner of a lot in the Development shall burn or permit the burning out-of-doors of garbage or other refuse, nor shall any such Owner accumulate or permit the accumulation out-of-doors of such refuse on his lot except as may be permitted in subparagraph F below. All houses built in the Development shall be equipped with a garbage disposal unit.

F. Model Homes. No owner of any lot in the Development shall build or permit the building upon said lot of any dwelling house that is to be used as a model home or exhibit house without written permission to do so from the Developer.

G. Temporary Structures. No temporary house, trailer, tent, garage or other outbuilding shall be placed or erected on any lot.

H. Open Drainage, Ditches and Swales.

(i) Drainage swales (ditches) along dedicated roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, tiled, or otherwise changed, without the written permission of the Town Engineer. Property owners must maintain these swales as sodded grassways or other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriately-sized culverts or other approved structures have been permitted by the Town Engineer.

(ii) Any property owner altering, changing, or damaging these drainage swales or ditches will be held responsible for such action and will be given ten (10) days' notice, by registered mail, to repair said damage, after which time, if no action is taken, the Town will cause said repairs to be accomplished and the bill for such repairs will be sent to the affected property owners for immediate payment.

I. Utility Services. Easements for installation and maintenance of utilities (including sanitary sewer) and drainage facilities are reserved as shown on the recorded plat. No utility services shall be installed, constructed, repaired, removed, or replaced under finished streets, except by jacking, drilling or boring.

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J. Wells and Septic Tanks. No water wells shall be drilled on any of the lots in the Development, unless public sewer tap-in is unavailable.

K. Dusk-To-Dawn Lighting. Each lot shall maintain continuous dusk-to-dawn lighting to be controlled by a photocell, in lieu of public street lighting. Said dusk-to-dawn lighting shall be placed either in the front yard on a free-standing pole located not more than ten (10) feet from the edge of the driveway; or twin carriage lights mounted on either side of the garage door if fronting the street.

L. Satellite Dishes. No television satellite antenna dishes any larger than 18" in diameter shall be permitted on any lot. All allowed dishes must be screened from adjoining neighbors primary view.

6. ARCHITECTURAL REVIEW COMMITTEE.

A. Statement of Purposes and Powers. The Committee shall regulate the external design, appearance, use, location and maintenance of lands subject to these Restrictions and improvements thereon, in such a manner as to preserve and enhance values and to maintain a harmonious relationship among structures and the natural vegetation and topography.

(i) Generally. No dwelling, building structure, or improvement of any type or kind, including yard lights, shall be constructed or placed on any lot in the Development without the prior approval of the Committee. Such approval shall be obtained only after written application has been made to the Committee by the owner of the lot requesting authorization from the Committee. Such written application shall be in the manner and form prescribed from time to time by the Committee, and shall be accompanied by two (2) complete sets of plans and specifications for any such proposed construction or improvement. Such plans shall include plot plans showing the location of the improvements existing upon the lot and the location of the improvement proposed to be constructed or placed upon the lot, each properly and clearly designated and a completed Plan Approval Application by the Builder. Such plans and specifications shall set forth the color and composition of all exterior materials proposed to be used and any proposed landscaping, together with any other materials or information which the Committee may require. All building plans and drawings required to be submitted to the Committee shall be drawn to a scale of 1" = 30', or to such other scale as the Committee shall require.

(ii) Power of Disapproval. The Committee may refuse to grant permission to construct, place or make the requested improvements, when:

(a) The plans, specifications, drawings or other material submitted are themselves inadequate or incomplete, or show the proposed improvement to be in violation of these Restrictions;

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(b) The design or color scheme of a proposed improvement is in harmony with the general surroundings of the lot or with adjacent buildings or structures.

(c) The proposed improvement, or any part hereof, would in the opinion of the Committee be contrary to the interest, welfare or rights of all or any part of other owners.

(iii) Power to Grant Variances. The Committee may allow reasonable variances or adjustments of these Restrictions where literal application would result in unnecessary hardship, but any such variance or adjustment shall be granted in conformity with the general intent and purposes of these Restrictions and no variance or adjustment shall be granted in conformity with the general intent and purposes of these Restrictions and no variance or adjustment shall be granted which is materially detrimental or injurious to other lots in the Development.

B. Duties of Committee. The Committee shall approve or disapprove proposed improvements within thirty (30) days after all required information shall have been submitted to it. One copy of submitted material shall be retained by the Committee for its permanent files. All notifications to applicants shall be in writing, and, in the event that such notification is one of disapproval, it shall specify the reason or reasons.

C. Liability of Committee. Neither the Committee nor any agent thereof, nor the Developer, shall be responsible in any way for any defects in any plans, specifications or other materials submitted to it, nor for any defects in any work done according thereto. Furthermore, the Committee does not make any representation or warranty as to the suitability or advisability of the design, the engineering, the method of construction involved, or the materials to be used.

D. Inspection. The Committee may inspect work being performed with its permission to assure compliance with these Restrictions and applicable regulations.

E. Continuation of Committee. When the Developer notifies the Association of discontinuance of his Architectural Control Committee, then the Directors of the Association, or their designees, shall continue the functions of the Committee with like powers.

7. RULES GOVERNING BUILDING ON SEVERAL CONTIGUOUS LOTS HAVING ONE OWNER. Whenever two or more contiguous lots in the Development shall be owned by the same person, and such owner shall desire to use two or more of said lots as a site for a single-dwelling house, he shall apply in writing to the Committee for permission to so use said lots. If permission for such a use shall be granted, the lots constituting the site for such single-dwelling house shall be treated as a single lot for the

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purpose of applying these Restrictions to said lots, so long as the lots remain improved with one single-dwelling house.

8. OWNERSHIP, USE AND ENJOYMENT OF COMMONS. "Commons" and "Common Areas" shall mean those areas so designated on the plats of any section of Parkshore. Any commons depicted on the recorded plats of the Development shall remain private, and neither the Developer's execution of recording of the plats nor the doing of any other act by the Developer is, or is intended to be, or shall be construed as, a dedication to the public of the commons.

A license upon such terms and conditions as the Developer, and the successors, assigns or licensees of the Developer, shall from time to time grant, for the use and enjoyment of the Commons, is granted to the persons who are from time to time members of the Association. Ownership of any Commons shall be conveyed in fee simple title, free of financial encumbrances to the Association upon their completion. Such conveyance shall be subject to easements and restrictions of record, and such other conditions as the Developer may at the time of such conveyance deem appropriate. Such conveyance shall be deemed to have been accepted by the Association and those persons who shall from time to time be members thereof upon the recording of a deed or deeds conveying such Commons to the Association.

9. PARKSHORE PROPERTY OWNERS ASSOCIATION, INC.

A. In General.

(i) There has been or will be created, under the laws of the State of Indiana, a not-for-profit corporation to be known as the "Parkshore Property Owners Association, Inc.", which is referred to as the "Association". Every owner of a residential lot in the Development shall be a member of the Association and shall be subject to all the requirements and limitations imposed in these Restrictions on other owners of residential lots within the Development and on members of the Association, including those provisions with respect to the payment of an annual assessment.

B. Classes of Membership. The Association shall have two classes of voting membership:

Class A. Class A members shall be all owners with the exception of the Developer and shall be entitled to one vote for each lot owned. When more than one person holds an interest in any lot, all such persons shall be members. The vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any lot.

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Class B. The Class B member(s) shall be the Developer, who shall be entitled to three (3) votes for each lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever earlier occurs:

(a) On the date the Developer sells the last lot which it owns in the Development, and the Developer no longer owns any lots or land in the Development; or

(b) On January 1, 2005.

C. Board of Directors. The members shall elect a Board of Directors of the Association as prescribed by the Association's By-Laws. The Board of Directors shall manage the affairs of the Association.

D. Professional Management. No contract or agreement for professional management of the Association shall be for a term in excess of three (3) years. Any such agreement or contract shall provide for termination by either party with or without cause without any termination fee by written notice of ninety (90) days or less.

E. Responsibilities of the Association.

(i) The Association shall maintain the landscaping in and along perimeter road frontages along 141st Street, Cumberland Road, and Howe Road, and the landscape easements shown on the plat(s) and shall keep such areas in a neat, clean and presentable condition at all times.

(ii) The Association shall maintain and repair the Common Areas shown on the plat(s) including improvements thereon.

(iii) The Association shall maintain the landscaping and any signage in and on the islands located in the right-of-way at the entrances on Cumberland Road, 141st Street and Howe Road and shall keep such areas in a neat, clean and presentable condition at all times.

(iv) The Association may procure and maintain casualty insurance for the Common Areas, liability insurance (including Directors' and officers' insurance) and such other insurance as it deems necessary or advisable.

10. COVENANT OF MAINTENANCE ASSESSMENTS.

A. Creation of the Lien and Personal Obligation of Assessments. Each owner of any lot in the subdivision, except the Developer, by acceptance of a deed therefor, whether or not it shall be so expressed in such deed, is deemed to covenant and agree to

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pay to the Association: (1) annual assessments or charges; and (2) special assessments for capital improvements and operating deficits, such assessments to be established and collected as hereinafter provided. The annual and special assessments, together with interest, costs, and reasonable attorneys' fees, shall be a charge on the land and shall be a continuing lien upon the property against which each such assessment is made. Each such assessment, together with interest, costs and reasonable attorneys' fees, shall also be the personal obligation of the person who was the owner of such property at the time when the assessment fell due. The personal obligation for delinquent assessments shall not pass to his successors in title. No charge or assessment shall ever be levied by the Association against the Developer.

B. Purpose of Assessments. The assessments levied by the Association shall be used exclusively to promote the health, safety and welfare of the residents in the Development and for the improvement and maintenance of the Common Area and improvements, operated or maintained by the Association, and the landscape easements on the Development and other purposes as specifically provided herein.

C. Special Assessments for Capital Improvements and Operating Deficits. In addition to the annual assessments authorized above, the Association may levy a special assessment for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of any capital improvement which the Association is required to maintain or for operating deficits which the Association may from time to time incur, provided that any such assessment shall have the assent of a majority of the votes of the members who are voting in person or by proxy at a meeting duly called for this purpose.

D. Notice and Quorum for Any Action Authorized Under Section C. Written notice of any meeting called for the purpose of taking any action authorized under Section C shall be sent to all members not less than thirty (30) days nor more than sixty (60) days in advance of the meeting. At the first such meeting called, the presence of members or of proxies entitled to cast sixty percent (60%) of all the votes of the membership shall constitute a quorum. If the required quorum is not present, another meeting may be called, subject to the same notice requirement, and the required quorum at the subsequent meeting shall be one-half (1/2) of the required quorum at the preceding meeting. No such subsequent meeting shall be held more than sixty (60) days following the preceding meeting.

E. Date of Commencement of Annual Assessments; Due Dates. The annual assessment provided for herein shall commence for each lot on the date of conveyance to the owner by deed or on the date the owner signs a land contract to purchase a lot. The Board of Directors shall fix any increase in the amount of the annual assessment at least thirty (30) days in advance of the effective date of such increase. Written notice of special assessments and such other assessment notices as the Board of Directors shall deem appropriate shall be sent to every owner subject thereto. The due

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dates for all assessments shall be established by the Board of Directors. The Association shall, upon demand, and for a reasonable charge, furnish a certificate in recordable form signed by an officer of the Association setting forth whether the assessments on a specified lot have been paid. A properly executed certificate from the Association regarding the status of assessments for any lot shall be binding upon the Association as of the date of its issuance.

F. Effect of Non-Payment of Assessments: Remedies of the Association. Any charge levied or assessed against any lot, together with interest and other charges or costs as hereinafter provided, shall become and remain a lien upon that lot until paid in full and shall also be a personal obligation of the owner or owners of that lot at the time the charge fell due. Such charge shall bear interest at the rate of twelve percent (12%) per annum until paid in full. If, in the opinion of the Board of Directors of the Association, such charge has remained due and payable for an unreasonably long period of time, the Board may, on behalf of the Association, institute such procedures, either at law or in equity, by foreclosure or otherwise, to collect the amount owing in any court of competent jurisdiction. The owner of the lot or lots subject to the charge, shall, in addition to the amount of the charge at the time legal action is instituted, be obliged to pay any expense or costs, including attorneys' fees, incurred by the Association in collecting the same. Every interest in such lot, whether as an owner or otherwise is hereby notified, and by acquisition of such interest agrees, that any such liens which may exist upon said lot at the time of the acquisition of such interest are valid liens and shall be paid. Every person who shall become an owner of a lot in the Development is hereby notified that by the act of acquiring, making such purchase or acquiring such title, such person shall be conclusively held to have covenanted to pay the Association all charges that the Association shall make pursuant to this subparagraph of the Restrictions.

The Association shall, upon demand, at any time, furnish a certificate in writing signed by an officer of the Association that the assessments on a specified lot have been paid or that certain assessments against said lot remain unpaid, as the case may be. A reasonable charge may be made by the Board of Directors of the Association for the issuance of these certificates. Such certificates shall be conclusive evidence of payment of any assessment therein stated to have been paid.

G. Subordination of the Lien to Mortgages. The lien of the assessments provided for herein shall be subordinate to the lien of any first mortgage. No sale or transfer of any lot shall occur with an assessment lien. No sale or transfer shall relieve such lot from liability for any assessments thereafter becoming due or from the lien thereof.

H. Suspension of Privileges of Membership. Notwithstanding any other provision contained herein, the Board of Directors of the Association shall have the right to suspend the voting rights, if any, and the services to be provided by the Association together with the right to use the facilities of the Association, of any member or associate

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member (i) for any period during which any of the Association's charges or any fines assessed under these Restrictions owed by the member or associate member remains unpaid, (ii) during the period of any continuing violation of the restrictive covenants for the Development, after the existence of the violation shall have been declared by the Board of Directors of the Association; and (iii) during the period of any violation of the Articles of Incorporation, By-laws, or regulations of the Association.

11. REMEDIES.

A. In General. The Association or any party to whose benefit these Restrictions inure, including the Developer, may proceed at law or in equity to prevent the occurrence or continuation of any violation of these Restrictions, together with right to collect costs and reasonable attorney's fees, but neither the Developer nor the Association shall be for damages of any kind to any person for failing either to abide by, enforce, or carry out any of these Restrictions.

B. Delay or Failure to Enforce. No delay or failure on the part of any aggrieved party to invoke any available remedy with respect to a violation of any one or more of these Restrictions shall be held to be a waiver by that party (or an estoppel of that party to assert) any right available to him upon the occurrence, reoccurrence or continuation of such violation or violations of these Restrictions.

C. Enforcement by Town of Fishers Municipal Plan Commission: These Restrictions may be enforced by the Fishers Plan Commission of the Town of Fishers, Indiana, or its successors or assigns, available to it for such purposes.

12. EFFECT OF BECOMING AN OWNER.

The owners of any lot subject to these Restrictions by acceptance of a deed conveying title thereto, or the execution of a contract for the purchase thereof, whether from the Developer or a subsequent owner of such lot, shall accept such deed and execute such contract subject to each and every Restriction and agreement herein contained. By acceptance of such deed or execution of such contract, the owner acknowledges the rights and powers of the Developer, Committee and of the Association with respect to these Restrictions, and also, for themselves, their heirs, personal representatives, successors and assigns, such owners covenant and agree and consent to and with the Developer, Committee and the Association and to and with the owners and subsequent owners of each of the lots affected by these Restrictions to keep, observe, comply with and perform such Restrictions and agreements.

INSTR. # 955968 42

13. TITLES.

The titles preceding the various paragraphs and subparagraphs of the Restrictions are for convenience of reference only and none of them shall be used as an aid to the construction of any provision of the Restrictions. Wherever and whenever applicable, the singular form of any word shall be taken to mean or apply to the plural, and the masculine form shall be taken to mean or apply to the feminine or the neuter.

14. DURATION.

The foregoing Covenants and Restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 2015, at which time said Covenants and Restrictions shall be automatically extended for successive periods of ten (10) years, unless changed in whole or in part by vote as outlined in Section 16 below.

15. SEVERABILITY.

Every one of the Restrictions is hereby declared to be independent of and severable from the rest of the Restrictions and of and from every other one of the restrictions and of and from every combination of the Restrictions.

Therefore, if any of the Restrictions shall be held to be invalid or to be unenforceable, or to lack the quality of running with the land, that holding shall be without effect upon the validity, enforceability or "running" quality of any other one of Restrictions.

16. AMENDMENT.

These Restrictions may be amended by a vote of seventy-five percent (75%) of the voting rights of all current owners of all lots in the Development.

INSTR. # 95158842

IN TESTIMONY WHEREOF, witness the signature of the Developer this 18th day of October, 1995.

MANN REALTY CO., an Indiana Partnership

By: _____

"DEVELOPER"

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, a Notary Public in and for said County and State, personally appeared Gerald Davis Mann, II, a Partner of Mann Realty Co., an Indiana Partnership (Developer herein), and acknowledged the execution of the foregoing instrument this 18 day of October, 1995.

