

FAX

K.C. DICKERSON & ASSOCIATES, INC.
27821 Arthur Baker Rd.
Atlanta, IN 46031
317-446-1918
Fax 317-758-5038

To: TANYA McFADDEN

Date: 9-8-08 Pages: 14

Subject: AUSTIN WINDS SEC 3

Comments:

CCR. REQUEST

KQ

McFadden, Tatiana

From: Pruett, Shannon
Sent: Friday, September 05, 2008 3:17 PM
To: McFadden, Tatiana
Subject: RE:

Sorry Hendricks

From: McFadden, Tatiana
Sent: Friday, September 05, 2008 2:35 PM
To: Pruett, Shannon
Cc: Jackson, Holly
Subject: RE:

What county?

Tanya McFadden
Residential Title Coordinator



First American Title Insurance Company
251 East Ohio Street, Suite 200
Indianapolis, IN 46204
Phone: 317-684-7556
Direct: 317-616-7375
Fax: 317-684-7550
E-mail: tmmcfadden@firstam.com

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From: Pruett, Shannon
Sent: Friday, September 05, 2008 2:30 PM
To: McFadden, Tatiana
Cc: Jackson, Holly
Subject:

I need to request CCR's for Austin Winds Section 3? Thank you

*KC
Thank You
Tanya*

*I have CCR's for Austin
Woods North Community
Is that the same thing?*

9/5/2008

#16195 Sept 2, 1992
For addendum to
restrictive covenants
see misc Rec 133 page 410-11
Jay Beady R New

14885

BOOK 124 PAGE 230

RATIFICATION, DEDICATION AND RESTRICTIVE COVENANTS

Whereas, Mark E. Sanders of Hendricks County, Indiana, does hereby state that he is the owner of certain real estate in Hendricks County, Indiana, which has been platted and is now known as Austin Winds, Section Three, a subdivision in Brown Township, Hendricks County, Indiana, the plat of which was recorded on December 13, 1990, in Plat Cabinet 1, Slide 104, pages 2 and Slide 105, page 1 in the Office of the Recorder of Hendricks County, Indiana; and

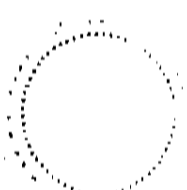
Whereas, the undersigned is desirous of ratifying the plat of Austin Winds, Section Three; and the undersigned is further desirous of joining in the dedication of all easements and streets as platted.

NOW THEREFORE, Mark E. Sanders, does hereby ratify the plat of Austin Winds, Section Three, as recorded on December 13, 1990, in Plat Cabinet 1, Slide 104, pages 2 and Slide 105, page 1, in the office of the Recorder of Hendricks County, Indiana.

AND FURTHER, the undersigned, as developer of Austin Winds, Section Three, aforesaid, does hereby covenant and restrict the lots therein with the restrictive covenants, dated January 4, 1990 and recorded September 12, 1990 in Miscellaneous Record 123, as Instrument Number 525, in the Office of the Recorder of Hendricks County, Indiana.

AND FURTHER, does hereby join in the dedication of the easements and streets as therein platted.

So ratified and dedicated this 19th day of December, 1990.



ENTERED FOR RECORD

BOOK 124 DEC 20 1990 PAGE 230

Mark E. Sanders
Mark E. Sanders

STATE OF INDIANA)
HENDRICKS COUNTY RECORDER)
) SS: *Bonnie A. Moyer*
HENDRICKS COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared Mark E. Sanders, who acknowledged the execution of the foregoing Ratification and Dedication.

Witness my hand and Notarial Seal this 19th day of December 1990.

My commission expires: March 25, 1993

Lee T. Comer
Notary Public - Lee T. Comer

Resident of Hendricks County.

Lee T. Comer
Attorney-at-Law
P.O. Box 207
Danville, IN 46122
(317) 748-4300.

