83-028286

Book 45 Page 54

1983 DEC -8 PM 2:06
ALLEN COUNTY RECORDER
Virginia L Young

1983 DEC -8 PM 2:06
ALLEN COUNTY RECORDER
Virginia L Young

53

83-028286

Book 45 Page 53-57

DULY ENTERED FOR TAXATION
DEC 8 1983
Gloria J. Gaughan
AUDITOR OF ALLEN COUNTY

INSTRUMENT # 8710

ned, a Notary Public in and for said
ally appeared the following owners of
Wickswat and Linda Wickswat, Lot #487-
Clancy, Lot # 490-William M. Rutledge and
t # 491 David P. Scaer and Dorothy M.
Indiana Conference United Methodist Church
Lot #493- Terence L. Ternet, who
on of the foregoing Dedication, as and for
deed for the uses and purposes therein

tarial Seal this 15th day of November,

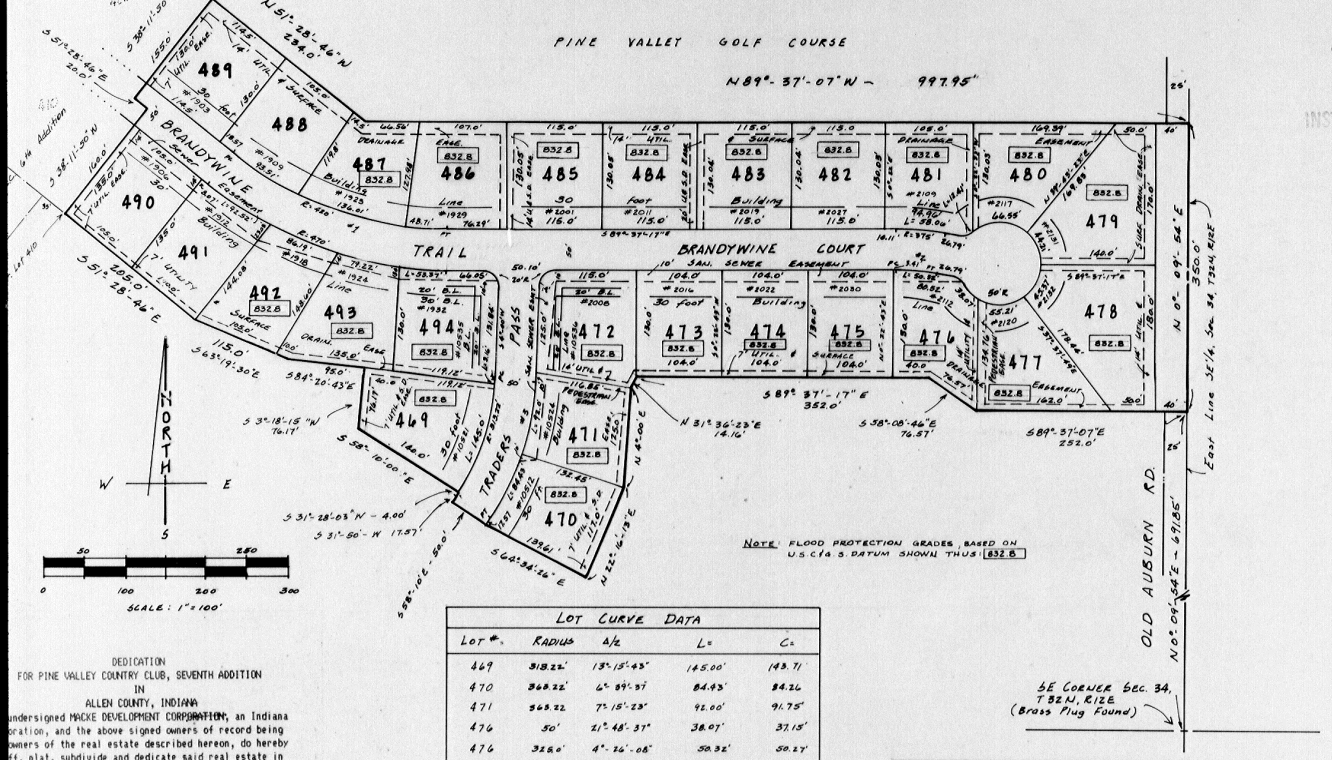
of Allen County, Indiana
T

JAN. 8, 1985

FINAL PLAT OF

PINE VALLEY COUNTRY CLUB, SEVENTH ADDITION

a Subdivision located in the SE 1/4 of Sec 34, T 132 N R12 E Allen County, Indiana