Notary _____

Lynn M. Williams (Printed)

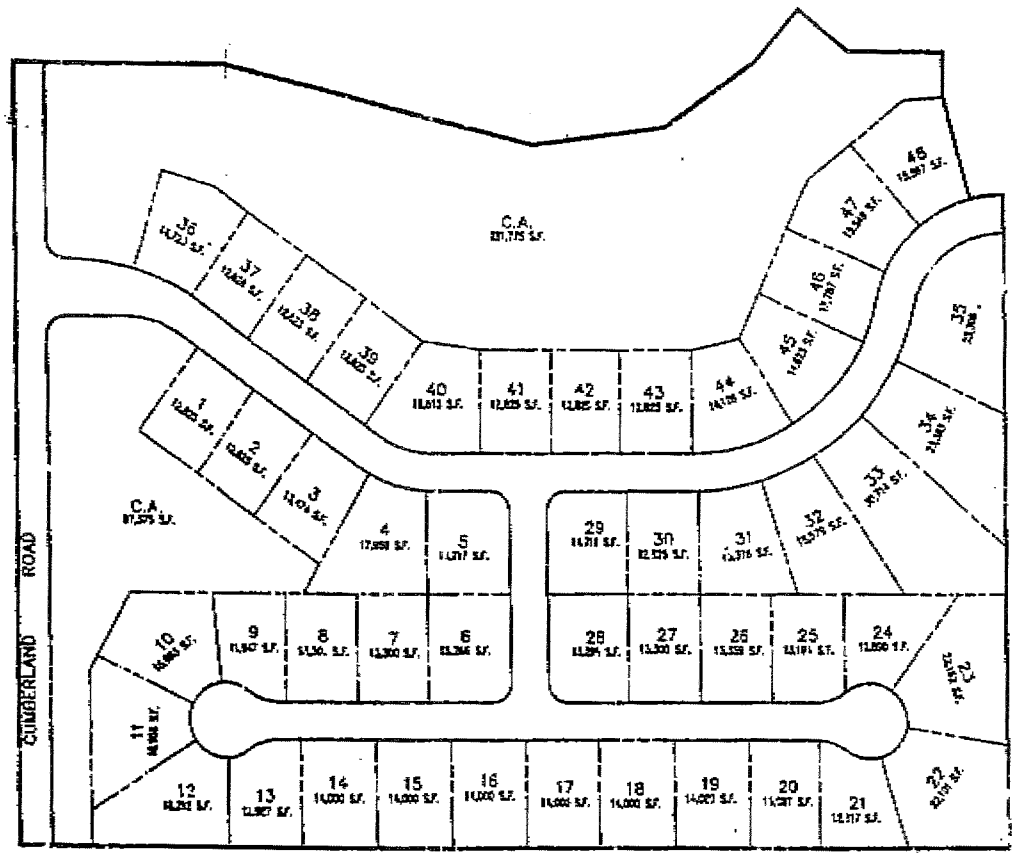
Resident of Marion County, Indiana

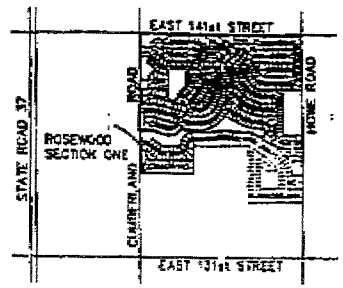
My Commission Expires:

Dec 20, 1997

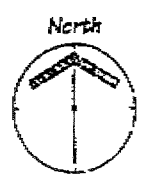
This Instrument prepared by Tim Stevens, Land Rush Development Services, Inc., 970 Logan Street, Noblesville, IN 46060

EXHIBIT A
1/4





SITE LOCATION MAP



ROSEWOOD
SECTION ONE
AN ADDITION TO HAMILTON COUNTY, INDIANA

INSTR. # 95 5 6842

INSTR. # 9595842

DECLARATION OF COVENANTS AND RESTRICTIONS

EXHIBIT "C"

Minimum Living Areas. (Square Feet)

	One-Story	Multi-Level
Rosewood	2100	2300
Parkshore	1600	1600
Plantana	1300	1600

Side Yard Set-Backs (From property line)

Rosewood	10 Feet
Parkshore	7.5 Feet
Plantana	7.5 Feet

Landscape Requirements:
Upon completion of construction of each home on a lot, or as soon as weather permits, builder in addition to sodding (or hydro seeding if an irrigation system is installed) all street frontages back to the home elevation line, shall plant the following:

Rosewood - Front yards along front foundation of the home shall contain twelve (12) bushes or similar plants with a minimum height of 18 inches and at least two (2) deciduous trees of three (3) inches diameter or more measured one foot above the tree base. Lots with lake frontage must contain at least three (3) deciduous trees within rear of 1/3 of lot.

Parkshore - Front yards along front foundation of the home shall contain ten (10) bushes or similar plants with a minimum height of 18 inches and at least two (2) deciduous trees having a diameter of not less than two (2) inches measured on foot above the tree base. Lots with lake frontage must contain at least three (3) deciduous trees within rear 1/3 of lot.

Plantana - Front yards along front foundation of the home shall contain six (6) bushes or similar plants with a minimum height of 18 inches and at least one (1) deciduous tree having a diameter of not less than two (2) inches measured one foot above the tree base. Lots with lake frontage must contain at least three (3) deciduous trees within rear 1/3 of lot.

Exterior Construction

A. Driveways: Driveways must be paved as follows:
   - Rosewood - Concrete or asphalt
   - Parkshore - Concrete
   - Plantana - Concrete

B. Minimum Brick Requirement

Rosewood	50% Front Elevation
	50% Side Elevations for homes on corner lots
Parkshore	35% Front Elevation
Plantana	20% Front Elevation

The Parkshore Architectural Review Committee may grant exceptions to the Minimum Brick Requirements on an individual basis at the Committee's sole discretion.

INSTR. # 9558842

EXHIBIT A
2/4

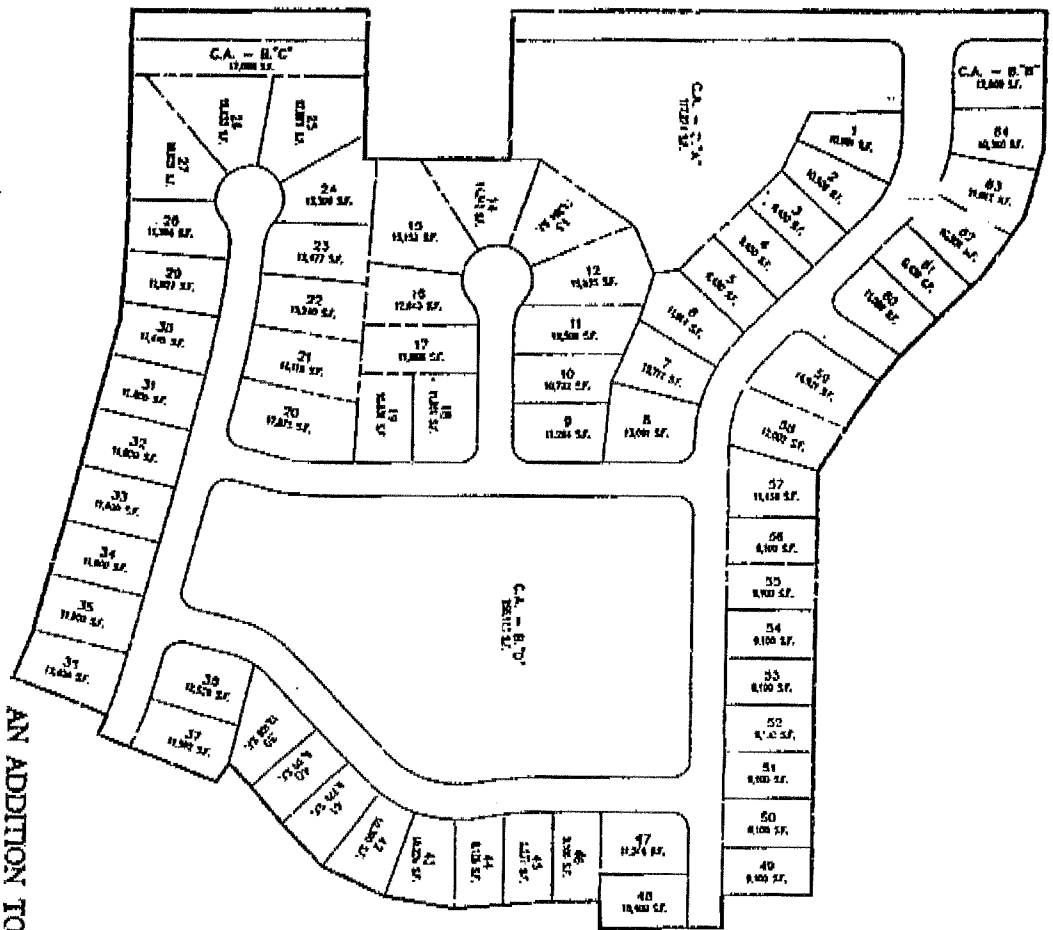
LAND DESCRIPTION

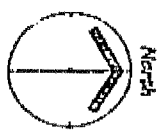
A part of the Southwest Quarter of Section 20 and a part of the Northwest Quarter of the Northwest Quarter of Section 29 both in Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the Southwest corner of the Southwest Quarter of said Section 20, said point also being the Northwest corner of the Southwest Quarter of Section 29; thence North 00°03'31" West (assumed bearing) along the West line of the Southwest Quarter of said Section 20 a distance of 360.78 feet; thence North 89°56'29" East a distance of 272.60 feet; thence South 75°33'52" East a distance of 428.18 feet; thence North 82°21'10" East a distance of 79.61 feet; thence North 54°10'19" East a distance of 148.41 feet; thence North 40°45'14" East a distance of 92.59 feet; thence South 49°14'46" East a distance of 83.21 feet; thence North 89°49'05" East a distance of 124.98 feet; thence South 00°10'55" East a distance of 60.27 feet; thence South 15°08'44" East a distance of 140.00 feet to a curve concave Southerly having a radius of 175.00 feet; thence Northeasterly along said curve through a central angle of 15°02'15" an arc distance of 45.93 feet (said arc being subtended by a chord bearing North 82°22'24" East a distance of 45.80 feet); thence South 00°06'29" East non-tangent to last described curve a distance of 190.00 feet to the Northeast corner of the West Half of the Northwest Quarter of said Section 29; thence South 00°00'32" West along the East line of the West Half of the Northwest Quarter of said Section 29 a distance of 664.97 feet; thence South 89°53'31" West a distance of 1315.44 feet to the West line of said Northwest Quarter; thence North 00°06'33" East along said West line a distance of 664.97 feet to the Point of Beginning. Containing 29.846 Acres (1,300,081 Square Feet), more or less.

INSTR. # 9559842

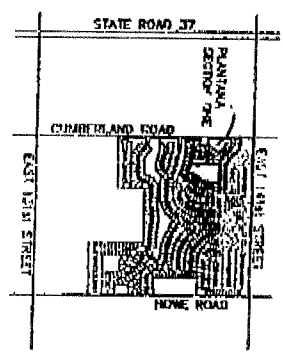
EXHIBIT A
3/4





PLANTIANA
SECTION ONE
AN ADDITION TO HAMILTON COUNTY, INDIANA

SITE LOCATION MAP



INSTR. # 9559842

EXHIBIT A
4/4

LAND DESCRIPTION

A part of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 20; thence North 00°03'31" West (assumed bearing) along the West line of said Southwest Quarter a distance of 992.90 feet to the POINT OF BEGINNING; thence continuing North 00°03'31" West along said West line a distance of 340.00 feet to the Southwest corner of the North Half of said Southwest Quarter; thence North 89°49'05" East along the South line of the North Half of said Southwest Quarter a distance of 210.00 feet; thence North 00°03'31" West parallel with said West line a distance of 209.55 feet; thence South 89°56'29" West a distance of 210.00 feet to said West line; thence North 00°03'31" West along said West line a distance of 779.81 feet; thence North 89°56'29" East a distance of 190.98 feet; thence South 75°25'02" East a distance of 106.88 feet; thence South 35°33'53" East a distance of 106.88 feet; thence South 45°38'19" East a distance of 166.84 feet; thence South 50°49'30" East a distance of 50.22 feet; thence South 56°14'34" East a distance of 155.66 feet; thence North 89°48'00" East a distance of 630.00 feet; thence South 00°12'00" East a distance of 130.00 feet; thence North 89°48'00" East a distance of 50.00 feet; thence South 00°12'00" East a distance of 180.00 feet; thence South 89°48'00" West a distance of 40.00 feet; thence South 00°12'00" East a distance of 70.00 feet; thence South 04°38'59" East a distance of 140.42 feet; thence South 09°47'38" West a distance of 102.31 feet; thence South 25°38'48" West a distance of 101.41 feet; thence South 47°15'09" West a distance of 205.67 feet; thence South 59°59'18" East a distance of 33.73 feet; thence South 23°16'34" West a distance of 185.98 feet; thence North 66°43'26" West a distance of 23.87 feet to the point of curvature of a curve concave Southwesterly having a radius of 475.00 feet and a central angle of 00°53'24"; thence Northwesterly along said curve an arc distance of 7.38 feet (said arc being subtended by a chord bearing North 67°10'08" West a distance of 7.38 feet); thence South 22°23'10" West non-tangent to last described curve a distance of 147.23 feet; thence North 67°44'47" West a distance of 76.32 feet; thence North 75°33'52" West a distance of 474.88 feet; thence North 86°44'07" West a distance of 124.29 feet; thence South 89°49'05" West a distance of 325.51 feet to the Point of Beginning. Containing 32.724 Acres (1,425,469 Square Feet), more or less.

INSTR. # 9559842

EXHIBIT B

1/2

LAND DESCRIPTION

A part of the Southwest Quarter of Section 20 and the Northwest Quarter of the Southeast Quarter of Section 20, and a part of the Northwest Quarter of the Northwest Quarter of Section 29 all in Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the Southwest corner of the Southwest Quarter of said Section 20, said point also being the Northwest corner of the Northwest Quarter of said Section 29; thence North 00°03'31" West along the West line of the Southwest Quarter of said Section 20 a distance of 1332.90 feet to the Southwest corner of the North Half of said Southwest Quarter, said point also being the Southwest corner of real estate as described in Instrument No. 845226 in the Office of the Recorder of Hamilton County, Indiana; thence North 89°49'05" East along the South line of said North Half and along the South line of said real estate a distance of 1993.76 feet to the Southeast corner of said real estate; thence North 01°03'15" West along the East line of said real estate a distance of 1336.23 feet to the North line of the Southwest Quarter of said Section 20, said point also being the Northeast corner of said real estate; thence North 89°48'00" East along said North line a distance of 677.59 feet to the Northeast corner of said Southwest Quarter, said point also being the Northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 20; thence North 89°52'24" East along the North line of said Northwest Quarter Quarter a distance of 1299.96 feet to the Northeast corner of said Northwest Quarter Quarter; thence South 00°00'00" West (assumed bearing) along the East line of said Northwest Quarter Quarter a distance of 1332.09 feet to the Southeast corner of said Northwest Quarter Quarter, said point also being the Northeast corner of real estate as described in Book 310, page 270 in the Office of the Recorder of Hamilton County, Indiana; thence South 89°41'20" West along the South line of said Northwest Quarter Quarter and along the North line of said real estate a distance of 450.01 feet; thence South 00°00'00" East parallel with the East line of the Southwest Quarter of the Northeast Quarter of said Section 20 a distance of 1069.49 feet; thence North 89°35'01" East a distance of 450.02 feet to the East line of said Southwest Quarter Quarter; thence South 00°00'00" West along the East line of said Southwest Quarter a distance of 263.40 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 29; thence South 00°10'01" East along the East line of said Northwest Quarter Quarter a distance of 1329.41 feet to the Southeast corner of said Northwest Quarter Quarter; thence South 89°31'56" West along the South line of said Northwest Quarter Quarter a distance of 1318.55 feet to the Southwest corner of said Northwest Quarter Quarter; thence North 00°05'35" West along the West line of said Northwest Quarter Quarter a distance of 1328.81 feet to the Northwest corner of said Northwest Quarter Quarter; thence South 89°53'31" West along the North line of the Northwest Quarter of said Section 29 a distance

INSTR. # 9515842

EXHIBIT B
2/2

of 1314.28 feet to the Northeast corner of the West Half of said Northwest Quarter; thence South 00°00'32" West along the East line of said West Half a distance of 664.97 feet to the Northeast corner of real estate as described in Instrument No. 8624767 in the Office of the Recorder of Hamilton County, Indiana; thence South 89°53'31" West parallel with the North line of said Northwest Quarter and along the North line of said real estate a distance of 1315.44 feet to the West line of said Northwest Quarter, said point also being the Northwest corner of said real estate; thence North 00°06'33" East along the West line of said Northwest Quarter a distance of 664.97 feet to the Point of Beginning. Containing 230.342 Acres (10,033,698 Square Feet), more or less.

ALSO:

A part of the North Half of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the Northwest corner of the North Half of said Southwest Quarter; thence North 89°48'00" East (assumed bearing) along the North line of said Half Quarter Section a distance of 1970.54 feet; thence South 01°03'16" East a distance of 1338.23 feet by measurement (1336.0 feet by deed) to the South line of said Half Quarter Section, distant 1993.76 feet East of the Southwest corner thereof; thence South 89°49'05" West along said South line a distance of 1993.76 feet to the Southwest corner of said Half Quarter Section; thence North 00°03'31" West along the West line of said Half Quarter Section a distance of 1335.45 feet by measurement (1333.39 feet by deed) to the Point of Beginning. Containing 60.782 Acres (2,647,680 Square Feet), more or less.

EXCEPT:

A part of the North Half of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the North Half of said Southwest Quarter; thence South 00°03'31" East (assumed bearing) along the West line of said Half Quarter Section a distance of 1125.45 feet to the POINT OF BEGINNING; thence North 89°56'29" East a distance of 210.00 feet; thence South 00°03'31" East parallel with said West line a distance of 209.55 feet to the South line of said Half Quarter Section; thence South 89°49'05" West along said South line a distance of 210.00 feet to the Southwest corner of said North Half Quarter Section; thence North 00°03'31" West along the West line of said Half Quarter Section a distance of 210.00 feet to the Point of Beginning.

Containing less said exception 59.771 Acres (2,603,627 Square Feet), more or less.

26.00
(9)

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS NO.1 OF PARKSHORE

9609623183
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 06-06-1996 At 11:19 am.
DECL 26.00
Vol. 0 Page 0

This Supplemental Declaration of Covenants and Restrictions No. 1 of Parkshore (the "Supplemental Declaration No. 1") to the Declaration of Covenants and Restrictions of Parkshore dated October 18, 1995, and recorded as Instrument No. 9556842 in the Office of the Recorder of Hamilton County, Indiana (the "Declaration"), is executed this 4TH day of June, 1996, by Mann Realty Co., an Indiana General Partnership for the purpose of creating additional restrictions on the real estate described in the Declaration.

Recitals

A. The Declaration contains, *inter alia*, development standards for the real property described in the Declaration as well as procedures for the maintenance repair and development of common facilities for the benefit of the owners as defined in the Declaration.

B. Mann Realty Co. is the owner of greater than 75% of the lots as of this date and therefore has the power to amend and supplement the Declaration as provided in paragraph 16 Amendment of the Declaration.

NOW, THEREFORE BE IT RESOLVED, that the Declaration is hereby supplemented and amended as follows:

1. Definitions All capitalized terms used herein shall have the same meaning as in the Declaration unless otherwise defined herein.

2. Supplements:

(a) Paragraph two of the Declaration is amended to read as:

"WHEREAS, the Developer is the owner of all the lands contained in the area shown on Exhibit "A", attached hereto and made a part hereof, and additional land, which lands will be subdivided into the three communities to be known as Rosewood, Auburn Springs, and Plantana which will be collectively known as Parkshore, (hereinafter referred to as the "Development"), and which will be more particularly described on the plats thereof which will be recorded in the office of the Recorder of Hamilton County, Indiana; and "

(b) Section 3(b)(iii) Rear yards is amended to read as:

"The rear yard building set-back line shall be at least 25 feet from the rear lot line for Plantana and Auburn Springs and at least 30 feet from the rear lot line

BEST POSSIBLE IMAGE
ALL PAGES

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for Rosewood unless otherwise approved by the Committee and the Fishers Board of Zoning Appeals."

(c) Section 3(L)iii add the following:

The grant of sanitary sewer easements to Hamilton Southeastern Utilities, Inc. require that all trees be planted to maintain a minimum horizontal separation of ten (10) feet between the center of the sewer and the drip line of the trees. Any landscaping placed within easements is at risk of removal by the utility without the obligation of replacement.