16195

BOOK PAGE 410
132

ADDENDUM TO RESTRICTIVE COVENANTS, AUSTIN WINDS III

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Mark E. Sanders, Developer of Austin Winds, Section III, a subdivision in Brown Township, Hendricks County, Indiana, the plat of which was recorded on December 13, 1990 in Plat Cabinet 1, Slide 104, page 2; and Slide 105, page 1 in the Office of the Recorder of Hendricks County, Indiana; and

WHEREAS, all of the undersigned are owners of Austin Winds, Section III Subdivision; and

WHEREAS, declared Restrictive Covenants for said subdivision, which were recorded December 20, 1990 in Miscellaneous Record 124, page 290 in the Office of the Recorder of Hendricks County, Indiana; and

WHEREAS, the said Developer and owners are now desirous of adding certain restrictions to the already recorded covenants for said subdivision.

The undersigned, owners of Austin Winds, Section III Subdivision do hereby declare and covenant the following as additional restrictive covenants to Austin Winds, Section III, a subdivision as hereinabove described:

22. DWELLING SIZE. No dwelling shall be erected, altered, placed or permitted to remain on any lot other than one (1) single family residence not to exceed three stories in height. The ground floor of the main structure of any one story dwelling, excluding garages and one story porches, shall be not less than 1800 square feet. The ground floor area of the main structure of any two story dwelling, excluding garages and one story porches, shall not be less than 900 square feet, with no less than a total of 1800 square feet of finished floor space in such two story structure.

23. EXTERIOR MATERIAL. All exterior materials of any structure located on any lot within said subdivision must receive approval of the Architectural Control Committee as established under the Restrictive Covenants of this subdivision.

So covenanted and restricted this 27th day of November, 1991.

ENTERED FOR RECORD

BOOK SEP 2 1992
132 Jay Blaney
HENDRICKS COUNTY RECORDER

Mark E. Sanders
Lots 65, 66, 67, 68, 69, 70, 71,
74, 75, 76, 77, 78, 82, 83, 85, 86,
87, 88, 90, 92, 93, 100, 101.

Gregory R. Billman
Gregory R. Billman Lot 72

Anton Arnoldy
Anton Arnoldy Lot 73

Jeffery R. Bruns
Jeffery R. Bruns Lot 80

John M. Hopkins
John M. Hopkins Lot 81

Scott A. Miller
Scott A. Miller Lot 84

Richard C. Wehlerman
Richard C. Wehlerman Lot 91

Ronald J. Kirchner
Ronald J. Kirchner Lot 95

Jeffrey T. Waggoner
Jeffrey T. Waggoner Lot 96

Wayne Walters
Wayne Walters Lot 98

Michael M. Anthony
Michael M. Anthony Lot 99

Barbara A. Huff
Barbara A. Huff Lot 79

Zeller Construction Co.

BY: Case B Miller
Lot 89

Janet Y. Billman
Janet Y. Billman Lot 72

Jacquelyn Arnoldy
Jacquelyn Arnoldy Lot 73

Barbara Bruns
Barbara Bruns Lot 80

Robin N. Hopkins
Robin N. Hopkins Lot 81

Theresa J. Miller (For Theresa)
Theresa J. Miller Lot 84

Mary Ann Wehlerman
Mary Ann Wehlerman Lot 91

Rebecca J. Kirchner
Rebecca J. Kirchner Lot 95

Kelli Waggoner
Kelli Waggoner Lot 96

Lisa Walters
Lisa Walters Lot 98

Christine H. Anthony
Christine H. Anthony Lot 99

Jeffery Adams
Jeffery Adams Lot 94

PGL Enterprises, Inc.
BY: [Signature]
Lot 97

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

Subscribed and sworn to before me, a Notary Public in and for said County and State, this 26th day of AUGUST, 1994.

My commission expires: 6/24/95

Resident of MARION County.

Jane A. Hendrickson
Notary Public
JANE A. HENDRICKSON

This instrument was prepared by:
Lee T. Comer
Attorney-at-Law
P.O. Box 207
Danville, IN 46122
(317) 745-4300.