NOTE: FLOOD PROTECTION GRADES BASED ON U.S.C.G.S. DATUM SHOWN THUS 832.8

LOT CURVE DATA

Lot #	Radius	Δ/2	L=	C=
469	318.22'	13°-15'-43"	145.00'	143.71'
470	368.22'	6°-39'-37"	84.93'	84.76
471	369.22	7°-15'-23"	91.00'	91.75'
476	50'	21°-48'-37"	38.07'	37.15'
476	328.0'	4°-26'-08"	50.32'	50.27'
477	50'	31°-37'-47"	56.21'	52.44'
478	50'	25°-59'-44"	45.37'	43.83
479	30'	25°-19'-40"	44.21'	42.78'
480	50'	38°-07'-43"	66.58'	61.74'
481	50'	7°-06'-29"	12.41'	12.37'
481	375.0'	4°-26'-08"	58.06'	58.00'
484	420.0'	3°-19'-21"	48.71'	48.68'
487	420.0'	9°-16'-38"	136.01'	136.42'
488	420.0'	6°-22'-42"	93.51'	93.32'
491	470.0'	5°-38'-21"	92.52'	92.38'
492	470.0'	5°-15'-13"	86.19'	86.07'
493	470.0'	4°-49'-43"	79.22'	79.13'
494	470.0'	3°-15'-11"	53.87'	53.84'
494	313.22'	0°-17'-21"	3.16'	3.16'

STREET CURVE DATA

CURVE #1	Δ = 37°-37'-20"		
	RADIUS	LENGTH	CHORD
	420.0'	278.23'	273.17'
	470.0'	311.30'	305.49'
CURVE #2	Δ = 8°-52'-17"		
	RADIUS	LENGTH	CHORD
	325.0'	50.32'	50.27'
	375.0'	58.06'	58.00'
CURVE #3	Δ = 27°-50'		
	RADIUS	LENGTH	CHORD
	318.22'	152.16	150.67
	363.22'	176.43	174.71

DEDICATION
FOR PINE VALLEY COUNTRY CLUB, SEVENTH ADDITION
IN
ALLEN COUNTY, INDIANA

undersigned MACKE DEVELOPMENT CORPORATION, an Indiana
oration, and the above signed owners of record being
wners of the real estate described hereon, do hereby
ff, plat, subdivide and dedicate said real estate in
rdance with the information shown on this Plat, being
certified plat. The subdivision shall be Known and
gnated as Pine Valley Country Club, Seventh Addition,
bdivision of Allen County, Indiana.
lots are numbered from 469 to 494 inclusive, and all
nsions are shown in feet and decimals of a foot on
plat. Said Addition is subject to the building
s and easements on this Plat and also subject to the
ective Restrictions, Covenants, Limitations and
ments for Pine Valley Country Club, Seventh Addtion,
h are attached hereto and made a part hereof.

ITNESS WHEREOF, the undersigned have hereunto set
r hands and seals by their duly authorized officers
15th day of November, 1983.

E DEVELOPMENT CORP.
Elmer H. Macke
Elmer H. Macke, its President

~~Martha M. Macke, its Secretary~~

E OF INDIANA)
) SS
TY OF ALLEN)

re me, the undersigned, a Notary Public in and for
d County and State personally appeared Elmer H. Macke,
sident, ~~and Martha M. Macke, Secretary~~, who
owledge the execution of the foregoing Dedication, as
for their voluntary act and deed for the uses and
oses therein contained, for and on behalf of said
poration, and by its authority.
NESS my hand and Notarial Seal this 15th day of
mber, 1983.

Notary Public, Resident of Allen County, Indiana
CAROL L. GILBERT

Commission expires: JAN. 8, 1985

DEVELOPER: MACKE DEVELOPMENT CORP.
1407 TRADERS CROSSING
FORT WAYNE, IN.

PREPARED BY: COIL & DICKMEYER, INC.
6044 EAST STATE BLVD.
FORT WAYNE, IN.
Kerry D. Dickmeyer, L.S.

For amendment see doc 88-20432

For Amend see doc 95-12550
3-29-95
da

FOR AMENDMENT - SEE DOC
97-17214 4/7/97

For Amendment see doc
203036487 - 4/10/03

FOR SECOND AMENDMENT TO RESTRICTIONS SEE DOC 205019017 3/30/2005

50

Book 45 Page 55

83-028286

1983 DEC -8 PM 2:06

ALLEN COUNTY RECORDER
Virginia L Young

OF _____, 1983
NTY BOARD OF HEALTH

OF _____, 1983
- CITY OF FORT WAYNE

OF November, 1983
F COMMISSIONERS

OF November, 1983
COMMISSION

OF DECEMBER, 1983

OF DECEMBER, 1983
MISSION

strator

OWNER OF RECORD:

Lot 486 Paul F. Wickswat
PAUL F. WICKSWAT
Linda Wickswat
LINDA WICKSWAT

Lot 487 Gerald Clancy
GERALD CLANCY
Susan Clancy
SUSAN CLANCY

Lot 488

Lot 489

Lot 490 William M. Rutledge MD
WILLIAM M. RUTLEDGE MD
Barbara R. Rutledge
BARBARA R. RUTLEDGE

Lot 491 Dorothy M. Saer
DOROTHY M. SAER
David P. Saer
DAVID P. SAER

Lot 492 North Indiana Conference United Methodist
NORTH INDIANA CONFERENCE UNITED METHODIST
Church by Dean V. Stuckey **
CHURCH BY DEAN V. STUCKEY

Lot 493
TERENCE L. TERNET

* For signatures of Robert C. Rodenbeck and Darlene I. Rodenbeck-Lot #488 and James P. Leatherman and Sandi K. Leatherman-Lot # 489 see attached document.

