DECLARATION OF Covenants AND Restrictions

EAGLE CREEK WOODS, Section II

This Declaration was made this 5th day of August, 1984, by Exte-Vermontia-Vermontia-G.M.B.H. a Corporation organized and existing
under the laws of the German Federal Republic.

WITNESSES:

MEREHE, the following facts are true:

A. Declarant is the sole owner of the fee simple title to the real
estate located in Marion County, Indiana, more particularly described on sheet 1 of 2 of the recorded plat attached hereto and
incorporated herein by this reference, upon which Declarant may
construct residential facilities.

B. Declarant desires to provide for the preservation and enhancement
of the property values in Eagle Creek Woods, Section II, and to do
so desires to subject the property to the covenants, restric-
tions and easements set forth herein, each and all of which is
and are for the benefit and improvement of the land in the prop-
erty and the future owners thereof.

NOW, THEREFORE, Declarant hereby declares that all of the lands in the property as they are held and shall be held, conveyed, hypothecated or
encumbered, leased, rented, used, occupied and improved, are subject to
the following Restrictions, all of which are established for the purpose of
enhancing and protecting the value, desirability and attractiveness of the
property as a whole. All of the restrictions shall run with the land and
shall be binding upon the Declarant and upon the parties buying or acquiring
eight, title, rent, interest, lease or equitable, in and to the Property or
any part of parts thereof subject to such restrictions, and shall inure
to the benefit of the Declarant and every one of the Declarant's successors
to title in the property or any part of parts thereof.

1. Definitions: The following terms, as used in the Declaration, unless
the context clearly requires otherwise, shall mean the following:

a. "M.D." means the Department of Metropolitan Development
of Marion County, Indiana, its successors or assigns of any of its
rights under this Declaration.

b. "Declarant" means Exte-Vermontia-Vermontia-G.M.B.H., the "tee" of
the property at the time of the execution of this Declaration, its
successors and assigns, or any person designated by it in a recorded instrument as having its rights hereunder, other than persons purchasing, the property or parts thereof by
deed from Declarant (unless the conveyance indicates otherwise,
that the grantee assume the rights and obligations of Declarant.)

c. "Eagle Creek Woods" means the name of the Declarant's development
of which the property is a part thereof.

d. "Owner" means every person of persons or entity or entities who at
the time of recording of a deed unregistered for interest in the property,
their heirs, assigns, legal representatives or assigns.

e. "Property" means the real estate described in sheet 1 of 2 of the
recorded plat.

f. "Restrictions" means the covenants, conditions, agreements and restric-
tions and all other provisions set forth in this Declaration, as
the same shall be interpreted from time to time.

2. Mereha declares that the Declarant hereby expressly declares that the property be:

(a) free from easements, rights of way, or other similar subject to the restrictions;

(b) subject to the Restrictions, which are to be interpreted from time to time.

3. Showing Plans: These are strips of ground as shown on a plat and
marked "Restrictions," which are hereby reserved on the supposed subsur-
ficial to the development of the property, to be perpetual thereof, from
the date of this Instrument by the Declarant, its successors and
assigns, and to the Declarant free from any burden, easement, liens, taxes or otherwise, to be used by the Declarant for the purpose of
development, and to be used for any purpose as herein set forth.

4. Building Plots: First building plots shall be established on
this plat, and buildings shall be erected or maintained upon the estab-
lished building plots and the property lines of the street;

no residence or attached accessory building shall be erected closer to
the side of any lot than 10 feet, with a total aggregate of 70 feet at
the building line, whichever is the lesser, except for, no shall any
residence or attached accessory building be erected closer than 25 feet
to the real property line. In the event a building is erected on property
on a corner lot, such restrictions shall apply to the side lines of the
property which is the corner of the multiple lots.

5. The Restrictions and Use of Buildings: All lots in the subdivision
shall be known and designated as residential lots. No buildings shall
be erected on any lot in any building plots and no business may be conducted on any
part thereof, other than those mentioned herein to the building
planning regulations of Marion County, Indiana. No structures shall
be erected, including, but not limited to, any residential dwellings,
and residential structures, single family dwellings, dwelling units of not to exceed two
units, and centrally located detached residential structures, and centrally located detached
residential buildings, multi-family dwellings, dwelling units of not to exceed four
units, and centrally located detached residential structures, and centrally located detached
residential buildings, shall have a minimum of 1,000 square feet of finished and livable floor
area.
EAGLE CREEK WOODS SECTION II