ENTERED FOR RECORD

BOOK

123

SEP 12 1990

PAGE 131-3

Thomas H. Moulton
HENRICKS COUNTY CLERK

BOOK 123 PAGE 131

10525

THIS INSTRUMENT WAS NOT RESTRICTIVE COVENANTS
LEGIBLE WHEN PRESENTED FOR RECORDING

RECORDED

AUSTIN WINDS II SUBDIVISION

I, THE UNDERSIGNED, MARK E. SANDERS, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED ON THE HEREON PLAT, DO HEREBY CERTIFY THAT I HAVE LAID OFF, PLATTED, SUBDIVIDED, AND SO HEREBY LAY OFF, PLAT, AND SUBDIVIDE, SAID REAL ESTATE IN ACCORDANCE WITH THE SHOWN PLAT.

1. NAME. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS AUSTIN WINDS II SUBDIVISION BEING LOCATED IN THE TOWNSHIP OF BROWNSBURG, COUNTY OF HENRICKS, INDIANA. ALL STREETS, HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO THE PUBLIC.

2. BUILDING LINE. FRONT YARD SET BACK LINES, AND SIDE YARD SET BACK LINES ON CORNER LOTS ARE TO BE AS SHOWN ON THE PLAT, BETWEEN BUILDINGS OR STRUCTURES ERECTED OR MAINTAINED.

3. UTILITY EASEMENTS AND DRAINAGE. "UTILITY EASEMENTS", AS SHOWN, SHALL BE REVERSED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF WATER, SEWER, GAS, TILE AND/OR ELECTRIC LINES, POLES, DUCTS, PIPES, ETC., ON, OVER, UNDER, AND TO SAID EASEMENT FOR LOCAL PUBLIC USE. THESE EASEMENTS ARE NOT FOR THE USE OF, AND SHALL NOT BE USED FOR, HIGH VOLTAGE ELECTRIC TRANSMISSION LINES OR HIGH PRESSURE LIQUID TRANSMISSION PIPE LINES, EXCEPT BY WRITTEN PERMISSION OF THE OWNER OF THE LAND AT THE TIME THE SAID TRANSMISSION LINE IS TO BE CONSTRUCTED. "DRAINAGE EASEMENTS" RESERVED AS DRAINAGE SWALES, AND SAID SWALES ARE TO BE MAINTAINED BY ANY OWNER SUCH THAT WATER FROM ANY ADJACENT LOT SHALL HAVE ADEQUATE DRAINAGE ALONG SUCH SWALE. ALL EASEMENTS SHOWN AS "UTILITY EASEMENTS" ARE ALSO TO BE CONSIDERED DRAINAGE EASEMENTS AND ARE SUBJECT TO ALL RESTRICTIONS OF DRAINAGE EASEMENTS. NO PERMANENT, OR OTHER STRUCTURES ARE TO BE ERECTED OR MAINTAINED UPON ANY EASEMENTS SHOWN UPON THE PLAT AND OWNERS OF LOTS SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE ABOVE DESCRIBED EASEMENTS.

4. LAND USE AND BUILDING TYPE. NO LOT SHALL BE ISSUED EXCEPT FOR RESIDENTIAL PURPOSES, NOR SHALL ANY LOT BE SUBDIVIDED. NO BUILDINGS SHALL BE ERECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE SINGLE FAMILY DWELLING ACROSS THE CENTER LOT LINE. THE LOT LINE RESTRICTIONS SHALL NOT APPLY TO THE BOUNDARY LINES DIVIDING ANY TWO SAID LOTS.

#4885 Dec 20, 1990
For ratification, Dedication
and restrictive covenants
See Misc Books 124 page 230
Record L. G. Moulton RHC

#16198 Sept 21, 1992
For amendment to
restrictive covenants
see Misc Book 132 page 416-17
Jay Buckley RHC