(d) Section 3(O) Fencing is amended to read as:

"Exposed chain link fencing is prohibited. Fences must be split rail, picket, wrought iron, shadow box, or black coated chain link only. No shadow box or other fences taller than 4 feet will be approved on lake lots.

(e) Section 3(Q) Basketball Goals is added as follows:

"Basketball goals must have clear backboards."

(f) Section 4(C) is replaced and amended to read as:

"Pavement or concrete, including driveways and sidewalks, shall not be constructed on or within one (1) foot horizontal distance of sanitary sewer manhole or clean-out castings."

(g) Section 5(I) Utility Services is replaced and amended to read as:

"Utilities (including sanitary sewer) and drainage facilities are reserved as shown on the recorded plat(s). Hamilton Southeastern Utilities, Inc. has the right of ingress/egress over all sanitary sewer and utility easements."

(h) Exhibit "C" is amended as follows:

Minimum Living Areas (Square Feet)

	One Story	Multi-level
Rosewood	2400	2400

Exterior Brick Requirement

Rosewood 50% front elevation
50% side elevations
Chimneys must be brick with a minimum width of three feet

O:\RESIDENT\POA\SUPP1.WPD

All construction and improvements within the Development, not already approved by the committee, shall hereafter be subject to the Declaration as hereby amended. Any improvements constructed in compliance with the Declaration are duly authorized by the Committee.

IN WITNESS WHEREOF, this Supplemental declaration No. 1 has been executed as of the date first written above.

MANN REALTY CO.

By: _____
(Signature)

Its: Partner
(Title)

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared Gerald Davis Mann, II as Partner of MANN REALTY CO., an Indiana General Partnership, who having been duly sworn upon his oath acknowledged the execution of the foregoing Supplemental Declaration of Covenants and Restrictions No. 1 of Parkshore for and on behalf of said partnership.

Witness my hand and Notarial Seal this 4th day of June, 1996.

Lisa K. Roberts
Signature

Lisa K. Roberts
Printed Name

LISA K. ROBERTS NOTARY PUBLIC STATE OF INDIANA

County of Residence Marion

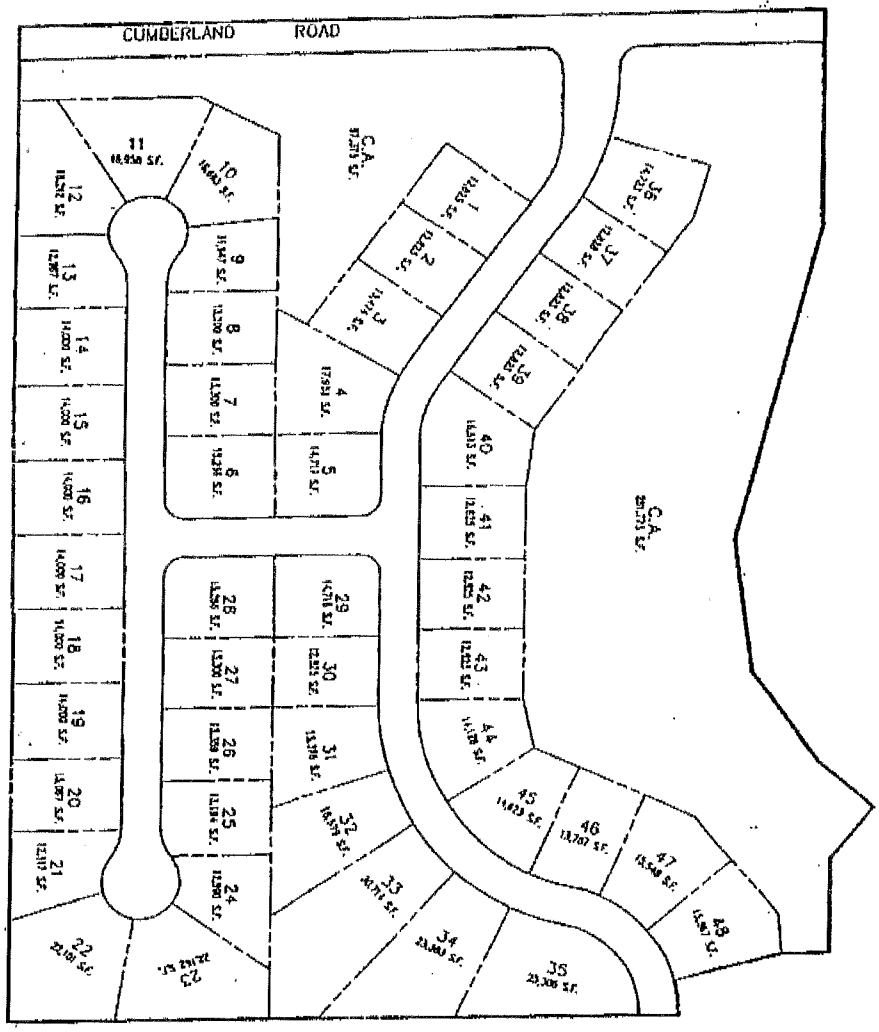
My Commission Expires 12-31-98

LISA K ROBERTS
NOTARY PUBLIC STATE OF INDIANA
MARION COUNTY
MY COMMISSION EXP. DEC. 31,1998

PREPARED BY: MARK H. BLOCK, CPA
D.B. MANN DEVELOPMENT

O:\RESIDENT\POA\SUPP1.WPD

EXHIBIT A
1/4



ROSEWOOD
SECTION ONE
AN ADDITION TO HAMILTON COUNTY, INDIANA

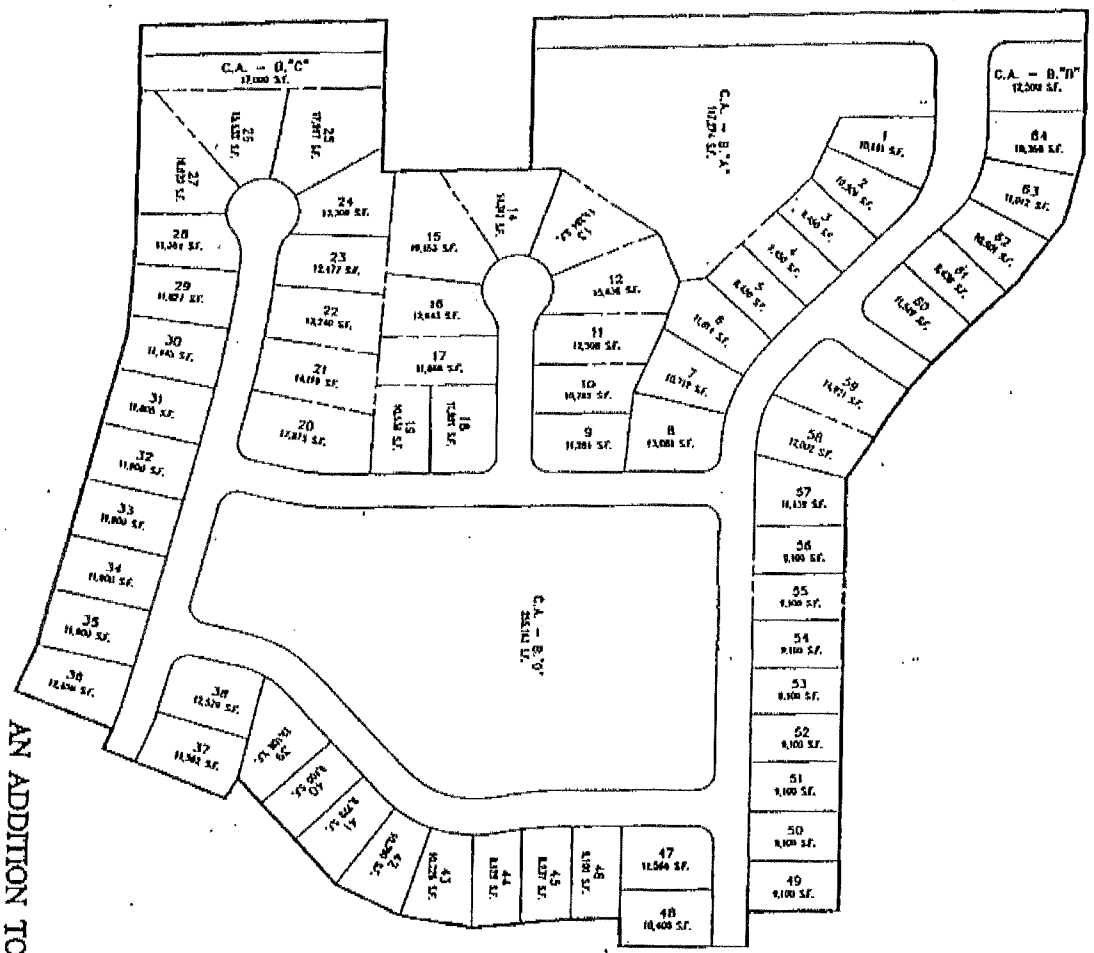
EXHIBIT A
2/4

LAND DESCRIPTION

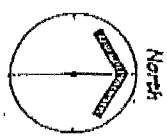
A part of the Southwest Quarter of Section 20 and a part of the Northwest Quarter of the Northwest Quarter of Section 29 both in Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

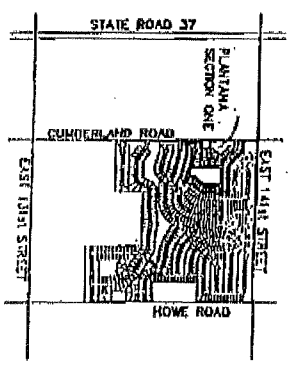
BEGINNING at the Southwest corner of the Southwest Quarter of said Section 20, said point also being the Northwest corner of the Southwest Quarter of Section 29; thence North 00°03'31" West (assumed bearing) along the West line of the Southwest Quarter of said Section 20 a distance of 360.78 feet; thence North 89°56'29" East a distance of 272.60 feet; thence South 75°33'52" East a distance of 426.18 feet; thence North 82°21'10" East a distance of 179.61 feet; thence North 54°10'19" East a distance of 148.41 feet; thence North 40°45'14" East a distance of 92.59 feet; thence South 49°14'46" East a distance of 83.21 feet; thence North 89°49'05" East a distance of 124.98 feet; thence South 00°10'55" East a distance of 60.27 feet; thence South 15°08'44" East a distance of 140.00 feet to a curve concave Southerly having a radius of 175.00 feet; thence Northeasterly along said curve through a central angle of 15°02'15" an arc distance of 45.93 feet (said arc being subtended by a chord bearing North 82°22'24" East a distance of 45.80 feet); thence South 00°06'29" East non-tangent to last described curve a distance of 190.00 feet to the Northeast corner of the West Half of the Northwest Quarter of said Section 29; thence South 00°00'32" West along the East line of the West Half of the Northwest Quarter of said Section 29 a distance of 664.97 feet; thence South 89°53'31" West a distance of 1315.44 feet to the West line of said Northwest Quarter; thence North 00°06'33" East along said West line a distance of 664.97 feet to the Point of Beginning. Containing 29.846 Acres (1,300,081 Square Feet), more or less.

EXHIBIT A
3/4



PLANTANA
SECTION ONE
AN ADDITION TO HAMILTON COUNTY, INDIANA





SITE LOCATION MAP

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EXHIBIT A
4/4

LAND DESCRIPTION

A part of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 20; thence North 00°03'31" West (assumed bearing) along the West line of said Southwest Quarter a distance of 992.90 feet to the POINT OF BEGINNING; thence continuing North 00°03'31" West along said West line a distance of 340.00 feet to the Southwest corner of the North Half of said Southwest Quarter; thence North 89°49'05" East along the South line of the North Half of said Southwest Quarter a distance of 210.00 feet; thence North 00°03'31" West parallel with said West line a distance of 209.55 feet; thence South 89°56'29" West a distance of 210.00 feet to said West line; thence North 00°03'31" West along said West line a distance of 779.81 feet; thence North 89°56'29" East a distance of 190.98 feet; thence South 75°25'02" East a distance of 106.88 feet; thence South 55°33'53" East a distance of 106.88 feet; thence South 45°38'19" East a distance of 166.84 feet; thence South 50°49'30" East a distance of 50.22 feet; thence South 56°14'34" East a distance of 155.66 feet; thence North 89°48'00" East a distance of 630.00 feet; thence South 00°12'00" East a distance of 130.00 feet; thence North 89°48'00" East a distance of 50.00 feet; thence South 00°12'00" East a distance of 180.00 feet; thence South 89°48'00" West a distance of 40.00 feet; thence South 00°12'00" East a distance of 70.00 feet; thence South 04°38'59" East a distance of 140.42 feet; thence South 09°47'38" West a distance of 102.31 feet; thence South 25°38'48" West a distance of 101.41 feet; thence South 47°15'09" West a distance of 205.67 feet; thence South 59°59'18" East a distance of 33.73 feet; thence South 23°16'34" West a distance of 185.98 feet; thence North 66°43'26" West a distance of 23.87 feet to the point of curvature of a curve concave Southwesterly having a radius of 475.00 feet and a central angle of 00°53'24"; thence Northwesterly along said curve an arc distance of 7.38 feet (said arc being subtended by a chord bearing North 67°10'08" West a distance of 7.38 feet); thence South 22°23'10" West non-tangent to last described curve a distance of 147.23 feet; thence North 67°44'47" West a distance of 76.32 feet; thence North 75°33'52" West a distance of 474.88 feet; thence North 86°44'07" West a distance of 124.29 feet; thence South 89°49'05" West a distance of 325.51 feet to the Point of Beginning. Containing 32.724 Acres (1,425,469 Square Feet), more or less.

EXHIBIT B

1/2

LAND DESCRIPTION

A part of the Southwest Quarter of Section 20 and the Northwest Quarter of the Southeast Quarter of Section 20, and a part of the Northwest Quarter of the Northwest Quarter of Section 29 all in Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the Southwest corner of the Southwest Quarter of said Section 20, said point also being the Northwest corner of the Northwest Quarter of said Section 29; thence North 00°03'31" West along the West line of the Southwest Quarter of said Section 20 a distance of 1332.90 feet to the Southwest corner of the North Half of said Southwest Quarter, said point also being the Southwest corner of real estate as described in Instrument No. 845226 in the Office of the Recorder of Hamilton County, Indiana; thence North 89°49'05" East along the South line of said North Half and along the South line of said real estate a distance of 1993.76 feet to the Southeast corner of said real estate; thence North 01°03'16" West along the East line of said real estate a distance of 1336.23 feet to the North line of the Southwest Quarter of said Section 20, said point also being the Northeast corner of said real estate; thence North 89°48'00" East along said North line a distance of 677.59 feet to the Northeast corner of said Southwest Quarter, said point also being the Northwest corner of the Northwest Quarter of the Southeast Quarter of said Section 20; thence North 89°52'24" East along the North line of said Northwest Quarter Quarter a distance of 1299.96 feet to the Northeast corner of said Northwest Quarter Quarter; thence South 00°00'00" West (assumed bearing) along the East line of said Northwest Quarter Quarter a distance of 1332.09 feet to the Southeast corner of said Northwest Quarter Quarter, said point also being the Northeast corner of real estate as described in Book 310, page 270 in the Office of the Recorder of Hamilton County, Indiana; thence South 89°41'20" West along the South line of said Northwest Quarter Quarter and along the North line of said real estate a distance of 450.01 feet; thence South 00°00'00" East parallel with the East line of the Southwest Quarter of the Northeast Quarter of said Section 20 a distance of 1069.49 feet; thence North 89°35'01" East a distance of 450.02 feet to the East line of said Southwest Quarter Quarter; thence South 00°00'00" West along the East line of said Southwest Quarter a distance of 263.40 feet to the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 29; thence South 00°10'01" East along the East line of said Northwest Quarter Quarter a distance of 1329.41 feet to the Southeast corner of said Northwest Quarter Quarter; thence South 89°31'56" West along the South line of said Northwest Quarter Quarter a distance of 1318.55 feet to the Southwest corner of said Northwest Quarter Quarter; thence North 00°05'35" West along the West line of said Northwest Quarter Quarter a distance of 1328.81 feet to the Northwest corner of said Northwest Quarter Quarter; thence South 89°53'31" West along the North line of the Northwest Quarter of said Section 29 a distance

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EXHIBIT B
2/2

of 1314.28 feet to the Northeast corner of the West Half of said Northwest Quarter; thence South 00°00'32" West along the East line of said West Half a distance of 664.97 feet to the Northeast corner of real estate as described in Instrument No. 8624767 in the Office of the Recorder of Hamilton County, Indiana; thence South 89°53'31" West parallel with the North line of said Northwest Quarter and along the North line of said real estate a distance of 1315.44 feet to the West line of said Northwest Quarter, said point also being the Northwest corner of said real estate; thence North 00°06'33" East along the West line of said Northwest Quarter a distance of 664.97 feet to the Point of Beginning. Containing 230.342 Acres (10,033,698 Square Feet), more or less.

ALSO:

A part of the North Half of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the Northwest corner of the North Half of said Southwest Quarter; thence North 89°48'00" East (assumed bearing) along the North line of said Half Quarter Section a distance of 1970.54 feet; thence South 01°03'16" East a distance of 1336.23 feet by measurement (1336.0 feet by deed) to the South line of said Half Quarter Section, distant 1993.76 feet East of the Southwest corner thereof; thence South 89°49'05" West along said South line a distance of 1993.76 feet to the Southwest corner of said Half Quarter Section; thence North 00°03'31" West along the West line of said Half Quarter Section a distance of 1335.45 feet by measurement (1333.39 feet by deed) to the Point of Beginning. Containing 60.782 Acres (2,647,680 Square Feet), more or less.

EXCEPT:

A part of the North Half of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northwest corner of the North Half of said Southwest Quarter; thence South 00°03'31" East (assumed bearing) along the West line of said Half Quarter Section a distance of 1125.45 feet to the POINT OF BEGINNING; thence North 89°56'29" East a distance of 210.00 feet; thence South 00°03'31" East parallel with said West line a distance of 209.55 feet to the South line of said Half Quarter Section; thence South 89°49'05" West along said South line a distance of 210.00 feet to the Southwest corner of said North Half Quarter Section; thence North 00°03'31" West along the West line of said Half Quarter Section a distance of 210.00 feet to the Point of Beginning.

Containing less said exception 59.771 Acres (2,603,627 Square Feet), more or less.

900
5

SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS NO.2 OF PARKSHORE

Instrument 9609623184

This Supplemental Declaration of Covenants and Restrictions No. 2 of Parkshore (the "Supplemental Declaration No. 2") to the Declaration of Covenants and Restrictions of Parkshore dated as of October 18, 1995 and recorded as Instrument 9556842 in the Office of the Recorder of Hamilton County, Indiana, as amended, (the "Declaration"), is hereby executed this 5TH day of June, 1996, by Mann Realty Co.,an Indiana General Partnership for the purpose of annexing additional real estate to the property described in the Declaration.