** District Superintendent

A parcel of land located in the Southeast One-Quarter of Section 34,, Township 32 North, Range 12 East, Allen County, Indiana and more particularly described as follows, to wit: Commencing at the Southeast corner of Section 34, Township 32 North, Range 12 East as marked by a brass plug found; thence North 0-degrees 09-minutes 54-seconds East along the East line of said Southeast One-Quarter as now established a distance of 691.85 feet to the point of beginning. BEGINNING at the above described point thence continuing North 0-degrees 09-minutes 54-seconds East a distance of 350.0 feet to a point on the South line the Pine Valley Country Club Golf Course; thence North 89-degrees 37-minutes 07-seconds West along said south line a distance of 997.95 feet; thence North 51-degrees 28-minutes 46-seconds West along the Southerly line of said Golf Course property a distance of 234.00 feet; thence South 38-degrees 11-minutes 50-seconds West a distance of 155.0 feet to the centerline of Brandywine Trail according to the Final Plat of Pine Valley Country Club, 6th Addition as recorded in Plat Book 31 pages 59-61; thence South 51-degrees 28-minutes 46-seconds East along said centerline a distance of 20.0 feet; thence South 38-degrees 11-minutes 50-seconds West along the Southeast line of Lot #410 in said Addition and its Northeaterly extension a distance of 160.0 feet to the Southeast corner of said Lot # 410; thence South 51-degrees 28-minutes 46-seconds East along the Southeasterly extension of the south line of said Lot # 410 a distance of 205.0 feet; thence South 63-degrees 19-minutes 30-seconds East a distance of 115.0 feet; thence South 84-degrees 20-minutes 43-seconds East a distance of 95.0 feet; thence South 3-degrees 18-minutes 15-seconds West a distance of 76.17 feet; thence South 58-degrees 10-minutes East a distance of 140.0 feet to a point on a non-tangent curve; thence Southwesterly along a curve to the right an arc distance of 4.00 feet having a radius of 313.22 feet and being subtended by a chord of 4.00 feet with a chord bearing of South 31-degrees 28-minutes 03-seconds West to the point of tangency; thence South 31-degrees 50-minutes West a distance of 17.57 feet; thence South 58-degrees 10-minutes East a distance of 50.0 feet; thence South 64-degrees 34-minutes 26-seconds East a distance of 139.61 feet; thence North 22-degrees 14-minutes 13-seconds East a distance of 117.0 feet; thence North 04-degrees 00-minutes East a distance of 125.00 feet ; thence North 31-degrees 36-minutes 23-seconds East a distance of 14.16 feet; thence South 89-degrees 37-minutes 17-seconds East a distance of 352.00 feet; thence South 58-degrees 08-minutes 46-seconds East a distance of 76.57 feet; thence South 89-degrees 37-minutes 07-seconds East a distance of 252.0 feet to the point of beginning, containing 10.96 acres of land more or less.

I, Kerry D. Dickmeyer, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana, and that this plat correctly represents a survey completed by me on October 31, 1983 and that all the markers shown thereon actually exist and that their location, size, type and material are accurately shown.

CERTIFIED CORRECT THIS 31st DAY of OCTOBER 1983.

Revised Nov. 29, 1983 KDD

KERRY D. DICKMEYER REGISTERED No. S0243 STATE OF INDIANA LAND SURVEYOR

Kerry D. Dickmeyer, LS S-243

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

83-028286

Book 45 Page 54

1983 DEC -8 PM 2:06

ALLEN COUNTY RECORDER
Virginia L Young

Before me, the undersigned, a Notary Public in and for said County and State personally appeared the following owners of record, Lot #486 -Paul Wickswat and Linda Wickswat, Lot #487- Gerald Clancy and Susan Clancy, Lot # 490-William M. Rutledge and Barbara R. Rutledge, Lot # 491 David P. Saer and Dorothy M. Saer, Lot # 492-North Indiana Conference United Methodist Church by Dean V. Stuckey, and Lot #493- Terence L. Ternet, who acknowledge the execution of the foregoing Dedication, as and for their voluntary act and deed for the uses and purposes therein contained.

WITNESS my hand and Notarial Seal this 15th day of November, 1983.