BOOK 123 PAGE 132

5. ARCHITECTURAL CONTROL. NO LOT SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS AND THE COMPLETE PLOT PLAN (CONFORMING IN ALL ASPECTS TO THE PLOT PLAN, AS REQUIRED BY F.H.A.) HAVE BEEN APPROVED BY THE ARCHITECTURAL COMMITTEE. AS TO THE QUALITY AND TYPE OF MATERIAL AND WORKMANSHIP, IN HARMONY WITH EXTERNAL DESIGN AND WITH EXISTING STRUCTURES OF FINISHED GRADE ELEVATIONS. THE GROUND FLOOR OF THE MAIN STRUCTURE, EXCLUSIVE OF OPEN PORCHES AND GARAGES, SHALL NOT BE LESS THAN 1600 SQUARE FEET, OR AT LEAST 900 FEET ON THE FIRST FLOOR OF HOUSES OF MORE THAN ONE STORY. (DETERMINATION OF SUFFICIENCY AND ADEQUACY OF THE TERM "GROUND FLOOR OF MAIN STRUCTURE" WITH RESPECT ARCHITECTURAL DWELLINGS OF A TRI-LEVEL, BI-LEVEL, AND ONE AND ONE-HALF STORY DESIGN SHALL REST EXCLUSIVELY WITH THE ARCHITECTURAL COMMITTEE). ALL DRAINAGE CONDUITS OR TUBES FOR INDIVIDUAL LOT DRIVEWAYS SHALL BE SUBJECT TO APPROVAL AS TO SIZE, MATERIAL AND QUALITY OF CONSTRUCTION BY THE PROJECT ENGINEER.

6. BUILDING LOCATION. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE, NOR NEARER TO THE SIDE STREET LINES THAN THE MINIMUM SET-BACK LINE SHOWN ON THE RECORD PLAT, FOR THE PURPOSE OF THIS COVENANT, EAVES, STEPS, AND OPEN PORCHES SHALL NOT BE CONSIDERED A PART OF THE BUILDING, PROVIDED, HOWEVER, THAT HIS SHALL NOT BE CONSTRUCTED TO PERMIT ANY PORTION OF A BUILDING ON A LOT TO ENCRDACH UPON ANOTHER LOT. AFTER THE BUILDING HAS BEEN STAKED AND BEFORE CONSTRUCTION BEGINS, THE PROJECT ENGINEER MUST CONFIRM THE LOCATION OF BUILDING WITH THE PLOT PLAN.

7. NO SWIMMING POOL OR ASSOCIATED STRUCTURE SHALL BE ERECTED OR PLACED ON ANY LOT UNTIL THE CONSTRUCTION PLANS, INCLUDING A PLOT PLAN, HAVE BEEN APPROVED BY THE ARCHITECTURAL COMMITTEE.

8. NUISANCES. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED UPON ANY LOT, NOR SHALL ANYTHING BE DONE WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

9. TEMPORARY STRUCTURES. NO STRUCTURES OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDINGS SHALL BE USED ON ANY LOT AS A RESIDENCE, OR FOR ANY OTHER PURPOSE, EITHER TEMPORARILY OR PERMANENTLY. FOR THE PURPOSE OF THIS COVENANT, STRUCTURES NEEDED AND USED BY THE BUILDERS SHALL BE ALLOWED TO REMAIN DURING THE BUILDING PERIOD.

10. LIVESTOCK AND POULTRY. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON ANY LOT EXCEPT FAMILY PETS, WHICH MAY BE KEPT, PROVIDED THEY ARE NOT KEPT, BRED OR MAINTAINED FOR COMMERCIAL PURPOSES, AND NOT TO CREATE OR CONSTITUTE A NUISANCE.

11. GARBAGE AND REFUSE DISPOSAL. NO LOTS SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, GARBAGE OR OTHER WASTE, AND SAME SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS, KEPT CLEAN AND SANITARY AND SHALL NOT BE USED

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SO AS TO CREATE AN OFFENSIVE SIGHT OR ODOR.

12. WATER SUPPLY. NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS DESIGNED, LOCATED AND CONSTRUCTED AND EQUIPPED IN ACCORDANCE WITH THE STANDARD RECOMMENDATIONS OF ALL NECESSARY GOVERNMENTAL REGULATING AUTHORITIES AND AGENCIES HAVING JURISDICTION THEREOF. APPROVAL OF SUCH SYSTEMS, INSTALLED, SHALL BE OBTAINED FROM SUCH AUTHORITIES.