Cross reference 9623183

Recitals

A. The Declaration contains, *inter alia*, development standards for the real property described in the Declaration as well as procedures for the maintenance, repair and development of common facilities for the benefit of the owners as defined in the Declaration.

B. Pursuant to the Declaration, Mann Realty Co. has unilateral right, privilege, and option, from time to time to annex all or any portion of the real property described in Exhibit B of the Declaration.

NOW THEREFORE BE IT RESOLVED, that Mann Realty Co., as Declarant, and as the owner of all the lands contained in the area shown on Exhibit A hereto hereby exercises its right to annex the real estate described in Exhibit A hereto.

All of the annexed real estate shall be subject to the Declaration as supplemented and amended from time to time.

IN WITNESS WHEREOF, this Supplemental declaration No. 2 has been executed as of the date first written above.

MANN REALTY CO.

By: _____ (Signature)

Its: Partner (Title)

9609623184
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 06-06-1996 At 11:19 am.
DECL 19.00
Vol. 0 Page 0

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared Gerald Davis Mann, II as Partner of MANN REALTY CO., an Indiana General Partnership, who having been duly sworn upon his oath acknowledged the execution of the foregoing Supplemental Declaration of Covenants and Restrictions No. 2 of Parkshore for and on behalf of said partnership.

Witness my hand and Notarial Seal this 5th day of June, 1996.

LISA K. ROBERTS NOTARY PUBLIC STATE OF INDIANA

Lisa K. Roberts
Signature

Lisa K. Roberts
Printed Name

County of Residence Marion

My Commission Expires 12-31-98

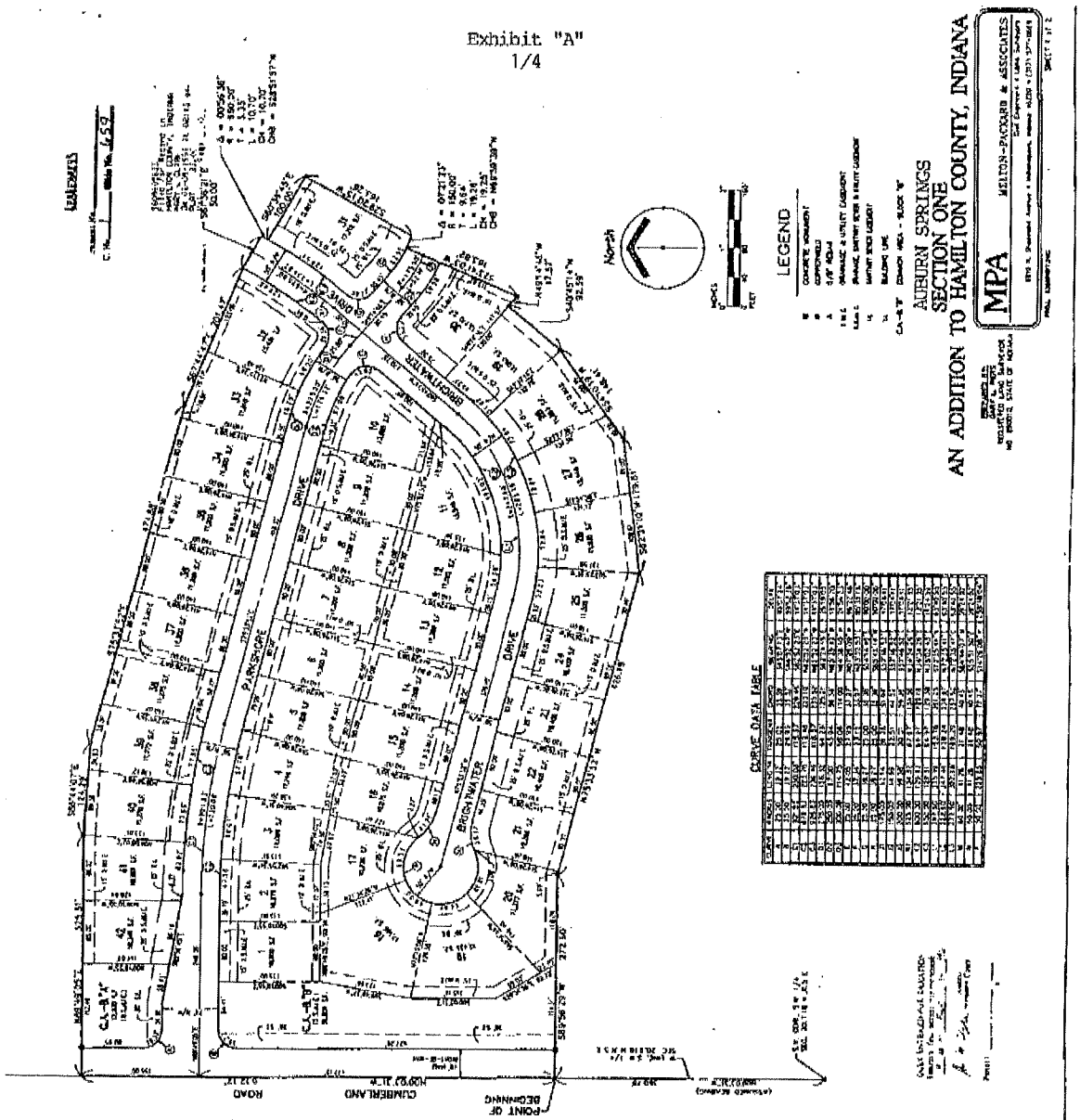
LISA K ROBERTS
NOTARY PUBLIC STATE OF INDIANA
MARION COUNTY
MY COMMISSION EXP. DEC. 31,1998

O:\RESIDENT\POA\SUPP2.WPD

1

PREPARED BY: MARK H. BLOCK CPA
D.B. MANN DEVELOPMENT

Exhibit "A"
1/4



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(2)

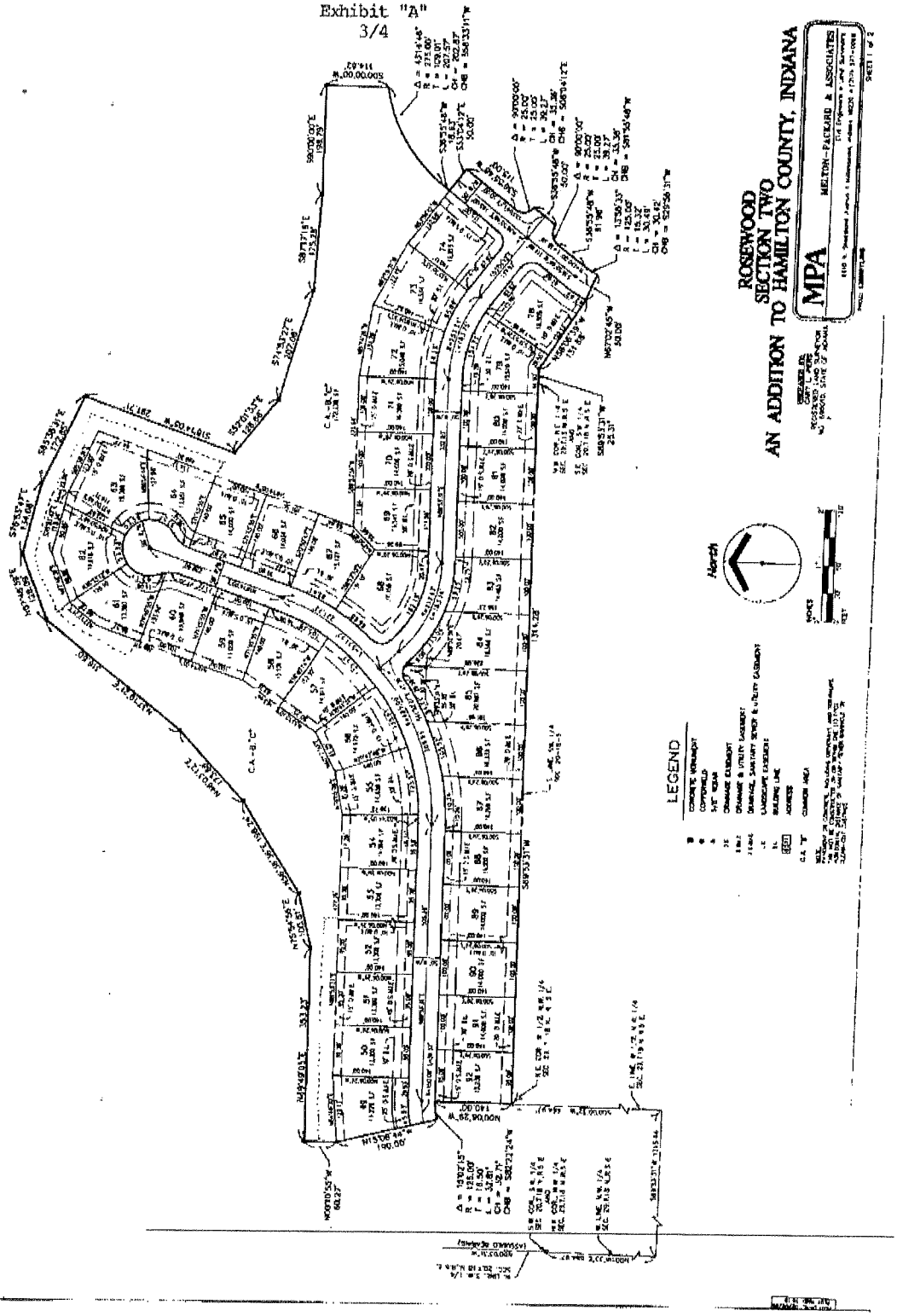
Exhibit "A"
2/4

LAND DESCRIPTION

A part of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 20; thence North 00°03'31" West (assumed bearing) along the West line of said Southwest Quarter a distance of 360.78 feet to the Northwesterly corner of Rosewood Section One, An Addition To Hamilton County, Indiana, per plat thereof recorded as Instrument No. 9557873 in Plat Cabinet 1, slide 613 in the Office of the Recorder of Hamilton County, Indiana, and the POINT OF BEGINNING; thence continuing North 00°03'31" West along said West line a distance of 632.12 feet to the Southwesterly corner of Plantana Section One, An Addition To Hamilton County, Indiana, per plat thereof recorded as Instrument No. 9562170 in Plat Cabinet 1, Slide 639 in the Office of the Recorder of Hamilton County, Indiana; (the following three (3) courses are along the Southerly line of said Plantana Section One); (1) thence North 89°49'05" East a distance of 325.51 feet; (2) thence South 86°44'07" East a distance of 124.99 feet; (3) thence South 75°33'52" East a distance of 474.88 feet; thence South 67°44'47" East along said Southerly line and the extension thereof a distance of 201.47 feet; thence South 61°36'21" East a distance of 50.00 feet to a curve concave Northwesterly having a radius of 650.00 feet and a central angle of 00°56'36"; thence Southwesterly along said curve an arc distance of 10.70 feet (said arc being subtended by a chord bearing South 28°51'57" West a distance of 10.70 feet); thence South 60°39'45" East non-tangent to last described curve a distance of 100.00 feet; thence South 29°20'15" West a distance of 163.26 feet to a curve concave Northeasterly having a radius of 150.00 feet and a central angle of 07°21'23"; thence Northwesterly along said curve an arc distance of 19.26 feet (said arc being subtended by a chord bearing North 69°59'39" West a distance of 19.25 feet); thence South 23°41'03" West non-tangent to last described curve a distance of 163.82 feet to the Northerly line of said Rosewood Section One; (the following six (6) courses are along said Northerly line); (1) thence North 49°14'46" West a distance of 17.57 feet; (2) thence South 40°45'14" West a distance of 92.59 feet; (3) thence South 54°10'19" West a distance of 148.41 feet; (4) thence South 82°21'10" West a distance of 179.61 feet; (5) thence North 75°33'52" West a distance of 426.18 feet; (6) thence South 89°56'29" West a distance of 272.60 feet to the Point of Beginning. Containing 15.742 Acres (685,727 Square Feet), more or less.

Exhibit "A"
3/4


ROSEWOOD
SECTION TWO
AN ADDITION TO HAMILTON COUNTY, INDIANA
MPA
MELTON-PACKARD & ASSOCIATES
LEGEND
North

LAND DESCRIPTION

Exhibit "A"
4/4

A part of the Southwest Quarter and the Southeast Quarter of Section 20 and a part of the Northwest Quarter of the Northeast Quarter of Section 29, all in Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 20, said point also being the Northwest corner of the Northwest Quarter of said Section 29, said point also being on the West line of Rosewood Section One as per plat thereof recorded as Instrument No. 9557873 in Plat Cabinet No. 1, Slide No. 613 in the Office of the Recorder of Hamilton County, Indiana; thence South 00°06'33" West (West line of Southwest Quarter of said Section 20 assumed to be North 00°03'31" West) along the West line of the Northwest Quarter of said Section 29 and along the West line of said Rosewood Section One a distance of 664.97 feet to the Southwest corner of said Rosewood Section One; thence North 89°53'31" East along the South line of said Rosewood Section One a distance of 1315.44 feet to the East line of the West Half of the Northwest Quarter of said Section 29 and the Southeast corner of said Rosewood Section One; (the following five (5) courses are along the Easterly line of said Rosewood Section One; (1) thence North 00°00'32" East along the East line of said West Half a distance of 664.97 feet to the Northeast corner of the West Half of said Northwest Quarter; (2) thence North 00°06'29" West a distance of 140.00 feet to a non-tangent curve concave Southerly having a radius of 125.00 feet and a central angle of 15°02'15"; (3) thence Southwesterly along said curve an arc distance of 32.81 feet (said arc being subtended by a chord bearing South 82°22'24" West a distance of 32.71 feet); (4) thence North 15°08'44" West non-tangent to last described curve a distance of 190.00 feet; (5) thence North 00°10'55" West a distance of 60.27 feet to the Northeast corner of said Rosewood Section One; thence North 89°49'05" East a distance of 353.23 feet; thence North 75°54'56" East a distance of 100.81 feet; thence North 56°36'36" East a distance of 198.24 feet; thence North 46°03'12" East a distance of 173.88 feet; thence North 37°19'21" East a distance of 316.60 feet; thence North 67°48'39" East a distance of 128.09 feet; thence South 76°53'47" East a distance of 134.08 feet; thence South 65°38'31" East a distance of 172.85 feet; thence South 18°14'05" West a distance of 291.71 feet; thence South 52°01'53" East a distance of 126.66 feet; thence South 74°53'27" East a distance of 207.06 feet; thence South 87°17'16" East a distance of 175.28 feet; thence South 90°00'00" East a distance of 198.79 feet; thence South 00°00'00" West a distance of 114.62 feet to a non-tangent curve concave Southeasterly having a radius of 275.00 feet and a central angle of 43°14'46"; thence Southwesterly along said curve an arc distance of 207.57 feet (said arc being subtended by a chord bearing South 58°33'11" West a distance of 202.67 feet); thence South 36°55'48" West a distance of 18.63 feet; thence South 53°04'12" East a distance of 50.00 feet; thence South 36°55'48" West a distance of 115.00 feet to a curve concave Easterly having a radius of 25.00 feet and a central angle of 90°00'00"; thence Southerly along said curve an arc distance of 39.27 feet (said arc being subtended by a chord bearing South 08°04'12" East a distance of 35.36 feet); thence South 36°55'48" West non-tangent to last described curve a distance of 50.00 feet to a non-tangent curve concave Southerly having a radius of 25.00 feet and a central angle of 90°00'00"; thence Westerly along said curve an arc distance of 39.27 feet (said arc being subtended by a chord bearing South 81°55'48" West a distance of 35.36 feet); thence South 36°55'48" West a distance of 61.98 feet to the point of curvature of a curve concave Southeasterly having a radius of 125.00 feet and a central angle of 13°58'33"; thence Southwesterly along said curve an arc distance of 30.49 feet (said arc being subtended by a chord bearing South 29°56'31" West a distance of 30.42 feet); thence North 67°02'45" West non-tangent to last described curve a distance of 50.00 feet; thence North 58°06'39" West a distance of 151.68 feet; thence South 89°53'31" West a distance of 25.31 feet to the Southeast corner of the Southwest Quarter of said Section 20; thence South 89°53'31" West along the South line of said Southwest Quarter a distance of 1314.28 feet to the Point of Beginning. Containing 23.244 Acres (1,012,509 Square Feet), more or less.

5

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Requested By: 9949398 01\23\2008

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SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS NO.3 OF PARKSHORE

199909949398
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 08-20-1999 At 01:04 pm.
DEC COV RES 34.00

This Supplemental Declaration of Covenants and Restrictions No. 3 of Parkshore (the "Supplemental Declaration No. 3") to the Declaration of Covenants and Restrictions of Parkshore dated October 18, 1995 and recorded as Instrument 9556842 in the Office of the Recorder of Hamilton County, Indiana, as amended, (the "Declaration"), is hereby executed this 27th day of July 1999, by Mann Realty Co.,an Indiana General Partnership for the purpose of annexing additional real estate to the property described in the Declaration.

Recitals

A. The Declaration contains, *inter alia,* development standards for the real property described in the Declaration as well as procedures for the maintenance, repair and development of common facilities for the benefit of the owners as defined in the Declaration.

B. Pursuant to the Declaration, Mann Realty Co. has unilateral right, privilege, and option, from time to time to annex all or any portion of the real property described in Exhibit B of the Declaration.

NOW THEREFORE BE IT RESOLVED, that Mann Realty Co., as Declarant, and as the owner of all the lands contained in the area shown on Exhibit A hereto hereby exercises its right to annex the real estate described in Exhibit A hereto.

All of the annexed real estate shall be subject to the Declaration as supplemented and amended from time to time.

IN WITNESS WHEREOF, this Supplemental Declaration No. 3 has been executed as of the date first written above.

MANN REALTY CO.

By: _____
(Signature)

Its: partner
(Title)

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared Gerald Davis Mann, II as Partner of MANN REALTY CO., an Indiana General Partnership, who having been duly sworn upon his oath acknowledged the execution of the foregoing Supplemental Declaration of Covenants and Restrictions No. 3 of Parkshore for and on behalf of said partnership.