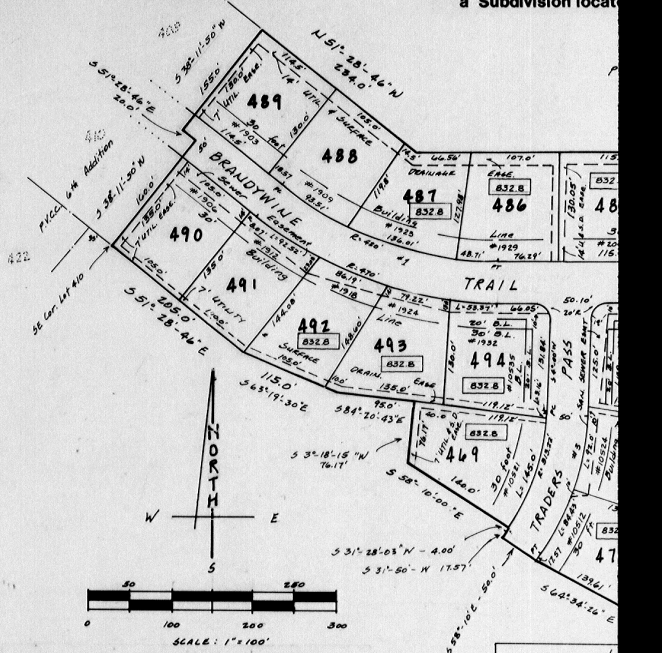
Carol L. Gilbert
Notary Public, Resident of Allen County, Indiana
CAROL L. GILBERT

My commission expires: JAN. 8, 1985

COUNTY OF ALLEN NOTARY SEAL PUBLIC STATE OF INDIANA

54

PINE VALLE
a Subdivision locat



Lot #	Radius
469	313.22'
470	368.22'
471	363.22'
476	50'
476	326.0'
477	50'
478	50'
479	50'
480	50'
481	50'
481	375.0'
486	420.0'
487	420.0'
488	420.0'
491	470.0'
492	470.0'
493	470.0'
494	470.0'
494	313.22'

DEDICATION
FOR PINE VALLEY COUNTRY CLUB, SEVENTH ADDITION
IN
ALLEN COUNTY, INDIANA

The undersigned MACKE DEVELOPMENT CORPORATION, an Indiana corporation, and the above signed owners of record being the owners of the real estate described hereon, do hereby layoff, plat, subdivide and dedicate said real estate in accordance with the information shown on this Plat, being the certified plat. The subdivision shall be known and designated as Pine Valley Country Club, Seventh Addition, a subdivision of Allen County, Indiana.
The lots are numbered from 469 to 494 inclusive, and all dimensions are shown in feet and decimals of a foot on this plat. Said Addition is subject to the building lines and easements on this Plat and also subject to the Protective Restrictions, Covenants, Limitations and Easements for Pine Valley Country Club, Seventh Addtion, which are attached hereto and made a part hereof.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals by their duly authorized officers this 15th day of November, 1983.

MACKE DEVELOPMENT CORP.

By: Elmer H. Macke
Elmer H. Macke, Its President

By: _____
Martha M. Macke, Its Secretary

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a Notary Public in and for said County and State personally appeared Elmer H. Macke, President, and Martha M. Macke, Secretary, who acknowledge the execution of the foregoing Dedication, as and for their voluntary act and deed for the uses and purposes therein contained, for and on behalf of said corporation and by its authority.
WITNESS my hand and Notarial Seal this 15th day of November, 1983.

Carol L. Gilbert
Notary Public, Resident of Allen County, Indiana
CAROL L. GILBERT

My commission expires: JAN. 8, 1985

COUNTY OF ALLEN NOTARY SEAL PUBLIC STATE OF INDIANA

DEVELOPER: MA
14
FO
PREPARED BY: CO
60
FO
Ke

Book 45 Page 55

83-028286

1983 DEC -8 PM 2:06
ALLEN COUNTY AUDITOR

APPROVED THIS 6 DAY OF December, 1983
FORT WAYNE - ALLEN COUNTY BOARD OF HEALTH

Jane M. Irmscher, M.D.

APPROVED THIS _____ DAY OF _____, 1983
BOARD OF PUBLIC WORKS - CITY OF FORT WAYNE

Stephen A. Bailey, Chairman

VOID

Betty Collins, Member

Jack Wilson, Sr., Member

APPROVED THIS 18th DAY OF November, 1983
ALLEN COUNTY BOARD OF COMMISSIONERS

Richard M. Regedanz, Pres.

Richard M. Ellenwood

Richard M. Ellenwood, V-Pres.

Jack R. Worthman

Jack R. Worthman, Sec'y.

APPROVED THIS 18th DAY OF November, 1983
ALLEN COUNTY PLAN COMMISSION

Lester C. Gerig, Pres.

A.G. Spiros

Arthur G. Spiros, V-Pres.

Edward L. Neufer

Edward L. Neufer, Sec'y.