13. SEWAGE DISPOSAL. NO INDIVIDUAL SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED UPON ANY LOT, UNLESS SUCH SYSTEM IS DESIGNED, LOCATED AND CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF ALL NECESSARY GOVERNMENTAL REGULATORY AGENCIES AND AUTHORITIES HAVING JURISDICTION THEREOF. APPROVAL OF SUCH SYSTEMS, INSTALLED, SHALL BE OBTAINED FROM SUCH AUTHORITIES.

14. SIGHT DISTANCE AT INTERSECTIONS. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO FEET AND SIX FEET ABOVE THE ROADWAYS SHALL BE PLACED, OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS TWENTY-FIVE FEET FROM THE INTERSECTION OF THE STREET LINE, OR IN THE CASE OF A PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN TEN FEET FROM THE INTERSECTION OF A STREET'S PROPERTY LINE WITH EDGE OF A DRIVEWAY. NO TREES SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCE OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUCH HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

15. FENCES. ORNAMENTAL FENCES OR CONTINUOUS SHRUB PLANTINGS WHICH WOULD IN ANY WAY, SERVE THE PURPOSE OF A FENCE, SHALL NOT BE ERECTED UNTIL APPROVED BY THE ARCHITECTURAL COMMITTEE.

16. STORAGE TANKS. OIL OR GAS STORAGE TANKS SHALL EITHER BE BURIED OR LOCATED WITHIN THE HOUSE OR GARAGE AREA SO THAT THEY ARE COMPLETELY CONCEALED FROM THE OUTSIDE VIEW.

17. SIGNS. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET, ADVERTISING THE PROPERTY FOR SALE OR FOR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING CONSTRUCTION AND SALES PERIOD.

18. ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF MARK E. SANDERS, HEREINAFTER CALLED DEVELOPER, OR ITS ASSIGNS, AND A PROFESSIONAL ENGINEER OF ITS DESIGNATION. AT ALL TIMES THE SAID DEVELOPER AND/OR ITS ASSIGNS SHALL HAVE THE MAJORITY VOTE OF SAID COMMITTEE. THE SAID DEVELOPER SHALL FURTHER HAVE THE RIGHT TO DESIGNATE A REPRESENTATIVE TO ACT FOR AND ON ITS BEHALF. THE COMMITTEE'S

BOOK 123 PAGE 134

APPROVAL, OR DISAPPROVAL, AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THAT SAID WRITTEN APPROVAL IS NOT RECEIVED FROM THE COMMITTEE WITHIN 14 DAYS FROM THE DATE OF SUBMISSION, IT SHALL BE DEEMED THAT THE COMMITTEE HAS DISAPPROVED THE PRESENTED PLAN.

19. VIOLATIONS. THE VIOLATIONS OF ANY RESTRICTION, AS HEREIN ENUMERATED, SHALL GIVE TO THE SAID DEVELOPER OR ITS SUCCESSORS, ANY AND ALL RIGHTS FOR INJUNCTION, DAMAGE, OR ANY OTHER ACTION AT LAW OR EQUITY WHICH IT AND ITS ASSIGNS MAY HAVE TO RESTRAIN AND PROHIBIT THE SAME, IN KEEPING WITH THE RESTRICTIONS HEREIN SET OUT.

20. PROTECTIVE COVENANTS. THE "PROTECTIVE COVENANTS" ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2014, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS UNLESS CHANGED BY A VOTE OF THE MAJORITY OF THE THEN OWNERS OF THE BUILDING SITES COVERED BY THESE COVENANTS IN WHOLE OR IN PART. INVALIDATION OF ANY ONE OF THE COVENANTS, BY JUDGMENT OR COURT ORDER WILL IN NO WAY AFFECT THE OTHER COVENANTS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

21. LAKE MAINTENANCE & ENTRANCE. THE HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL LAKES AND THE ENTRANCE LANDSCAPPING.

IN WITNESS WHEREOF, THE UNDERSIGNED HAS SET ITS HAND AND SEAL THIS 4th DAY OF JANUARY, 1990.