Witness my hand and Notarial Seal this 27 day of July, 1999

_____
Signature

LYNN M. WILLIAMS
NOTARY PUBLIC STATE OF INDIANA
MARION COUNTY
MY COMMISSION EXP. DEC. 20,2001

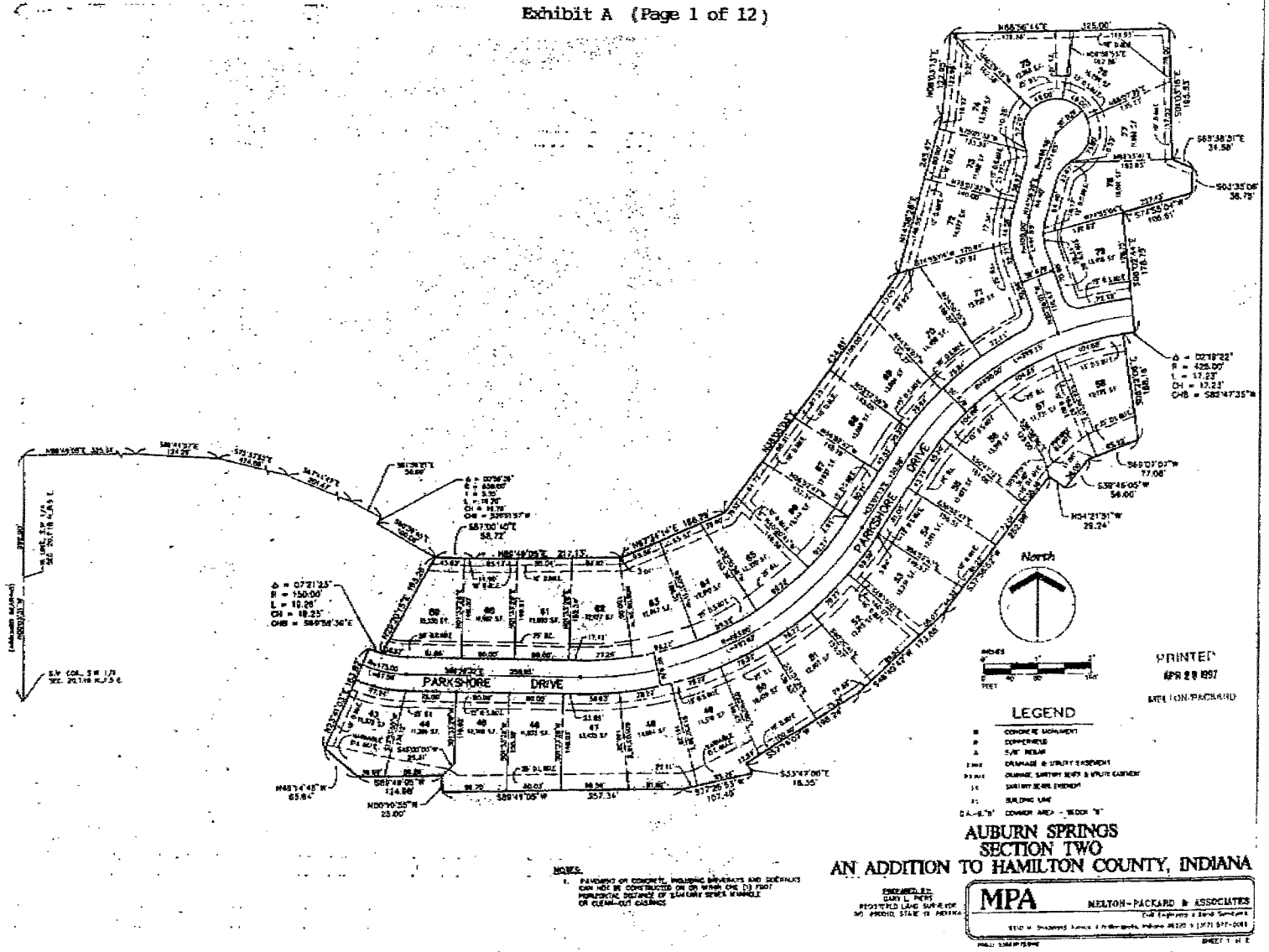
County of Residence _____

My Commission Expires _____

This instrument was prepared by and return recorded instrument to: DB Mann Development Company, 8653 Bash Street, Indianapolis, IN 46256 (317) 849-0452.

F:\WPD\RESIDENT\PCA\SUPP3.WPD

Exhibit A (Page 1 of 12)



Requested By: 8949398 01/23/2003

Exhibit A (Page 2 of 12)

The undersigned, Mann Realty Co., and Mann Realty Co., d/b/a D. B. Mann Development Co., Owners of the real estate shown and described herein and Recorded in the Office of the Recorder of Hamilton County, Indiana, as Instrument Numbers 8348885, 8440774, 8521391, 8550729, and 8603020, do hereby certify that we have laid off, platted and subdivided and do hereby lay off, plat, and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as Auburn Springs, Section Two.

All streets shown on this plat and not heretofore dedicated are hereby dedicated to the public.

This plat is subject to the declaration of Covenants and Restrictions of Parkshire, recorded as Instrument No. 9558642 and any amendments thereto.

In Testimony whereof, witness the signature of Owner and Declarant this ____ day of _____, 199__.

Owner
Mann Realty Co., d/b/a/
D. B. Mann Development Co.

By: _____
Gerald Davis Mann II, Partner

State of Indiana }
County of _____ } SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gerald Davis Mann II, Partner of Mann Realty Co., d/b/a D. B. Mann Development Co., and acknowledged the execution of said instrument as his voluntary act and deed and affixed his signature thereto.

Witness my hand and Notarial Seal this ____ day of _____, 199__.

_____, Notary Public
Printed Name

My Commission Expires: _____ County of Residence: _____

COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY SECTION 36, ACTS OF 1981, P.L. 309 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, AND AN ORDINANCE ADOPTED BY THE TOWN OF FISHERS AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD,

_____
FISHERS TOWN PLAN COMMISSION

PRESIDENT _____ SECRETARY _____

LAND DESCRIPTION

A part of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 20; thence North 00°03'31" West (assumed bearing) along the West line of said Southwest Quarter a distance of 958.90 feet to the Southeast corner of Fishtown Section One per plat thereof recorded as Instrument No. 8562170 in Plat Cabinet 1, Slide 638 in the Office of the Recorder of Hamilton County, Indiana, and the Northwest corner of Parkshire Section One per plat thereof recorded as Instrument No. 9606066.01 in Plat Cabinet 1, Slide 855 in the Office of the Recorder of Hamilton County, Indiana; (the following four (4) courses are along the South line of said Fishtown Section One and the North line of said Parkshire Section One) (1) thence North 89°41'05" East a distance of 326.51 feet; (2) thence South 00°44'07" East a distance of 124.29 feet; (3) thence South 75°03'32" East a distance of 474.08 feet; (4) thence South 87°44'47" East a distance of 76.32 feet to the Southwesterly corner of said Fishtown Section One and the Southwesterly corner of Fishtown Section Two per plat thereof recorded as Instrument No. 8700613 in Plat Cabinet 1, Slide 754 in the Office of the Recorder of Hamilton County, Indiana; (the following four (4) courses are along the South line of said Fishtown Section Two and the North line of said Parkshire Section One); (1) thence continuing South 87°44'47" East a distance of 125.15 feet; (2) thence South 81°38'21" East a distance of 50.00 feet to a non-tangent curve concave Northwesterly having a radius of 850.00 feet and a central angle of 00°08'36"; (3) thence Southwesterly along said curve an arc distance of 10.70 feet (said arc being subtended by a chord bearing South 85°51'37" West a distance of 10.70 feet); (4) thence South 86°26'45" East a distance of 102.00 feet to the Northwesterly corner of said Fishtown Section One and the POINT OF BEGINNING; thence South 87°00'44" East along the South line of said Fishtown Section Two a distance of 38.72 feet to the Southwesterly corner of said Fishtown Section Two; thence North 88°41'05" East a distance of 213.13 feet; thence North 87°34'14" East a distance of 148.39 feet; thence South 00°03'03" East a distance of 434.87 feet; thence North 14°06'20" East a distance of 346.12 feet; thence North 00°03'13" East a distance of 122.85 feet; thence North 88°36'44" East a distance of 323.00 feet; thence South 01°03'46" East a distance of 185.63 feet; thence South 87°36'31" East a distance of 84.94 feet; thence South 03°30'06" West a distance of 38.73 feet; thence South 74°55'04" West a distance of 106.21 feet; thence South 08°02'44" East a distance of 178.75 feet to a non-tangent curve concave Southerly having a radius of 425.00 feet and a central angle of 06°17'23"; thence Westerly along said curve an arc distance of 47.23 feet (said arc being subtended by a chord bearing South 82°47'30" West a distance of 47.21 feet); thence South 08°22'08" East a distance of 158.73 feet to a point in the Northerly line of Newhall Section Two (the following six (6) courses are along the Northerly line of said Newhall Section Two); (1) thence South 88°07'07" West a distance of 77.08 feet; (2) thence North 00°14'03" West a distance of 56.00 feet; (3) thence North 54°29'31" West a distance of 29.24 feet; (4) thence South 37°59'52" West a distance of 30.00 feet; (5) thence South 45°40'43" West a distance of 173.00 feet; (6) thence South 57°17'07" West a distance of 166.54 feet; (7) thence South 87°17'07" West a distance of 18.33 feet; (8) thence South 77°28'57" West a distance of 557.40 feet; (9) thence South 89°59'05" West a distance of 357.36 feet to a point in the Easterly line of Outlot A, Section Two and that Outlot recorded as Instrument No. 9557573 in Plat Cabinet 1, Slide 913 in the Office of the Recorder of Hamilton County, Indiana; (the following five (5) courses are along the Easterly and Northerly line of said Outlot A); (1) thence South 00°03'00" West a distance of 25.00 feet; (2) thence South 89°49'05" West a distance of 124.86 feet; (3) thence North 45°14'46" West a distance of 35.84 feet to a point in the Easterly line of said Parkshire Section One; (the following three (3) courses are along the Easterly line of said Parkshire Section One); (1) thence North 00°03'00" East a distance of 163.12 feet to a non-tangent curve concave Northeasterly having a radius of 150.00 feet and a central angle of 07°51'27"; (2) thence Northwesterly along said curve an arc distance of 20.94 feet (said arc being subtended by a chord bearing South 81°09'36" West a distance of 20.92 feet); (3) thence North 29°26'15" East a distance of 383.36 feet to the POINT OF BEGINNING. Containing 13.055 Acres (568,885 square feet) more or less.

This subdivision consists of 37 Lots numbered 45 through 78 inclusive. The location and dimensions of the Lots, Streets and Easements are shown on the plat. All dimensions are shown in feet and decimal parts thereof.

I, the undersigned, do hereby certify the within plat to be true and correct to the best of my knowledge and belief and to represent a portion of the real estate as the boundaries were determined by a Land Title Survey prepared by Walton-Packard and Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on September 1st, 1993, this survey was subsequently recorded as Instrument No. 8543888 in the Office of the Recorder of Hamilton County, Indiana; and a Land Title Survey prepared by Walton-Packard and Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on June 27th, 1994, this survey was subsequently recorded as Instrument No. 8543887 in the Office of the Recorder of Hamilton County, Indiana; and a Land Title Survey Prepared by Walton-Packard and Associates, Inc., and certified by Gary L. Piers, R.L.S. NO. 890010 on June 28th, 1995, this survey was subsequently recorded as Instrument No. 8543885 in the Office of the Recorder of Hamilton County, Indiana.

I further certify that all monuments shown actually exist or will be installed in their positions as correctly shown and that all dimensions and geodetic data is correct.

Witness my hand and seal this ____ day of _____, 19____.

GARY L. PIERS REGISTERED No. 890010 STATE OF INDIANA LAND SURVEYOR

_____
Gary L. Piers
Registered Land Surveyor No. 890010
State of Indiana

AUBURN SPRINGS
SECTION TWO
AN ADDITION TO HAMILTON COUNTY, INDIANA

PREPARED BY:
GARY L. PIERS
REGISTERED LAND SURVEYOR
NO. 890010, STATE OF INDIANA

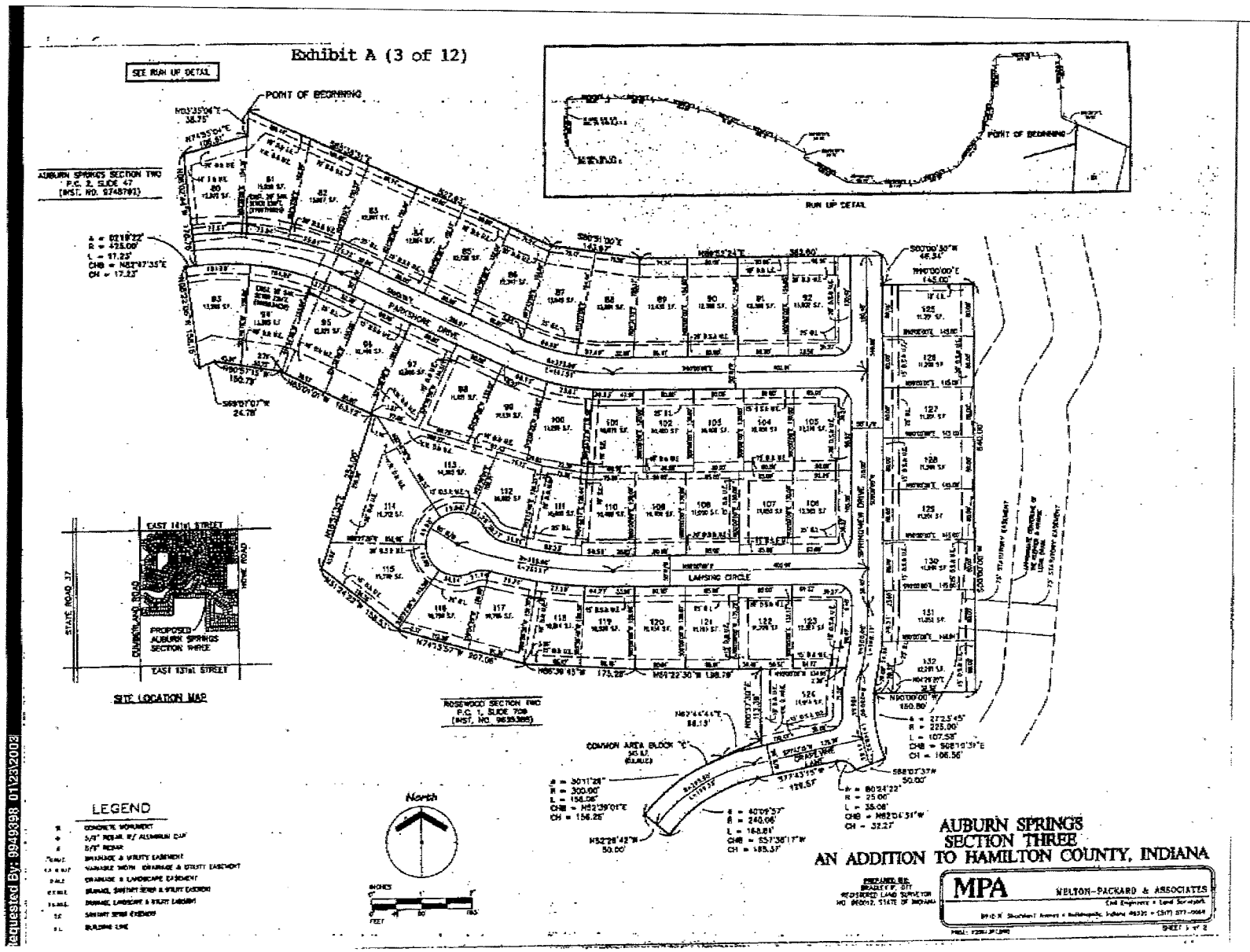
MPA WALTON-PACKARD & ASSOCIATES
Civil Engineers • Land Surveyors
6910 E. Shadeland Avenue • Indianapolis, Indiana 46250 • (317) 577-9280

FIELD CONVENTIONS

SHEET 2 OF 2

Requested By: 9949398 01/23/2003

Exhibit A (3 of 12)



Requested By: 9949398 01\23\2003 10/20/2005 13:13 3177768621 DAMAYNARD PAGE 25

Exhibit A (4 of 12)

The undersigned, Mann Realty Co., and Mann Realty Co. d/b/a D. B. Mann Development Co., Owners of the real estate shown and described herein and Recorded in the Office of the Recorder of Hamilton County, Indiana, as Instrument Numbers 9440776, 9551361, 9539088, 9553812, 9553813, and 9603062B, do hereby certify that we have laid off, platted and subdivided and do hereby lay off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as Auburn Springs, Section Three.

All streets shown on this plat and not heretofore dedicated are hereby dedicated to the public.

This plat is subject to the dedication of Covenants and Restrictions of Forkshore, recorded as Instrument No. 9534842 and any amendments thereto.

In Testimony whereof, witness the signatures of Owner and Declarant this _____ day of _____, 1999.

Owner
Mann Realty Co., d/b/a/
D. B. Mann Development Co.

By: _____
Gerald Davis Mann II, Partner

State of Indiana }
County of _____ } SS

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gerald Davis Mann II, Partner of Mann Realty Co., d/b/a/ D. B. Mann Development Co., and acknowledged the execution of this instrument as his voluntary act and deed and affixed his signature thereto.

Witness my hand and Notarial Seal this _____ day of _____, 1999.