APPROVED THIS 6th DAY OF December, 1983
FOR DRAINAGE ONLY

William L. Sweet

William L. Sweet, County Surveyor

CONFIRMED THIS 6 DAY OF December, 1983
ALLEN COUNTY PLAN COMMISSION

Jack G. Suter

Jack G. Suter, Zoning Administrator

OWNER OF RECORD:

Lot 486 Paul F. Wickswat
PAUL F. WICKSWAT
Linda Wickswat
LINDA WICKSWAT

Lot 487 Gerald Clancy
GERALD CLANCY
Susan Clancy
SUSAN CLANCY

Lot 488

Lot 489

Lot 490 William M. Rutledge MD
WILLIAM M. RUTLEDGE MD
Barbara R. Rutledge
BARBARA R. RUTLEDGE

Lot 491 Dorothy M. Soaer
DOROTHY M. SOAER
David P. Soaer
DAVID P. SOAER

Lot 492 North Indiana Conference United Methodist
NORTH INDIANA CONFERENCE UNITED METHODIST
Church by Dean V. Stuckey **
CHURCH BY DEAN V. STUCKEY

Lot 493
TERENCE L. TERNET

* For signatures of Robert C. Rodenbeck and Darlene I. Rodenbeck-Lot #488 and James P. Leatherman and Sandi K. Leatherman-Lot # 489 see attached document.

** District Superintendent

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

55

Before me, the undersigned, a Notary Public in and
County and State personally appeared the following
record, Lot #486 -Paul Wickswat and Linda Wickswat
Gerald Clancy and Susan Clancy, Lot # 490-William
Barbara R. Rutledge, Lot # 491 David P. Scaer and
Scaer, Lot # 492-North Indiana Conference United M
by Dean V. Stuckey, and Lot #493- Terence L. Terne
acknowledge the execution of the foregoing Dedicat
their voluntary act and deed for the uses and purp
contained.

WITNESS my hand and Notarial Seal this 15th day of
1983.

Carol L. Gilbert
Notary Public, Resident of Allen County, Indiana
CAROL L. GILBERT

My commission expires: JAN. 8, 1985



A parcel of land located in the Southeast One-Quarter of Section 34,, Township 32 North, Range 12 East, Allen County, Indiana and more particularly described as follows, to wit: Commencing at the Southeast corner of Section 34, Township 32 North, Range 12 East as marked by a brass plug found; thence North 0-degrees 09-minutes 54-seconds East along the East line of said Southeast One-Quarter as now established a distance of 691.85 feet to the point of beginning. BEGINNING at the above described point thence continuing North 0-degrees 09-minutes 54-seconds East a distance of 350.0 feet to a point on the South line the Pine Valley Country Club Golf Course; thence North 89-degrees 37-minutes 07-seconds West along said south line a distance of 997.95 feet; thence North 51-degrees 28-minutes 46-seconds West along the Southerly line of said Golf Course property a distance of 234.00 feet; thence South 38-degrees 11-minutes 50-seconds West a distance of 155.0 feet to the centerline of Brandywine Trail according to the Final Plat of Pine Valley Country Club, 6th Addition as recorded in Plat Book 31 pages 59-61; thence South 51-degrees 28-minutes 46-seconds East along said centerline a distance of 20.0 feet; thence South 38-degrees 11-minutes 50-seconds West along the Southeast line of Lot #410 in said Addition and its Northeaterly extension a distance of 160.0 feet to the Southeast corner of said Lot # 410; thence South 51-degrees 28-minutes 46-seconds East along along the Southeasterly extension of the south line of said Lot # 410 a distance of 205.0 feet; thence South 63-degrees 19-minutes 30-seconds East a distance of 115.0 feet; thence South 84-degrees 20-minutes 43-seconds East a distance of 95.0 feet; thence South 3-degrees 18-minutes 15-seconds West a distance of 76.17 feet; thence South 58-degrees 10-minutes East a distance of 140.0 feet to a point on a non-tangent curve; thence Southwesterly along a curve to the right an arc distance of 4.00 feet having a radius of 313.22 feet and being subtended by a chord of 4.00 feet with a chord bearing of South 31-degrees 28-minutes 03-seconds West to the point of tangency; thence South 31-degrees 50-minutes West a distance of 17.57 feet; thence South 58-degrees 10-minutes East a distance of 50.0 feet; thence South 44-degrees 34-minutes 26-seconds East a distance of 139.61 feet; thence North 22-degrees 16-minutes 13-seconds East a distance of 117.0 feet; thence North 04-degrees 00-minutes East a distance of 125.00 feet ; thence North 31-degrees 36-minutes 23-seconds East a distance of 14.16 feet; thence South 89-degrees 37-minutes 17-seconds East a distance of 352.00 feet; thence South 58-degrees 08-minutes 46-seconds East a distance of 76.57 feet; thence South 89-degrees 37-minutes 07-seconds East a distance of 252.0 feet to the point of beginning, containing 10.96 acres of land more or less.

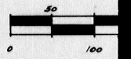
I, Kerry D. Dickmeyer, hereby certify that I am a Land Surveyor licensed in compliance with the laws of the State of Indiana, and that this plat correctly represents a survey completed by me on October 31, 1983 and that all the markers shown thereon actually exist and that their location, size, type and material are accurately shown.

CERTIFIED CORRECT THIS 31st DAY of OCTOBER 1983.