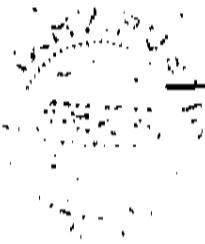

MARK E. SANDERS

STATE OF INDIANA)
) SS:
COUNTY OF HENDRICKS)

BOOK 123 PAGE 135

Before me, a Notary Public in and for said County and State, personally appeared Mark E. Sanders, President of Sanders Development Group, who acknowledged the execution of the foregoing Declaration of Covenants, Conditions and Restrictions.

Witness my hand and Notarial Seal this 4th day of January, 1990.



Shirley J. White
Shirley J. White, Notary Public

County of Residence: Hendricks
My Commission Expires: 5-21-98

BOOK 123 PAGE 136

This instrument was prepared by Sanders Development Group, 628 South Indianapolis Road, R. R. 1, Box 347, Whitestown, Indiana 46075

SANDERS DEVELOPMENT GROUP

By Mark E. Sanders, President
Mark E. Sanders, President

16196

132-412

ADDENDUM TO RESTRICTIVE COVENANTS, AUSTIN WINDS, SECTION II

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, Mark E. Sanders, Developer of Austin Winds, Section II, a subdivision in Brown Township, Hendricks County, Indiana, the plat of which was recorded on September 12, 1990 in Plat Cabinet 1, Slide 93, pages 1-2 in the Office of the Recorder of Hendricks County, Indiana; and

WHEREAS, all of the undersigned are owners of Austin Winds, Section II Subdivision; and

WHEREAS, declared Restrictive Covenants for said subdivision, which were recorded September 12, 1990 in Miscellaneous Record 123, pages 131-36 in the Office of the Recorder of Hendricks County, Indiana; and

WHEREAS, the said Developer and owners are now desirous of adding certain restrictions to the already recorded covenants for said subdivision.

The undersigned, owners of Austin Winds, Section II Subdivision do hereby declare and covenant the following as additional restrictive covenants to Austin Winds, Section II, a subdivision as hereinabove described:

22. DWELLING SIZE. No dwelling shall be erected, altered, placed or permitted to remain on any lot other than one (1) single family residence not to exceed three stories in height. The ground floor of the main structure of any one story dwelling, excluding garages and one story porches, shall be not less than 1800 square feet. The ground floor area of the main structure of any two story dwelling, excluding garages and one story porches, shall not be less than 900 square feet, with no less than a total of 1800 square feet of finished floor space in such two story structure.

23. EXTERIOR MATERIAL. All exterior materials of any structure located on any lot within said subdivision must receive approval of the Architectural Control Committee as established under the Restrictive Covenants of this subdivision.

So covenanted and restricted this 27th day of November, 1991.

ENTERED FOR RECORD

Mark E. Sanders
Mark E. Sanders

SEP 21 1992

BOOK 132-412-13
Jay Bailey

Lots 26, 27, 28, 31, 32, 35, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 62 & 64.

HENDRICKS COUNTY RECORDER

Joe E. Campbell
Joe E. Campbell Lot 29

Judy M. Campbell
Judy M. Campbell Lot 29

Nathaniel Ersoz
Nathaniel Ersoz Lot 30

Jennifer L. Ersoz
Jennifer L. Ersoz Lot 30

Raymond J. Crady
Raymond J. Crady Lot 33

Judy L. Crady
Judy L. Crady Lot 33

Douglas W. Moffett
Douglas W. Moffett Lot 34

Pamela J. Noffett
Pamela J. Noffett Lot 34

James M. Cook
James M. Cook Lot 39

Barbara Cook
Barbara Cook Lot 39

David Hart
David Hart Lot 56

Janice Hart
Janice Hart Lot 56

Gregory A. Smith
Gregory A. Smith Lot 57

June K. Smith
June K. Smith Lot 57

Donald L. Tyler
Donald L. Tyler Lot 58

Martha L. Tyler
Martha L. Tyler Lot 58

Wendy K. Kramer
Wendy K. Kramer Lot 59

David M. Stukoske
David M. Stukoske Lot 59

Dennis M. Escol
Dennis M. Escol Lot 60

Donna Escol
Donna Escol Lot 60

Bryan R. Swallow
Bryan R. Swallow Lot 61

Elaine L. Swallow
Elaine L. Swallow Lot 61

Samuel L. Scott
Samuel L. Scott Lot 63

Heln Scott
Heln Scott Lot 63

Sanders Building & Contracting
BY: Mark E. Sanders
Mark E. Sanders Lot 37

Leslie Builders, IGI, Inc.
BY: John Leski
Lot 36

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

Subscribed and sworn to before me, a Notary Public in and
for said County and State, this 26th day of AUGUST, 1992.