_____
( ), Notary Public
Printed Name

My Commission Expires: _____ County of Residence: _____

COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P.L. 309 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO AND AN ORDINANCE ADOPTED BY THE TOWN OF FISHERS AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD,

_____
FISHERS TOWN PLAN COMMISSION

_____ _____
PRESIDENT SECRETARY

PRINTED
JUN 07 1999
MELTON PACKARD

LAND DESCRIPTION

A part of the Northwest Quarter of the Northwest Quarter of Section 29 and a part of the Southwest Quarter of the Southwest Quarter of Section 20 and a part of the Southwest Quarter of the Southwest Quarter of Section 20 all in Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of said Section 20; thence North 00°03'39" West (deemed bearing) along the West line of said Southwest Quarter a distance of 962.90 feet to the Southwest corner of Plantana Section One per plat thereof recorded as Instrument No. 9562970 in Plat Cabinet 1, Slide 654 in the Office of the Recorder of Hamilton County, Indiana, and the Northwest corner of Forkshore Section One per plat thereof recorded as Instrument No. 9606006A33 in Plat Cabinet 1, Slide 654 in the Office of the Recorder of Hamilton County, Indiana; (the following four (4) courses are along the South line of said Plantana Section One and the North line of said Forkshore Section One); (1) thence North 89°48'08" East a distance of 323.51 feet; (2) thence South 86°44'07" East a distance of 124.29 feet; (3) thence South 75°33'52" East a distance of 878.88 feet; (4) thence South 87°44'47" East a distance of 78.32 feet to the Southwesterly corner of said Plantana Section One and the Southwesterly corner of Plantana Section Two per plat thereof recorded as Instrument No. 9700115 in Plat Cabinet 1, Slide 754 in the Office of the Recorder of Hamilton County, Indiana; (the following four (4) courses are along the South line of said Plantana Section Two and the North line of said Forkshore Section One); (1) thence continuing South 87°44'47" East a distance of 125.15 feet; (2) thence South 81°36'31" East a distance of 50.00 feet to a non-tangent curve concave Northwesterly having a radius of 150.00 feet and a central angle of 00°56'38"; (3) thence Southwesterly along said curve an arc distance of 18.70 feet (said arc being subtended by a chord bearing South 85°51'57" West a distance of 18.70 feet); (4) thence South 89°39'45" East a distance of 100.00 feet to the Northeasterly corner of said Forkshore Section One; thence South 87°00'40" East along the South line of said Plantana Section Two a distance of 58.72 feet to the Southeasterly corner of said Plantana Section Two and the Southwesterly corner of Plantana Section Three per plat thereof recorded as Instrument No. 9739491 in Plat Cabinet 2, Slide 17 in the Office of the Recorder of Hamilton County, Indiana (the following five (5) courses are along the Southeasterly line of said Plantana Section Three and the Northerly line of said Auburn Springs Section Two); (1) thence North 84°41'05" East a distance of 217.13 feet; (2) thence North 67°34'15" East a distance of 188.09 feet; (3) thence North 38°03'03" East a distance of 434.81 feet; (4) thence North 14°58'28" East a distance of 245.47 feet; (5) thence North 06°03'13" East a distance of 122.95 feet to the Southwesterly corner of Plantana Section Four per plat thereof recorded as Instrument No. 9814787 in Plat Cabinet 2, Slide 148 in the Office of the Recorder of Hamilton County, Indiana; thence North 88°56'44" East along the Southerly line of said Plantana Section Four and the Northerly line of said Auburn Springs Section Two a distance of 325.00 feet to the Southwesterly corner of said Plantana Section Four; thence South 01°03'16" East along the Easterly line of said Auburn Springs Section Two a distance of 195.53 feet; thence South 85°38'31" East along the Easterly line of said Auburn Springs Section Two a distance of 34.98 feet to the POINT OF BEGINNING; thence continuing South 85°38'31" East a distance of 527.93 feet; thence South 80°51'00" East a distance of 143.67 feet; thence North 89°53'24" East a distance of 382.80 feet; thence South 00°00'00" West a distance of 46.34 feet; thence North 90°00'00" East a distance of 145.00 feet to a point that is 450.00 feet West of the East line of the Southwest Quarter of the Southwest Quarter of said Section 20; Thence South 00° 00'00" West parallel with the East line of said Southwest Quarter Quarter Section a distance of 840.00 feet to a point that is 340.37 feet North of the South line of said Southwest Quarter Quarter Section; thence North 90°00'00" West a distance of 160.00 feet to the point of curvature of a curve concave Northeasterly having a central angle of 27°23'45" and a radius of 225.00 feet; thence Southeasterly along the arc of said curve a distance of 107.58 feet (said arc being subtended by a chord having a bearing of South 08°15'31" East and a length of 106.56 feet); thence South 68°07'37" West on a non-tangent line to said described curve a distance of 50.00 feet to the point of curvature of a non-tangent curve concave Southwesterly having a central angle of 80°24'22" and a radius of 25.00 feet; thence Northwesterly along the arc of said curve a distance of 35.08 feet (said arc being subtended by a chord having a bearing of North 82°04'34" West and a length of 32.27 feet); thence South 27°43'15" West on a tangent line to said described curve a distance of 129.57 feet to the point of curvature of a tangent curve concave Southeasterly having a central angle of 40°09'57" and a radius of 240.00 feet; thence Southwesterly along the arc of said curve a distance of 168.81 feet (said curve being subtended by a chord having a bearing of South 67°38'17" West and a length of 165.37 feet) to a point on the Southerly line of Rosewood Section Two per Amended Plat thereof recorded as Instrument No. 9648154 in Plat Cabinet 1, Slide 737 in the Office of the Recorder of Hamilton County, Indiana (the following twelve (12) courses are along the Southerly, Easterly and Northerly lines of said Rosewood Section Two); (1) thence North 52°26'42" West on a non-tangent line to said described curve a distance of 50.00 feet to the point of curvature of a non-tangent curve concave Southeasterly having a central angle 30°11'28" and a radius of 300.00 feet; (2) thence Northeasterly along the arc of said curve a distance of 158.06 feet (said arc being subtended by a chord having a bearing of North 52°39'04" East and a length of 156.26 feet); (3) thence North 67°-46'44" East on a tangent line to last described curve a distance of 66.33 feet; (4) thence North 00°37'30" East a distance of 133.36 feet; (5) thence North 89°27'30" West a distance of 192.79 feet; (6) thence North 88°39'45" West a distance of 175.25 feet; (7) thence North 74°15'57" West a distance of 207.06 feet; (8) thence North 51°24'22" West a distance of 158.53 feet; (9) thence North 85°53'35" East a distance of 254.00 feet; (10) thence North 65°01'01" West a distance of 183.12 feet; (11) thence North 80°57'15" West a distance of 180.79 feet; (12) thence South 89° 07'07" West a distance of 24.75 feet to the Southeast corner of said Auburn Springs Section Two (the following five (5) courses are along the East line of said Auburn Springs Section Two); (1) thence North 05°28'06" West a distance of 156.16 feet to the point of curvature of a non-tangent curve concave Southerly having a central angle of 02°13'21" and a radius of 423.00 feet; (2) thence Easterly along the arc of said curve a distance of 17.23 feet (said arc being subtended by a chord having a bearing of North 82°47'35" East and a length of 17.23 feet); (3) thence North 08° 02'41" West on a non-tangent line to the last described curve a distance of 178.75 feet; (4) thence North 74°55'04" East a distance of 104.81 feet; (5) thence North 03° 35'06" East a distance of 38.75 feet to the Point of Beginning. Containing 15.161 acres (791,973 square feet), more or less.

This subdivision consists of 53 Lots numbered 80 through 132 inclusive and Common Area Block "C". The locations and dimensions of the Lots, Streets and Easements are shown on the plat. All dimensions are shown in feet and decimal parts thereof.

I, the undersigned, do hereby certify the within plat to be true and correct to the best of my knowledge and belief and to represent a portion of the real estate as the boundaries were determined by a Land Title Survey prepared by Melton-Packard and Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on June 28th, 1995, this survey was subsequently recorded as Instrument No. 9543885 in the Office of the Recorder of Hamilton County, Indiana; and a Land Title Survey prepared by Melton-Packard and Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on September 1st, 1995, this survey was subsequently recorded as Instrument No. 9543886 in the Office of the Recorder of Hamilton County, Indiana; and a Land Title Survey Prepared by Melton-Packard and Associates, Inc., and certified by Gary L. Piers, R.L.S. NO. 890010 on September 14th, 1995, this survey was subsequently recorded as Instrument No. 9561365 in the Office of the Recorder of Hamilton County, Indiana and a Land Title Survey prepared by Melton-Packard and Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on June 1st, 1996, this survey was subsequently recorded as Instrument No. 9653386 in the Office of the Recorder of Hamilton County, Indiana .
I further certify that all monuments shown actually exist or will be installed in their positions as correctly shown and that all dimensions and geodetic data is correct.

Witness my hand and seal this ___ day of _____, 1999.

BRADLEY P. OTT
No. 9900012
STATE OF INDIANA
LAND SURVEYOR

_____
BRADLEY P. OTT
Registered Land Surveyor No. 9900012
State of Indiana

APPLICABLE HAMILTON SOUTHEASTERN UTILITIES, INC. STANDARD REQUIREMENTS:

(Taken from the Hamilton Southeastern Utilities, Inc. "Design Specifications for Sanitary Sewer Facilities – Revision Date: 3/1/99")

STANDARD REQUIREMENTS

4.01-A. All sanitary sewer and utility easements may be used for the construction, extension, operation, inspection, maintenance, reconstruction, and removal of sanitary sewer facilities and provide Hamilton Southeastern Utilities, Inc. the right of ingress/egress.

4.01-B. Pavement or concrete, including driveways and sidewalks, shall not be constructed on or within one (1) foot horizontal distance of any sanitary sewer coatings.

4.01-C. The drip line of all trees must be located a minimum of ten (10) feet from the center of sanitary sewers and manholes and no trees shall be planted directly over building sewers (laterals). Any landscaping placed within easements or right-of-ways is at risk of being removed by utilities without the obligation of replacement.

4.01-D. No mounding, lighting, fencing, signs, retaining/landscaping/entrance walls, irrigation lines, etc. shall be placed within ten (10) feet of the center of the sanitary sewer infrastructure. Any of the above listed items placed within easements or right-of-ways is at risk of being removed by utilities without the obligation of replacement.

4.01-E. All homeowners not serviced by gravity sanitary sewer service are responsible for all maintenance, repair and replacement of all grinder/ejector pumps, force mains and gravity laterals from the residence to the connection to the sanitary sewer main.

4.01-F. The discharge of clear water sources (foundation drains, sump pumps, roof drains, etc.) to the sanitary sewers is prohibited.

4.01-G. Grade changes across sanitary sewer facilities must be approved in writing by Hamilton Southeastern Utilities, Inc.

AUBURN SPRINGS SECTION THREE
AN ADDITION TO HAMILTON COUNTY, INDIANA

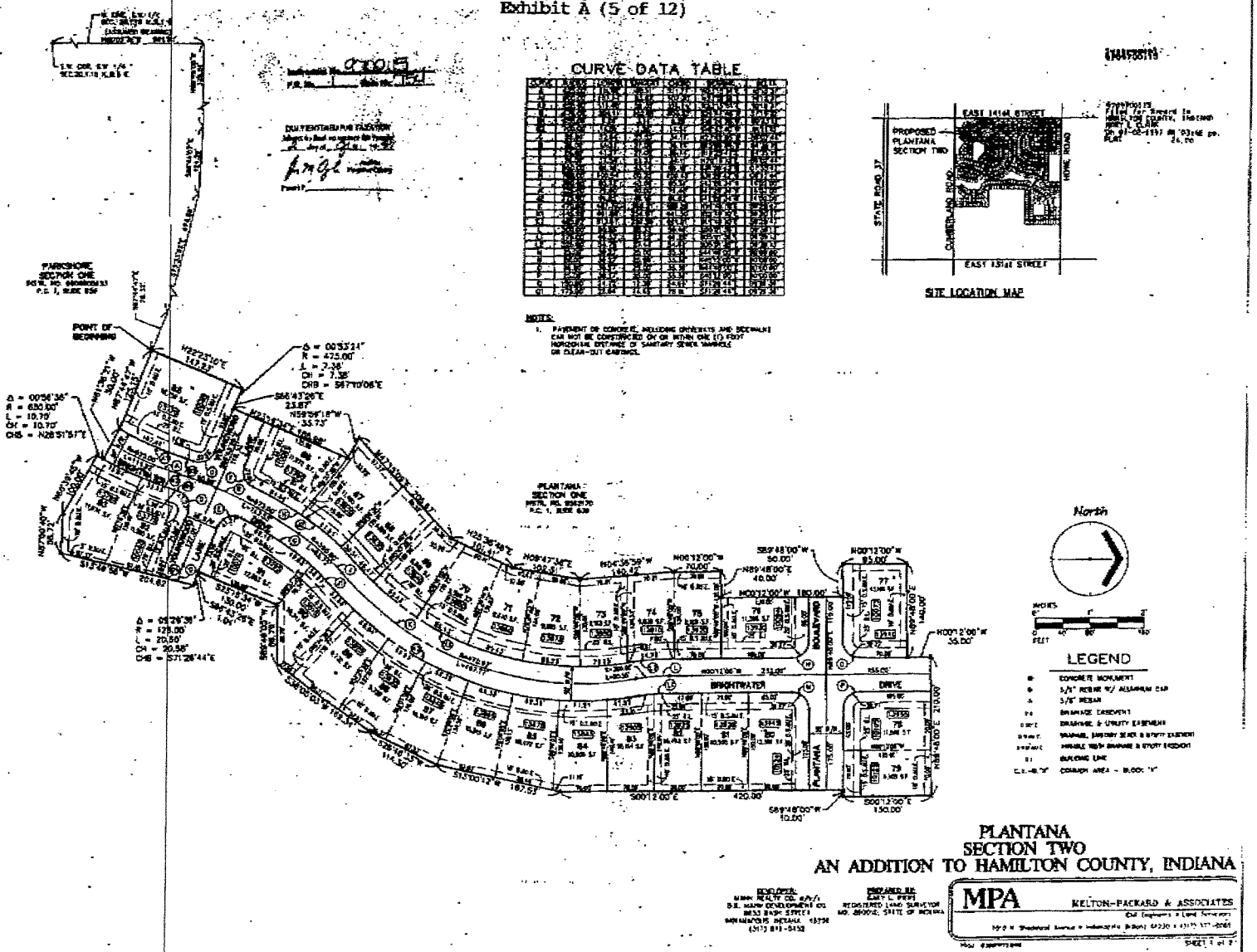
BRADLEY P. OTT
REGISTERED LAND SURVEYOR
NO. 9900012, STATE OF INDIANA

MPA MELTON-PACKARD & ASSOCIATES
Civil Engineers • Land Surveyors
8292 N. Shadeland Avenue • Indianapolis, Indiana 46250 • (317) 577-0069

FINAL PUBLICATION SHEET 2 of 2

Requested By: 9949398 01/23/2008

Exhibit A (5 of 12)



PLANTANA
SECTION TWO
AN ADDITION TO HAMILTON COUNTY, INDIANA

MPA
MELTON-PACKARD & ASSOCIATES

10/20/2005 13:13 3177768621 DAMAYNARD PAGE 27
Requested By: 9849398 01/23/2003

Exhibit A (6 of 12)

LAND DESCRIPTION

A part of the Southwest Quarter of Section 20, Township 18 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 20; thence North 00°05'34" West (Assumed bearing) along the West line of said Southwest Quarter a distance of 982.90 feet to the Southwest corner of Plantana Section One per plat thereof recorded as Instrument No. 9562170 in Plat Cabinet 1, Slide 539 in the Office of the Recorder of Hamilton County, Indiana, and the Northwest corner of Parkshore Section One per plat thereof recorded as Instrument No. 9809008135 in Plat Cabinet 1, Slide 559 in the Office of the Recorder of Hamilton County, Indiana; the following four (4) courses are along the South line of said Plantana Section One and the North line of said Parkshore Section One: (1) thence North 89°49'05" East a distance of 335.51 feet; (2) thence South 88°48'00" East a distance of 121.99 feet; (3) thence South 75°33'52" East a distance of 474.86 feet; (4) thence South 87°41'47" East a distance of 78.32 feet to the Southeasterly corner of said Plantana Section One and the POINT OF BEGINNING of the herein described tract; the following fourteen (14) courses are along the Easterly line of said Plantana Section One: (1) thence North 22°23'10" East a distance of 167.21 feet to a non-tangent curve concave Southwesterly having a radius of 475.00 feet and a central angle of 00°53'24"; (2) thence Southeasterly along said curve an arc distance of 7.38 feet (said arc being subtended by a chord bearing South 87°10'08" East a distance of 7.38 feet); (3) thence South 88°43'50" East tangent to last described curve a distance of 23.87 feet; (4) thence North 23°18'34" East a distance of 183.98 feet; (5) thence North 38°50'18" West a distance of 33.73 feet; (6) thence North 47°18'09" East a distance of 205.07 feet; (7) thence North 28°38'46" East a distance of 101.61 feet; (8) thence North 09°47'36" East a distance of 108.31 feet; (9) thence North 04°36'04" West a distance of 140.42 feet; (10) thence North 00°18'00" West a distance of 70.00 feet; (11) thence North 88°48'00" East a distance of 40.00 feet; (12) thence North 02°12'00" West a distance of 180.00 feet; (13) thence South 88°48'00" West a distance of 80.00 feet; (14) thence North 00°12'00" West a distance of 95.00 feet; thence North 88°48'00" East a distance of 140.00 feet; thence North 00°12'00" West a distance of 35.00 feet; thence North 88°48'00" East a distance of 210.00 feet; thence South 00°12'00" East a distance of 130.00 feet; thence South 88°48'00" West a distance of 10.00 feet; thence South 00°12'00" East a distance of 420.00 feet; thence South 13°06'12" West a distance of 987.53 feet; thence South 28°48'53" West a distance of 114.30 feet; thence South 36°08'03" West a distance of 185.34 feet; thence South 89°49'05" West a distance of 86.79 feet; thence South 23°18'34" West a distance of 130.00 feet; thence South 66°43'29" East a distance of 1.84 feet to a curve concave Northeasterly having a radius of 125.00 feet and a central angle of 09°26'34"; thence Southeasterly along said curve an arc distance of 20.60 feet (said arc being subtended by a chord bearing South 71°29'44" East a distance of 20.58 feet); thence South 13°48'56" West non-tangent to last described curve a distance of 204.82 feet; thence North 67°07'40" West a distance of 36.73 feet to the Northeasterly corner of said Parkshore Section One; the following four (4) courses are along the Northerly line of said Parkshore Section One: (1) thence North 40°39'45" West a distance of 100.00 feet to a non-tangent curve concave Northwesterly having a radius of 830.00 feet and a central angle of 00°58'26"; (2) thence Northeasterly along said curve an arc distance of 10.70 feet (said arc being subtended by a chord bearing North 28°57'57" East a distance of 10.70 feet); (3) thence North 61°26'21" West a distance of 53.00 feet; (4) thence North 87°41'47" West a distance of 125.05 feet to the Point of Beginning. Containing 9.278 Acres (404,210 Square Feet), more or less.

This subdivision consists of 29 Lots numbered 65 through 93 inclusive. The locations and dimensions of the Lots, Streets and Easements are shown on the plat. All dimensions are shown in feet and decimal parts thereof.

I, the undersigned, do hereby certify the within plat to be true and correct to the best of my knowledge and belief and to represent a portion of the real estate as the boundaries were defined by a Land Title Survey prepared by Melton-Packard & Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on September 1, 1993, and subsequently recorded as Instrument No. 9543886 in the Office of the Recorder of Hamilton County, Indiana, and a portion of the real estate as the boundaries were defined by a Land Title Survey prepared by Melton-Packard & Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on June 27, 1995. This survey was subsequently recorded as Instrument No. 9543887 in the Office of the Recorder of Hamilton County, Indiana.

I further certify that all monuments shown actually exist, or will be installed in their positions as correctly shown and that all dimensional and geodetic data are correct.

Witness my hand and seal this 20th day of December, 1996.

PRINTED
JAN 03 1997
MELTON-PACKARD

GARY L. PIERS
REGISTERED
No. 890010
STATE OF
INDIANA
LAND SURVEYOR

Gary L. Piers
Registered Land Surveyor No. 890010
State of Indiana

Instrument No. 9711115
P.B. No. 1 Slide No. 754

This undersigned, Mann Realty Co. and Mann Realty Co., d/b/a D.B. Mann Development Co., Owners of the real estate shown and described herein and recorded in the Office of the Recorder of Hamilton County, Indiana, as Instrument Numbers 9140778, 9551391 and 9550729, do hereby certify that we have laid off, platted and subdivided and do hereby lay off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as PLANTANA, SECTION TWO.