Revised Nov. 29, 1983 KDD

KERRY D. DICKMEYER REGISTERED No. S0243 STATE OF INDIANA LAND SURVEYOR

Kerry D. Dickmeyer, LS S-243



DEDICAT
FOR PINE VALLEY COUNTRY C
IN
ALLEN COUNTY

The undersigned MACKE DEVELOPME
corporation, and the above sign
the owners of the real estate d
layoff, plat, subdivide and dec
accordance with the information
the certified plat. The subdivi
designated as Pine Valley Count
a subdivision of Allen County,
The lots are numbered from 469
dimensions are shown in feet an
this plat. Said Addition is su
lines and easements on this Pla
Protective Restrictions, Covena
Easements for Pine Valley Count
which are attached hereto and m

IN WITNESS WHEREOF, the undersi
their hands and seals by their
this 15th day of November, 1

MACKE DEVELOPMENT CORP.

By: Elmer H. Macke
Elmer H. Macke, its Presiden

By: _____
Martha M. Macke, its Secret

STATE OF INDIANA)
) SS
COUNTY OF ALLEN)

Before me, the undersigned, a N
said County and State personall
President, and Martha M. Macke,
acknowledge the execution of th
and for their voluntary act and
purposes therein contained, for
corporation and by its author
WITNESS my hand and Notarial
November, 1983.

Carol L. Gilbert
Notary Public, Resident of Alle
CAROL L. GILBERT

My commission expires: JA

Book 45 Page 56 83-028286

PROTECTIVE RESTRICTIONS, COVENANTS

LIMITATIONS AND EASEMENTS

FOR

PINE VALLEY COUNTRY CLUB ADDITION

SEVENTH ADDITION

IN

ALLEN COUNTY, INDIANA

1983 DEC -8 PM 2:03
ALLEN COUNTY RECORDER

****

All the lots in said Addition shall be subject to and impressed with the covenants, agreements, easements, restrictions, limitations, and charges hereinafter set forth; and they shall be considered a part of the conveyance of any lot in said Addition without being written therein. The provisions herein contained are for the mutual benefit and protection of the owners, present or future, of any and all lots in said Addition; and they shall run with the land and inure to the benefit of and be enforceable by the owner, or owners, of any land or lots included in said Addition, their respective legal representatives, heirs, successors, grantees and assigns. The owner, or owners, present or future, of any land or lot included in said Addition shall be entitled to injunctive relief against any violation or attempted violation of the provisions hereof and also damages for any injuries resulting from any violation thereof; but there shall be no right of reversion or forfeiture of title resulting from such violation.

1. PURPOSE. All lots shall be used only for residential dwellings.

2. GROUND FLOOR AREA. No dwelling shall be erected or permitted on any of said lots, the ground floor area of which, exclusive of porches, terraces and garages, is less than 1600 square feet in the case of a one-story structure, or less than 2200 total square feet in a structure other than a one-story structure, except for lot 480 and lots 469 thru 476 and lots 490 thru 494, where minimum ground floor living area for a one-story structure shall be 2000 square feet and 2400 square feet for a structure other than a one-story structure, and except for lots 481 thru 489 where minimum ground floor living area for a one-story structure shall be 2200 square feet and 2600 square feet for a structure other than a one-story structure.

3. ARCHITECTURAL CONTROL. No building, fence, wall or other structure shall be commenced, erected or maintained upon the lots, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing by Macke Development Corp. or its designated representative. Such approval of the plans and specifications shall be obtained prior to the commencement of construction, provided, however, that in the event Macke Development Corp. or its designated representative fails to give notice of said approval or disapproval within thirty (30) days after delivery to them of said plans and specifications, or, if no suit to enjoin the erection of such building has been commenced prior to completion thereof, no such approval will be required.

4. GARAGES. All dwellings to be constructed in said Addition shall have an attached two (2) car garage.

5. DRIVES AND STORAGE TANKS. All driveways from the street to the garage shall be hard surface and not less than sixteen (16) feet in width. All oil or fuel storage tanks shall be installed underground or concealed within the main structure of the dwelling house, basement or attached garage.

6. BUILDING LINE. No building shall be located on any lot nearer the front line or the side street line than the minimum building setback lines as shown on the recorded plat. In any event, no buildings shall be located nearer

DULY ENTERED FOR TAXATION

DEC 8 1983

AUDITOR OF ALLEN COUNTY

INSTRUMENT R 8710

83 028286

Allen County Recorder Document #: 830028286

than a distance of ten per cent (10%) of the lot width to an interior lot line and the combined widths of both side yards shall be not less than a distance equal to twenty-five per cent (25%) of the lot width. No projection of any building shall be permitted to extend into or encroach upon the space between said building line and the street adjacent thereto, except that the steps and platform in front of the main door may extend over said line not to exceed five (5) feet. The corner lots of said subdivision shall be subject to the thirty (30) foot building line on the street side which the front of the dwelling shall face and twenty-five (25) feet on that portion of said corner lots on which the side of the dwelling shall face. No dwelling shall be located on any lot nearer than twenty-five (25) feet to the rear lot line.