My commission expires:
6/04/95

Jane A. Hendrickson
Notary Public
JANE A. HENDRICKSON

Resident of MARION County.

This instrument was prepared by:
Lee T. Comer
Attorney-at-Law
P.O. Box 207
Danville, IN 46122
(317) 745-4300.

16198

BOOK 132 PAGES 416

AMENDMENT TO RESTRICTIVE COVENANTS
AUSTIN WINDS SUBDIVISION, SECTION TWO

Comes now the undersigned, being all owners of lots in Austin Winds Subdivision, Section Two, as per plat thereof recorded September 11, 1990 in Plat Cabinet 1, Slide 93, pages 1 and 2 in the Office of the Recorder of Hendricks County, Indiana, and do hereby amend the Restrictive Covenants of said subdivision, which were recorded September 12, 1990 in Miscellaneous Record 123, page 131 in the Office of the Recorder of Hendricks County, Indiana, as follows:

Added to said Restrictive Covenants is the following:

MAIL BOXES. Size, location, lighting, height and composition of every mail box shall be approved by the Architectural Control Committee prior to installation and shall conform to the specifications set forth by the United States Postal Service and/or Postmaster General.

So amended this 27th day of August, 1991.

Joe E. Campbell
Joe E. Campbell Lot 29

Judy M. Campbell
Judy M. Campbell Lot 29

Nathaniel Ersoz
Nathaniel Ersoz Lot 30

Jennifer L. Ersoz
Jennifer L. Ersoz Lot 30

Raymond J. Crady
Raymond J. Crady Lot 33

Judy L. Crady
Judy L. Crady Lot 33

Douglas W. Moffitt
Douglas W. Moffitt Lot 34

Pamela J. Moffitt
Pamela J. Moffitt Lot 34

James M. Cook
James M. Cook Lot 39

Barbara Cook
Barbara Cook Lot 39

David Hart
David Hart Lot 56

Janice Hart
Janice Hart Lot 56

Gregory Alan Smith
Gregory Alan Smith Lot 57

Juni Kelly Smith
Juni Kelly Smith Lot 57

Donald L. Tyler
Donald L. Tyler Lot 58

Martha L. Tyler
Martha L. Tyler Lot 58

ENTERED FOR RECORD

BOOK 132 SEP 2 1992 2:00 PM
HENDRICKS COUNTY RECORDER

Wendy K. Kramer
Wendy K. Kramer Lot 59

Daniel H. Suikoske
Daniel H. Suikoske Lot 59

William Meeboer
William Meeboer Lot 60

Donna Meeboer
Donna Meeboer Lot 60

Bryan R. Swallow
Bryan R. Swallow Lot 61

Elaine L. Swallow
Elaine L. Swallow Lot 61

Samuel L. Scott
Samuel L. Scott Lot 63

Helen C. Scott
Helen C. Scott Lot 63

Sanders Building & Contracting Co., Inc.

LESLIE BUILDERS IGI

BY: Mark E. Sanders
Lot 37

BY: John Miller
Lot 36

Mark E. Sanders
Mark E. Sanders Lots 26, 27, 28, 31,
32, 35, 38, 40, 41, 42, 43, 44, 45, 46,
47, 48, 49, 50, 51, 52, 53, 54, 55, 62,
& 64.

STATE OF INDIANA)
) SS:
HENDRICKS COUNTY)

Subscribed and sworn to before me, a Notary Public in and for
said County and State, this 26th day of August, 1993.

My commission expires:
6/04/95

James A. Hendrickson
Notary Public
JAMES A. HENDRICKSON

Resident of MARION County.

This instrument was prepared by:
Lee T. Comer
Attorney-at-Law
P.O. Box 207
Danville, IN 46122
(317) 745-4300