All streets shown on this plat and not heretofore dedicated are hereby dedicated to the public.

This plat is subject to the Declaration of Covenants and Restrictions of Parkshore, recorded as Instrument Number 9358842 in the Office of the Recorder of Hamilton County, Indiana, and any amendments thereto. Each owner of a lot depicted on this plat shall take title to such lot subject to the terms and conditions of the Plat Covenants and Restrictions.

Dated this 20th day of December, 1996.

Owner:
Mann Realty Co. d/b/a
D.B. Mann Development Co.

By: _____
Gerald Davis Mann II, Partner

State of Indiana }
County of Marion } SS:

Before me, the undersigned Notary Public in and for said County and State, personally appeared Gerald Davis Mann II, as Partner of Mann Realty Co., d/b/a D.B. Mann Development Co., who acknowledged execution of the foregoing Record Plat for and on Behalf of said Corporation.

Witness my hand and Notary Seal this 20 day of December, 1996

Lynn M. Williams
(Lynn M. Williams), Notary Public

(SEAL)

My Commission Expires Dec 20 1997 County of Residence Marion

COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P.L. 309 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO AND AN ORDINANCE ADOPTED BY THE TOWN OF FISHERS AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD,

JUNE 14, 1995

FISHERS TOWN PLAN COMMISSION

PRESIDENT _____ SECRETARY _____

PLANTANA
SECTION TWO
AN ADDITION TO HAMILTON COUNTY, INDIANA

DEVELOPER:
MANN REALTY CO. d/b/a
D.B. MANN DEVELOPMENT CO.
8415 BISH STREET
INDIANAPOLIS, INDIANA 46250
(317) 849-8651

PREPARED BY:
GARY L. PIERS
REGISTERED LAND SURVEYOR
NO. 890010, STATE OF INDIANA

MPA MELTON-PACKARD & ASSOCIATES
Civil Engineers Planners Surveyors
[illegible]

SHEET 1 OF 1

Requested By: 9848398 01/23/2003

Exhibit A (7 of 12)

CURVE DATA TABLE

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
A1	275.00'	113.83'	113.02'	N77°56'30"E	23°43'00"
A2	330.00'	118.81'	117.84'	N77°24'36"E	22°39'12"
A3	250.00'	103.48'	102.78'	S77°56'30"W	23°43'00"
B1	25.00'	38.41'	35.00'	S44°18'06"W	88°00'12"
B2	25.00'	39.27'	35.36'	N45°12'00"W	90°00'00"
C1	250.00'	54.00'	53.90'	N05°59'17"E	12°22'34"
C2	275.00'	59.40'	59.29'	N05°59'17"E	12°22'34"
C3	225.00'	48.60'	48.51'	N05°59'17"E	12°22'34"
D1	50.00'	36.14'	35.36'	S06°31'40"E	41°24'35"
D2	50.00'	229.15'	75.00'	S17°49'25"E	262°49'09"
D3	50.00'	36.14'	35.36'	N31°52'54"E	41°24'35"
E1	50.00'	36.14'	35.36'	S66°47'20"W	41°24'35"
E2	50.00'	229.15'	75.00'	N53°54'57"W	262°49'09"
E3	50.00'	36.14'	35.36'	N13°22'48"E	41°24'35"
F1	150.00'	163.67'	155.58'	N63°37'04"E	53°41'03"
F2	175.00'	164.12'	158.17'	N63°37'04"E	53°41'03"
F3	125.00'	117.23'	112.96'	N63°37'04"E	53°41'03"
G1	150.00'	36.69'	36.60'	S83°10'29"E	14°00'53"
G2	125.00'	42.81'	42.70'	S83°10'29"E	14°00'53"
G3	125.00'	30.58'	30.50'	S83°10'29"E	14°00'53"

ADDRESS TABLE

LOT NUMBER	STREET ADDRESS
90	10906 WOODSIDE LANE
91	10908 WOODSIDE LANE
92	10910 WOODSIDE LANE
93	10916 WOODSIDE LANE
94	10918 WOODSIDE LANE
95	10920 WOODSIDE LANE
96	10924 WOODSIDE LANE
97	10926 WOODSIDE LANE
98	10928 WOODSIDE LANE
99	10930 WOODSIDE LANE
100	10932 WOODSIDE LANE
101	10934 WOODSIDE LANE
102	10936 WOODSIDE LANE
103	10938 WOODSIDE LANE
104	10940 WOODSIDE LANE
105	10942 WOODSIDE LANE
106	10944 WOODSIDE LANE
107	10946 WOODSIDE LANE
108	10948 WOODSIDE LANE
109	10950 WOODSIDE LANE
110	10913 PLANTANA BOULEVARD
111	10915 PLANTANA BOULEVARD
112	10917 PLANTANA BOULEVARD
113	10919 PLANTANA BOULEVARD
114	10921 PLANTANA BOULEVARD
115	10923 CAROLINA COURT
116	10925 CAROLINA COURT
117	10927 CAROLINA COURT
118	10929 CAROLINA COURT
119	10931 CAROLINA COURT

10/20/2005 13:13 3177768621 DAMAYNARD PAGE 29
Requested By: 9949598 01/2012003

Exhibit A (8 of 12)

LAND DESCRIPTION

PLANTANA SECTION THREE
LAND DESCRIPTION

A part of the Southeast Quarter of Section 20, Township 16 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southeast corner of the Southeast Quarter of said Section 20; thence North 00°03'31" West (assumed bearing) along the West line of said Southeast Quarter a distance of 992.83 feet to the Southeast corner of Plantana Section One per plat thereof recorded as Instrument No. 9581270 in Plat Cabinet No. 1, Slide No. 639 in the Office of the Recorder of Hamilton County, Indiana; (the following four (4) courses are along the South line of said Plantana Section One); (1) thence North 88°48'08" East a distance of 323.31 feet; (2) thence South 88°44'07" East a distance of 134.05 feet; (3) thence South 75°33'52" East a distance of 474.88 feet; (4) thence South 87°44'47" East a distance of 78.32 feet to the Southeasterly corner of said Plantana Section One, said point also being the Southwesterly corner of Plantana Section Two per plat thereof recorded as Instrument No. 9906865 in Plat Cabinet No. 1, Slide No. 754 in the Office of the Recorder of Hamilton County, Indiana; (the following five (5) courses are along the Southerly line of said Plantana Section Two); (1) thence continuing South 87°44'47" East a distance of 125.15 feet; (2) thence South 81°36'21" East a distance of 50.00 feet to a non-tangent curve concave Northwesterly having a radius of 850.00 feet and a central angle of 00°58'36"; (3) thence Southwesterly along said curve an arc distance of 10.70 feet (said arc being subtended by a chord bearing South 28°51'57" West a distance of 10.70 feet); (4) thence South 89°38'45" East a distance of 100.00 feet; (5) thence South 87°00'40" East a distance of 58.72 feet to the Southeasterly corner of said Plantana Section Two and the POINT OF BEGINNING; (the following eleven (11) courses are along the Easterly line of said Plantana Section Two); (1) thence North 13°49'56" East a distance of 204.82 feet to a curve concave Northwesterly having a radius of 125.00 feet and a central angle of 09°28'36"; (2) thence Northwesterly along said curve an arc distance of 20.60 feet (said arc being subtended by a chord bearing North 71°26'44" West a distance of 20.58 feet); (3) thence North 86°43'28" West a distance of 1.04 feet; (4) thence North 23°16'34" East a distance of 130.00 feet; (5) thence North 86°48'08" East a distance of 86.79 feet; (6) thence North 36°05'03" East a distance of 158.34 feet; (7) thence North 26°48'37" East a distance of 114.50 feet; (8) thence North 13°03'12" East a distance of 187.53 feet; (9) thence North 00°12'00" West a distance of 420.00 feet; (10) thence North 88°48'00" East a distance of 10.00 feet; (11) thence North 00°12'00" West a distance of 130.00 feet to the Northeast corner of said Plantana Section Two; thence North 88°48'00" East a distance of 213.14 feet; thence South 12°25'34" East a distance of 131.18 feet to a curve concave Northwesterly having a radius of 250.00 feet and a central angle of 16°50'13"; thence Northeasterly along said curve an arc distance of 73.48 feet (said arc being subtended by a chord bearing North 74°30'07" East a distance of 73.20 feet); thence South 83°05'00" East a distance of 50.00 feet; thence South 01°03'18" East a distance of 358.00 feet; thence South 06°03'13" West a distance of 122.98 feet; thence South 14°58'25" West a distance of 245.47 feet; thence South 36°05'03" West a distance of 431.81 feet; thence South 87°34'14" West a distance of 168.28 feet; thence South 89°48'05" West a distance of 217.13 feet to the Point of Beginning. Containing 10.508 Acres (457,766 Square Feet), more or less.

This subdivision consists of 35 Lots numbered 84 through 125 inclusive. The locations and dimensions of the Lots, Streets and Easements are shown on the plat. All dimensions are shown in feet and decimal parts thereof.

I, the undersigned, do hereby certify the within plat to be true and correct to the best of my knowledge and belief and to represent a portion of the real estate as the boundaries were defined by a Land Title Survey prepared by Melton-Packard & Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on September 1, 1993, and subsequently recorded as Instrument No. 9543886 in the Office of the Recorder of Hamilton County, Indiana; and a portion of the real estate as the boundaries were defined by a Land Title Survey prepared by Melton-Packard & Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on June 27, 1995. This survey was subsequently recorded as Instrument No. 9543887 in the Office of the Recorder of Hamilton County, Indiana.

I further certify that all monuments shown actually exist or will be installed in their positions as correctly shown and that all dimensions and geodetic data are correct.

Witness my hand and seal this 8th day of August, 1997.

GARY L. PIERS REGISTERED No. 890010 STATE OF INDIANA LAND SURVEYOR

Gary L. Piers
Registered Land Surveyor No. 890010
State of Indiana

The undersigned, Mann Realty Co. and Mann Realty Co. d/b/a D.B. Mann Development Co., Owners of the real estate shown and described herein and recorded in the Office of the Recorder of Hamilton County, Indiana, as Instrument Numbers 9440776, 9556391 and 9550029, do hereby certify that we have laid off, platted and subdivided and do hereby lay off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as PLANTANA, SECTION THREE.

All streets shown on this plat and not heretofore dedicated are hereby dedicated to the public.

This plat is subject to the Declaration of Covenants and Restrictions of Forbishers, recorded as Instrument Number 9556842 in the Office of the Recorder of Hamilton County, Indiana, and any amendments thereto. Each owner of a lot depicted on this plat shall take title to such lot subject to the terms and conditions of the Plat Covenants and Restrictions.

Dated this 19th day of August, 1997.

Owner:
Mann Realty Co. d/b/o
D.B. Mann Development Co.

By: Gerald Davis Mann II
Gerald Davis Mann II, Partner

State of Indiana }
County of Marion } SS:

Before me, the undersigned Notary Public in and for said County and State, personally appeared Gerald Davis Mann II, as Partner of Mann Realty Co. d/b/o D.B. Mann Development Co., who acknowledged execution of the foregoing Record Plat for and on Behalf of said Corporation.

Witness my hand and Notary Seal this 19th day of August, 1997.

Lisa K. Roberts, Notary Public

My Commission Expires: 12-31-98 County of Residence: Marion

COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P.L. 309 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO AND AN ORDINANCE ADOPTED BY THE TOWN OF FISHERS, AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD, MARCH, 12 1997

FISHERS TOWN PLAN COMMISSION

PRESIDENT SECRETARY

FINAL PLAT
PLANTANA
SECTION THREE
AN ADDITION TO HAMILTON COUNTY, INDIANA

DEVELOPER:
MANN REALTY CO. d/b/o
D.B. MANN DEVELOPMENT CO.
3620 BASH STREET
INDIANAPOLIS, INDIANA 46236
(317) 849-0452

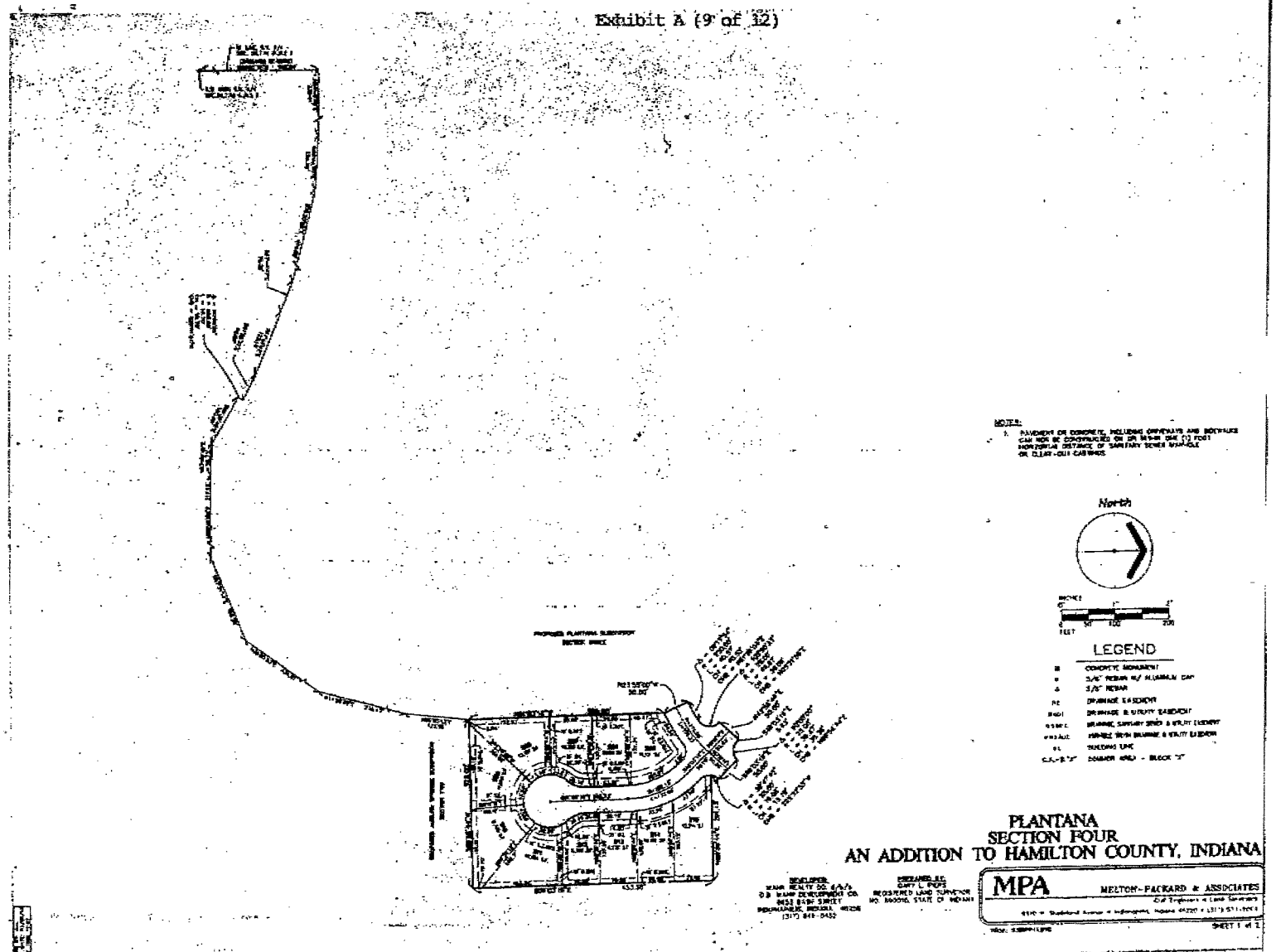
PREPARED BY:
GARY L. PIERS
REGISTERED LAND SURVEYOR
NO. 890010 STATE OF INDIANA

MPA MELTON-PACKARD & ASSOCIATES
Civil Engineers • Land Surveyors
5151 N. Shadeland Avenue • Indianapolis, Indiana 46226 • (317) 545-2003

SHEET 2 of 3

Requested By: 9948398 01/23/2003

Exhibit A (9 of 12)



10/20/2005 13:13 3177768621 DAMAYNARD PAGE 31
Requested By: 8949368 01/23/2003

Exhibit A (10 of 12)

LAND DESCRIPTION

A part of the Southwest Quarter of Section 26, township 18 North, Range 3 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the Southwest Quarter of said Section 26; thence North 00°01'39" West (assumed bearing) along the West line of said Southwest Quarter a distance of 995.38 feet to the Southwest corner of Parkview Section One per plat thereof recorded as Instrument No. 9506750 in Plat Cabinet 1, Slide 698 in the Office of the Recorder of Hamilton County, Indiana, and the Northwest corner of Parkview Section Two per plat thereof recorded as Instrument No. 9507000013 in Plat Cabinet 1, Slide 908 in the Office of the Recorder of Hamilton County, Indiana; thence along the South line of said Parkview Section One and the North line of said Parkview Section One; (1) thence North 89°49'00" East a distance of 300.00 feet; (2) thence South 00°01'39" East a distance of 1324.09 feet; (3) thence South 89°47'00" West a distance of 174.00 feet; (4) thence South 17°44'00" East a distance of 78.24 feet to the Southwesterly corner of said Parkview Section One and the Southwesterly corner of Parkview Section Two and the Southwesterly corner of Parkview Section Two per said Instrument No. 9506750 in Plat Cabinet 1, Slide 698 in the Office of the Recorder of Hamilton County, Indiana; thence along the South line of said Parkview Section Two; (1) thence South 89°49'00" West a distance of 56.00 feet; (2) thence South 87°47'00" West a distance of 100.00 feet; (3) thence South 81°36'00" West a distance of 56.00 feet to a point on a non-tangent curve concave Northwesterly having a radius of 250.00 feet and a central angle of 09°07'00"; (4) thence Southwesterly along the arc of said curve a distance of 39.79 feet (said arc being subtended by a chord bearing South 85°39'30" West a distance of 39.75 feet); (5) thence South 89°09'00" West a distance of 56.00 feet to the Southwesterly corner of said Parkview Section One; thence North 00°51'00" West along the West line of said Parkview Section One a distance of 99.70 feet to the Southwesterly corner of said Parkview Section Two; thence North 89°09'00" East a distance of 317.73 feet; thence North 81°36'00" East a distance of 56.00 feet; thence North 34°58'00" East a distance of 56.00 feet; thence North 34°58'00" East a distance of 43.00 feet; thence North 34°58'00" East a distance of 56.00 feet; thence North 34°58'00" East a distance of 122.00 feet; thence North 55°02'00" West a distance of 56.00 feet; thence North 34°58'00" East a distance of 300.00 feet; thence North 34°58'00" West a distance of 56.00 feet to a point on a non-tangent curve concave Northwesterly having a radius of 200.00 feet and a central angle of 09°07'00"; thence Northeasterly along the arc of said curve a distance of 31.84 feet (said arc being subtended by a chord bearing North 39°39'30" East a distance of 31.81 feet); thence North 44°13'00" East a distance of 56.00 feet; thence North 44°13'00" East a distance of 43.00 feet; thence North 44°13'00" East a distance of 56.00 feet to the point of curvature of a curve concave Northwesterly having a radius of 25.00 feet and a central angle of 90°00'00"; thence Southeasterly, Easterly and Northeasterly along said curve an arc distance of 39.27 feet (said arc being subtended by a chord bearing North 89°13'00" East a distance of 35.36 feet); thence South 45°47'00" East on a non-tangent line to last described curve a distance of 56.00 feet to a point on a non-tangent curve concave Southwesterly having a radius of 25.00 feet and a central angle of 90°47'00"; thence Southwesterly along said curve an arc distance of 39.60 feet (said arc being subtended by a chord bearing South 22°23'30" West a distance of 35.62 feet); thence South 67°00'00" East a distance of 56.00 feet; thence South 67°00'00" East a distance of 53.00 feet; thence South 38°54'00" West a distance of 225.00 feet to the Point of Beginning. Containing 2.475 acres (107,800 Square Feet), more or less.