7. EASEMENTS. Easements for the installation and maintenance of public utilities and sewer and drainage facilities, in, over, on and under lands and lots in said Addition are reserved as shown on the accompanying plat together with an underground utility easement 10 feet in width parallel to and adjoining the street right-of-way. The grade of the land in any such easement shall not be changed or altered by any owner of any lot, after said grade has been established. All utility easements as dedicated on the face of the plat shall be left free from all permanent structures and the removal of any obstructions by the utility companies shall in no way obligate the utility company in damages, or to restore the obstruction to its original form. All obstructions, whether temporary or permanent, shall be subject to the paramount right of the utility company to install, repair, maintain, or replace its utility and/or sewer installation.

8. SURFACE WATER. No rain and storm water runoff, or such things as roof water, street pavement, and surface water, caused by natural precipitation shall at any time be discharged into or permitted to flow into the sanitary sewage system, which shall be a separate sewer system from the storm water and surface water runoff outlets. No individual water supply system, or individual sewage disposal system shall be installed, maintained or used on any lots in this Addition except that this shall not prohibit the use of an individual water system for the purpose of a swimming pool or lawn irrigation.

9. GRADES. To establish and maintain harmonious lot grades, the undersigned owners reserve in themselves, or whomsoever they may designate, the right to establish said grades prior to construction of any building.

10. NUISANCE. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

11. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, camper, mobile home, motor home, basement, tent, shack, garage, above ground pool, barn or other outbuilding shall be either used or located on any lot or used as a residence, either temporarily or permanently.

12. SIGNS. No sign of any kind shall be displayed to the public view on any lot, except one professional sign of not more than one square foot, one sign of not more than six (6) square feet, advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

13. ANIMALS. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purposes.

14. GARBAGE AND REFUSE DISPOSAL. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition. Trash, papers or other refuse shall not be burned outside in open containers; and garbage cans shall be concealed by either being buried, or kept in an enclosure attached to the main structure.

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15. TERM. The restrictions and covenants herein contained shall run with the land and be effective for a period of fifty (50) years, unless, prior to the expiration of fifty (50) years, said restrictions and covenants are altered, or amended by the owners of 75 per cent of the lots in said Addition at the time the alterations or amendment or restrictions and covenants are made; provided, however, Macke Development Corp., its successors or assigns, shall have the exclusive right for four (4) years from the date of recording of this plat to amend any of the covenants and restrictions with the exception of number 2 above; and subject in any event to such approvals of governmental authorities as may be required by law at any time. The term owners, as used in this paragraph, shall be a person, firm or corporation in whose name or names the fee simple title appears of record in the office of the Recorder of Allen County, Indiana.

16. FENCING. No screen planting over 30 inches high nor any fence shall be permitted between the steet right-of-way and the building setback line. No chain link fence shall be permitted on any lot. No wood privacy fence in excess of 48" shall be permitted on any lot except by special exception authorized by the Architectural Control Committee.

17. MAINTENANCE FUND LIEN. All lot owners of Pine Valley Country Club Addition are members for a period of such ownership of a not-for-profit corporation to be formed for the purpose of providing community services and activities. Where any lots or portions of lots are owned by two or more persons, such owners shall jointly have but one vote in the proceedings in such not-for-profit corporation. Notice of the formation of this not-for-profit corporation shall be considered given upon recording of the certificate of incorporation in the office of the Recorder of Allen County, Indiana. All lots in said Addition, other than lots owned by the plattor, shall, from and after the formation of the not-for-profit corporation, be subject to an annual maintenance charge not to exceed the sum of $50.00 per lot for the purpose of creating a fund to be known as the "Maintenance Fund". Said annual maintenance charge shall be a lien in favor of the not-for-profit corporation, herein described, upon the lot against which it is charged, until paid, provided, however, that no lien shall accrue or be charged against any lot owned by the plattor. The amount of such maintenance charge, to be levied and to become a lien pursuant to the provisions of this section, shall be determined by the members of the not-for-profit corporation at its annual meeting and shall be payable in advance each year on January 2; provided, however, that any person purchasing or dealing with said lot may rely upon a certificate signed by the president or secretary of the not-for-profit corporation showing the amount of such charge due and unpaid as of the date of such certificate, and the not-for-profit corporation shall not be entitled to enforce any lien for such charge accruing prior to the date of any such certificate unless the amount thereof is shown in the said certificate. The within above maintenance fund lien is subordinate to any first mortgage lien.

18. FURTHER SUBDIVISION OF LAND. The further dividing of any lot or combination of lots within this subdivision once it has been approved by Allen County Plan Commission is prohibited unless and until the Allen County Plan Commission has reviewed and approved the change. This restriction will not prohibit utilizing a portion of any adjoining lot to change the size of a lot, so long as no lot shall have a width of less than seventy-five (75) feet at the building line.