This subdivision consists of 11 Lots numbered 205 through 215 inclusive. The locations and dimensions of the Lots, Streets and Easements are shown on the plat. All dimensions are shown in feet and decimal parts thereof.

I, the undersigned, do hereby certify the within plat to be true and correct to the best of my knowledge and belief and to represent a portion of the real estate as the boundaries were defined by a Land Title Survey prepared by Melton-Packard & Associates, Inc., and certified by Gary L. Pierz, R.L.S. No. 890010 on September 1, 1993, and subsequently recorded of Instrument No. 9543866 in the Office of the Recorder of Hamilton County, Indiana; and a portion of the real estate as the boundaries were defined by a Land Title Survey prepared by Melton-Packard & Associates, Inc., and certified by Gary L. Pierz, R.L.S. No. 890010 on June 27, 1995. This survey was subsequently recorded as Instrument No. 9543867 in the Office of the Recorder of Hamilton County, Indiana.

I further certify that all monuments shown actually exist or will be installed in their positions as correctly shown and that all dimensions and geodetic data are correct.

Witness my hand and seal this ____ day of _____, 19____.

GARY L. PIERZ
INDIANA
No. 890010
STATE OF
LAND SURVEYOR

Gary L. Pierz
Registered Land Surveyor No. 890010
State of Indiana

The undersigned, Mann Realty Co. and Mann Realty Co., d/b/a D.B. Mann Development Co., Owners of the real estate shown and described herein and recorded in the Office of the Recorder of Hamilton County, Indiana, as Instrument Numbers 9556391 and 9550729, do hereby certify that we have laid off, platted and subdivided and do hereby lay off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as PLANTANA, SECTION FOUR.

All streets shown on this plat and not heretofore dedicated are hereby dedicated to the public.

This plat is subject to the Declaration of Covenants and Restrictions of Parkview, recorded as Instrument Number 9556812 in the Office of the Recorder of Hamilton County, Indiana, and any amendments thereto. Each owner of a lot depicted on this plat shall take title to such lot subject to the terms and conditions of the Plat Covenants and Restrictions.

Dated this ____ day of _____, 19____.

Owner:
Mann Realty Co. d/b/a
D.B. Mann Development Co.

By: _____
Gerald Davis Mann II, Partner

State of Indiana }
} SS:
County of _____ }

Before me, the undersigned Notary Public in and for said County and State, personally appeared Gerald Davis Mann II, as Partner of Mann Realty Co., d/b/a D.B. Mann Development Co., who acknowledged execution of the foregoing Record Plat for and on Behalf of said Corporation.

Witness my hand and Notary Seal this ____ day of _____, 19____.

_____
_____, Notary Public

My Commission Expires: _____ County of Residence: _____

COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P.L. 309 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO AND AN ORDINANCE ADOPTED BY THE TOWN OF FISHERS AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD,

_____
FISHERS TOWN PLAN COMMISSION

_____ _____
PRESIDENT SECRETARY

PRINTED
APR 23 1997
MELTON PACKARD

PLANTANA
SECTION FOUR
AN ADDITION TO HAMILTON COUNTY, INDIANA

DEVELOPER:
MANN REALTY CO. d/b/a
D.B. MANN DEVELOPMENT CO.
8833 BISH STREET
INDIANAPOLIS, INDIANA 46250
(317) 849-0451

PREPARED BY:
GARY L. PIERZ
PROFESSIONAL LAND SURVEYOR
NO. 890010 STATE OF INDIANA

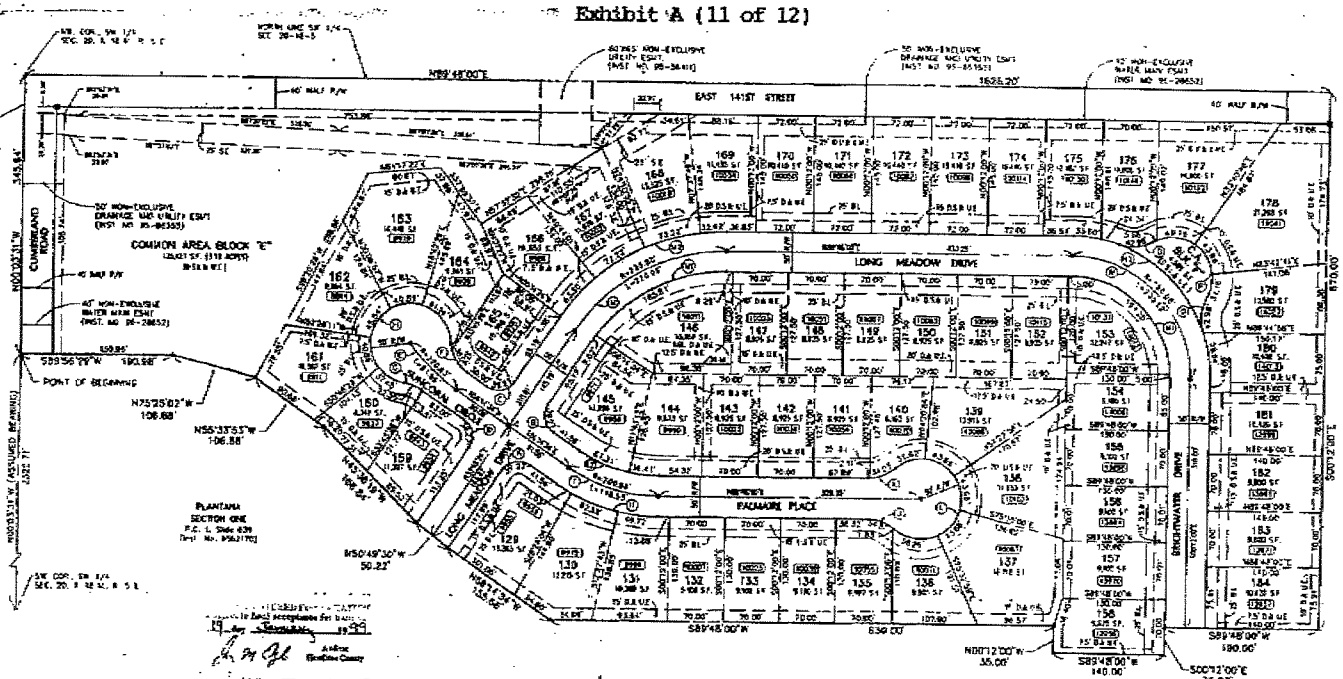
MPA
MELTON-PACKARD & ASSOCIATES
Civil Engineers • Land Surveyors
4915 N. Shadeland Avenue • Indianapolis, Indiana 46250 • (317) 577-0080

PROJ. 95MP114.PKE

SHEET 2 of 2

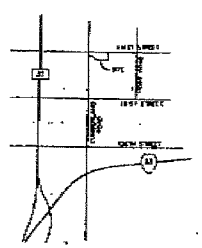
Requested By: 9949398 01/23/2008

Exhibit A (11 of 12)

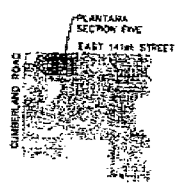


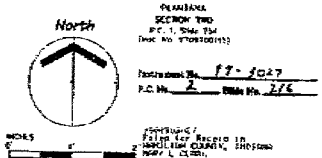
CURVE DATA TABLE

CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
A	90°00'00"	25.00'	39.27'	S78°45'26"W	35.36'
B	90°00'00"	25.00'	39.27'	N81°14'34"W	35.36'
C	90°00'00"	25.00'	39.27'	N78°45'26"E	35.36'
D	90°00'00"	25.00'	39.27'	N11°14'34"W	35.36'
E	21°14'22"	220.83'	81.86'	S45°37'23"E	81.38'
F	53°37'48"	50.00'	46.36'	S28°40'40"E	44.72'
G	25°50'31"	50.00'	22.54'	S66°09'50"E	22.36'
H	256°38'19"	50.00'	228.00'	N47°24'09"E	77.16'
I	33°57'26"	200.00'	118.53'	N73°13'17"W	116.81'
II	35°57'28"	225.00'	133.35'	N73°13'17"W	131.41'
I2	35°57'28"	175.00'	103.72'	S73°13'17"E	102.21'
J	41°24'35"	50.00'	36.14'	N69°25'43"W	35.34'
K	41°24'35"	50.00'	36.14'	S69°25'43"W	35.36'
L	252°48'09"	50.00'	220.55'	S00°12'00"E	73.00'
L1	58°02'51"	225.00'	228.08'	N81°45'43"E	217.43'
M1	58°02'34"	200.00'	195.63'	S81°45'43"W	187.82'
M2	58°02'34"	250.00'	244.53'	N81°45'43"E	234.60'
N	93°00'00"	150.00'	235.62'	S45°12'00"E	212.13'
N1	93°00'00"	125.00'	196.35'	N45°12'00"W	176.78'
N2	93°00'00"	175.00'	274.89'	N45°12'00"W	247.49'
O	49°14'55"	50.00'	42.98'	S64°48'04"W	41.67'
P	149°14'42"	50.00'	130.24'	S45°12'00"E	98.42'
Q	49°14'55"	50.00'	42.98'	S64°47'56"W	41.67'



SITE LOCATION MAP





LEGEND

- ■ CONCRETE MONUMENT
- ● 5/8" REBAR W/ ALUMINUM CAP
- ○ 5/8" REBAR
- VME D & U.E. VARIABLE WIDTH DRAINAGE & UTILITY EASEMENT
- D & U.E. DRAINAGE & UTILITY EASEMENT
- D,S & U.E. DRAINAGE, SANITARY SEWER & UTILITY EASEMENTS
- S.E. SANITARY SEWER EASEMENT
- B.L. BUILDING LINE
- D,U & L.M.E. DRAINAGE, UTILITY, & LANDSCAPE MAINTENANCE EASEMENT
- 12345 ADDRESS

SECONDARY PLAT
PLANTANA
SECTION FIVE
AN ADDITION TO HAMILTON COUNTY, INDIANA

PRINTED JAN 19 1999

MELTON-PAGNARD

DEVELOPER
MAYNARD REALTY CO. d.b.a.
D.B. KUNN DEVELOPMENT CO
8051 81st STREET
INDIANAPOLIS, INDIANA 46256
(317) 849-0462

PREPARED BY:
Bradley P. Dill
REGISTERED LAND SURVEYOR
NO. 9600012, STATE OF INDIANA

MPA MELTON-PAGNARD & ASSOCIATES

SHT 1 of

10/20/2005 13:13 3177768621 DAMAYNARD PAGE 33
Requested By: 99493398 01/23/2003

Exhibit A (12 of 12)

APPLICABLE HAMILTON SOUTHEASTERN UTILITIES, INC. (HSE) STANDARD REQUIREMENTS

(Taken from the Hamilton Southeastern Utilities, Inc. "Design Specifications for Sanitary Sewer Facilities – Revision Date 1/1/98")

STANDARD REQUIREMENTS

4.01–A.All sanitary sewer and utility easements may be used for the construction, extension, operation, inspection, maintenance, reconstruction, and removal of sanitary sewer facilities and provides HSE the right of ingress/egress.

4.01–B.Pavement or concrete, including driveways and sidewalks, shall not be constructed on or within one (1) foot horizontal distance of any sanitary sewer manhole or cleanout casting.

4.01–C.The drip line of all trees must be located a minimum of ten (10) feet from the center of sanitary sewers and manholes and no trees shall be planted directly over building sewers (laterals). Any landscaping placed within easements or right-of-ways is at risk of being removed by utilities without the obligation of replacement.

4.01–D.No landscaping, mounding, lighting, fencing, signs retaining/landscaping/entrance walls, irrigation lines, etc. shall be placed within ten (10) feet of the center of the sanitary sewer infrastructure. Any of the above listed items placed within easements or right-of-ways is at risk of being removed by utilities without the obligation of replacement.

4.01–E.All homeowners not serviced by gravity sanitary sewer service are responsible for all maintenance, repair and replacement of all grinder/ejector pumps, force mains and gravity laterals from the residence to the connection to the sanitary sewer main.

4.01–F.The discharge of clear water sources (foundation drains, sump pumps, roof drains, etc.) to the sanitary sewers is prohibited.

4.01–G.Grade changes across sanitary sewer facilities must be approved in writing by Hamilton Southeastern Utilities, Inc.

OWNER'S CERTIFICATE

The undersigned, Mann Realty Co., d/b/a D.B. Mann Development Co., Owners of the real estate shown and described herein and recorded in the Office of the Recorder of Hamilton County, Indiana, as Instrument Number 97-37286, do hereby certify that we have laid off, platted and subdivided and do hereby lay off, plat and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as PLANTANA, SECTION FIVE.

All streets shown on this plat and not heretofore dedicated are hereby dedicated to the public.

This plat is subject to the Declaration of Covenants and Restrictions of Parkshire, recorded as Instrument Number 85-56842 in the Office of the Recorder of Hamilton County, Indiana, and any amendments thereto. Each owner of a lot depicted on this plat shall take title to such lot subject to the terms and conditions of the Plat Covenants and Restrictions.

Dated this 23 day of December, 1998.

Owner:
Mann Realty Co. d/b/a
D.B. Mann Development Co.

By: Gerald Davis Mann, II, Partner

State of Indiana
County of Marion } SS:

Before me, the undersigned Notary Public in and for said County and State, personally appeared Gerald Davis Mann II, as Partner of Mann Realty Co., d/b/a D.B. Mann Development Co., who acknowledged execution of the foregoing Record Plat for and on Behalf of said Corporation.

Witness my hand and Notary Seal this 23 day of December, 1998.

SEAL

KELLY L. SAUER
MY COMMISSION EXPIRES 08-26-2000
MY COUNTY OF RESIDENCE IS HAMILTON

Kelly L. Sauer, Notary Public

My Commission Expires: 08/26/2000 County of Residence: Hamilton

COMMISSION CERTIFICATE:

UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P.L. 309 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO AND AN ORDINANCE ADOPTED BY THE TOWN OF FISHERS AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD MAY 15 1996

FISHERS TOWN PLAN COMMISSION:

PRESIDENT John D. Zeiler

SECRETARY Jonathan Evans

LAND DESCRIPTION

A part of the Southwest Quarter of Section 20, Township 18 North, Range 5 East in the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the southwest corner of the Southwest Quarter of said Section 20; thence North 00°03'31" West (assumed bearing) along the west line of said Southwest Quarter a distance of 2312.71 feet to the POINT OF BEGINNING, said point also being the northwest corner of Plantana, Section One per plat thereof recorded as Instrument No. 9562170 in Plat Cabinet 1, Slide 839 in the Office of the Recorder of Hamilton County, Indiana; thence continuing North 00°03'31" West along the west line of said Southwest Quarter a distance of 345.64 feet to the northwest corner of said Southwest Quarter; thence North 89°45'00" East along the north line of said Southwest Quarter a distance of 1628.20 feet; thence South 00°12'00" East a distance of 670.00 feet to a point in the north line of Plantana, Section Two per plat thereof recorded as Instrument No. 9700115 in Plat Cabinet 1, Slide 751 in the Office of the Recorder of Hamilton County, Indiana (the following three (3) courses are along the Northerly line of said Plantana, Section Two); (1) thence South 89°48'00" West a distance of 180.00 feet; (2) thence South 00°12'00" East a distance of 35.00 feet; (3) thence South 89°48'00" West a distance of 140.00 feet to a point in the east line of said Plantana, Section One (the following eight (8) courses are along the east and northerly line of said Plantana, Section One); (1) thence North 00°12'00" West a distance of 35.00 feet; (2) thence South 89°48'00" West a distance of 530.00 feet; (3) thence North 58°14'34" West a distance of 135.88 feet; (4) thence North 50°49'30" West a distance of 50.22 feet; (5) thence North 45°38'19" West a distance of 166.64 feet; (6) thence North 55°31'13" West a distance of 106.66 feet; (7) thence North 78°25'02" West a distance of 106.66 feet; (8) thence South 89°56'29" West a distance of 190.98 feet to the Point of Beginning. Containing 21.787 acres (948,150 sq. ft.), more or less

SURVEYOR'S CERTIFICATE

This subdivision consists of 56 Lots numbered 129 through 184 inclusive, and Blocks E and F (common areas). The locations and dimensions of the Lots, Streets and Easements are shown on the plat. All dimensions are shown in feet and decimal parts thereof.

I, the undersigned, do hereby certify the within plat to be true and correct to the best of my knowledge and belief and to represent a portion of the real estate as the boundaries were defined by a Land Title Survey prepared by Merton-Packard & Associates, Inc. and certified by Gary L. Plara, R.L.S. No. 890010 on June 27, 1995. This survey was subsequently recorded as Instrument No. 9543887 in the Office of the Recorder of Hamilton County, Indiana.

I further certify that all monuments shown actually exist or will be installed in their positions as correctly shown and that all dimensions and geodetic data are correct.

Witness my hand and seal this 22nd day of December, 1998.

BRADLEY P. OKI
No. 9600012
STATE OF INDIANA
LAND SURVEYOR

Bradley P. Oki
Land Surveyor No. 9600012
State of Indiana

Instrument No. 99-3027
P.C. No. 7 Slide No. 216

SECONDARY PLAT
PLANTANA
SECTION FIVE
AN ADDITION TO HAMILTON COUNTY, INDIANA

DEVELOPER
MANN REALTY CO. d/b/a
D.B. MANN DEVELOPMENT CO
8433 BASS STREET
INDIANAPOLIS, INDIANA 46256
(317) 849-0157

PREPARED BY:
Bradley P. Oki
REGISTERED LAND SURVEYOR
NO. 9600012, STATE OF INDIANA

MPA MELTON-PACKARD & ASSOCIATES
Civil Engineers & Land Surveyors
5110 N. Keystone Avenue, Indianapolis, Indiana 46205 • (317) 577-9063

SHEET
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