19. PRE-INHABITATION. Before any house or building or any lot or tract in the subdivision shall be used or occupied as a dwelling, or as otherwise provided by the subdivision restrictions above, the plattor, or any subsequent owner of said lot or tract shall install all improvements serving said lot or tract as provided in said plans and specifications for this subdivision with the Board of Commissions of Allen County. Before any lot or tract located within the subdivision may be used or occupied, such user or occupier shall first obtain from the Zoning Administrator the improvement location permit and certificate of occupancy required by the Allen County Zoning Ordinance. This covenant shall run with the land and be enforceable by the County of Allen, State of Indiana, or by an agrieved lot owner in the subdivision.

20. SIDEWALKS. Plans and specifications for this subdivision, on file with the Allen County Plan Commission and the Board of Commissioners of Allen County, require the installation of concrete sidewalks within the street rights-of-way in front of all lots. Installation of said sidewalks shall be the obligation of the owner of any such lot, exclusive of Macke Development Corp. and shall

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be completed in accordance with said plans and specifications and prior to the issuance of a certificate of occupancy for any such lot and the cost of said installation shall be a lien against any such lot enforceable by the Allen County Plan Commission. Should such certificate of occupancy be issued to Macke Development Corp. said corporation shall be considered an owner for purposes of the enforcement of this covenant.

21. DRIVEWAYS. No driveway access shall be permitted from lots 478 and 479 onto the Old Auburn Road right-of-way.

22. SURFACE DRAINAGE EASEMENTS. Surface Drainage Easements as shown in the plat are intended for either periodic or occasional use as conductors for the flow of surface water runoff to a suitable outlet, and the land surface shall be constructed and maintained so as to achieve this intention. Such easements shall be maintained in an unobstructed condition and the Association or a proper public authority having jurisdiction over storm drainage shall have the right to repair and maintain, or to require such repair and maintenance, as shall be reasonably necessary to keep the conductors unobstructed.

23. SEVERABILITY. Invalidation of any one of these covenants by judgment or court order shall in no wise effect any of the other provisions, which shall remain in full force and effect.

24. FLOOD PROTECTION GRADES. In order to minimize potential damages from surface water, flood protection grades are established as set forth below. All dwellings shall be constructed at or above the minimum flood protection grades; such grades shall be the minimum elevation of a first floor or the minimum sill elevation of any opening below the first floor. The flood protection grades for Lots 469 through 487, both inclusive, and for Lots 492 through 494, both inclusive, are 832.8 feet Mean Sea Level.

1983 DEC -8 PM 2:06
ALLEN COUNTY RECORDER
Virginia A. Young

This instrument prepared by William D. Swift, Attorney at Law, 590 Lincoln Tower, Fort Wayne, Indiana 46802.

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Allen County Recorder Document #: 830028286

The undersigned, being the fee simple owners of the real estate that is herein being platted as Lot Number 488 in Pine Valley Country Club, Seventh Addition, do hereby ratify, confirm, and approve of, and by this instrument join in the dedication of, said plat with the same force and effect as if their signatures were affixed to the original instrument of dedication.

Witness our hands this 17 day of November, 1983.

Robert C. Rodenbeck

Darlene I. Rodenbeck

STATE OF FLORIDA)
) SS:
COUNTY OF St. Lucie)

Before me, the undersigned, a Notary Public in and for said County and State, this 17 day of November, 1983, personally appeared Robert C. Rodenbeck and Darlene I. Rodenbeck, husband and wife, each over the age of eighteen (18) years, and acknowledged their voluntary execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES AUG 14 1985
BONDED THRU GENERAL

Notary Public
County of Residence: St. Lucie

This instrument prepared by William D. Swift, Attorney, 590 Lincoln Tower, Fort Wayne, IN 46802.

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Allen County Recorder Document #: 830028286

The undersigned, being the fee simple owners of the real estate that is herein being platted as Lot Number 489 in Pine Valley Country Club, Seventh Addition, do hereby ratify, confirm, and approve of, and by this instrument join in the dedication of, said plat with the same force and effect as if their signatures were affixed to the original instrument of dedication.

Witness our hands this 15 day of November, 1983.

James P. Leatherman

Sandra K. Leatherman

STATE OF CALIFORNIA)
) SS:
COUNTY OF SAN DIEGO)

Before me, the undersigned, a Notary Public in and for said County and State, this 15th day of November, 1983, personally appeared James P. Leatherman and Sandra K. Leatherman, husband and wife, each over the age of eighteen (18) years, and acknowledged their voluntary execution of the foregoing instrument. Witness my hand and notarial seal.

My Commission Expires:
Feb 20, 1987

Kathleen Royal
Notary Public
County of Residence: San Diego

OFFICIAL SEAL
KATHLEEN ROYAL
NOTARY PUBLIC - CALIFORNIA
SAN DIEGO COUNTY
My comm. expires FEB 20, 1987

This instrument prepared by: William D. Swift, Attorney, 590 Lincoln Tower, Fort Wayne, Indiana, 46802.

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Allen County Recorder Document #: 830028286