

**DEDICATION OF BUILDING AND USE RESTRICTIONS AND COVENANTS
FOR STONEY RIDGE, STEUBEN COUNTY, INDIANA**

1. All lots are hereby restricted to residential purposes and no lot shall be used for other than single family dwelling purposes. A private garage or storage building to match the décor of the house may be built in conjunction with a dwelling.
2. All buildings must be constructed to comply with the Steuben County Building requirements and have approval of the Steuben Planning Commission.
3. No building shall be erected, placed or altered on any lot until the construction plans and specifications, and a plan showing the location of the structure have been approved by the Architectural Control Committee.
4. The Architectural Control Committee shall be composed of the developers. In the event the Architectural Control Committee fails to approve or disapprove the design and location of a proposed structure within thirty (30) days after said plans and specifications have been submitted to it, approval will not be required, and approval will be deemed to have been given.
5. No residence shall be erected on any lot in this addition having main floor living square foot are less than:
 - (a) One thousand five hundred (1,500) square feet of living area in the case of a one (1) story structure.
 - (b) One thousand (1,000) square feet of main floor living area in the case of a two (2) story structure.
 - (c) All dwellings shall have a garage with the capacity of at least two (2) automobiles.
6. Any and/or all dirt and soil to be excavated as excess material must be used in subdivision as fill for lot and/or lots per Architectural Control Committee. Lot owner shall replace any topsoil removed during construction and all grading shall be done in a manner to prevent erosion and shall not divert runoff to other lots or alter existing drainage patterns. Disturbed soil must be sodded or seeded within sixty (60) days of dwelling completion, weather permitting.
7. Due to topographical conditions of minimum finished grade and properly cut side and rear yard swales and/or underground drainage systems are essential to the Real Estate and are the responsibility of Buyer and his contractors. No construction shall negatively affect the drainage on the Real Estate or any property adjacent thereto. All open ditched and swales and/or underground drainage systems shall conform to the development plans. Following the closing, Seller will have no responsibility for correcting surface water drainage problems on the Real Estate, and Buyer agrees to indemnify and hold Seller harmless from

any liabilities, costs and expenses of every kind and nature arising from the failure of Buyer or his contractors to conform to approved drainage plans. The agreements of Buyer set forth in this paragraph shall survive the closing.

8. Utility installments (service lines, electric, phone, LP Gas, etc) shall be installed underground to residence. No above ground poles, wires, tanks, etc. shall be permitted on any lot other than temporary construction service. Easements are reserved as shown on the Secondary Plat for the use of public utility companies for the installment and maintenance of poles, wires, lines, and ducts, for drainage facilities; subject at all times to the proper authorities and the easements herein reserved. No permanent or other structures are to be erected on easements by the owners of such lots and such owners shall take their subject to easements. All fuel tanks within the addition shall be concealed within the building, or buried. All electric power and telephone service connections to buildings in the addition shall be concealed by being located underground.
9. No signs of any kind shall be displayed to the public on any lot excepting one sign of not more than four (4) feet square advertising the property for sale or used by builders to advertise the property during construction and sale. The developers shall be allowed to erect one subdivision sign at a location of their choice, which sign shall not be considered a violation of these restrictions.
10. Stoney Ridge Subdivision to be serviced by Steuben Lakes Regional Waste District, in conjunction with Steuben Health Department.
11. No clotheslines or clothes poles, Television or Radio towers or dishes or any other free standing, semi-permanent or permanent poles, rigs or devices, regardless of purpose, with the exception of a flag pole displaying the United States flag, may be constructed, erected or located or used on a lot without a written permission from the Architectural Control Committee.
12. No lot as platted herein shall be further subdivided or conveyed as less than a total lot as herein platted without the specific written approval of the platter. No lot shall be used at any time for a temporary residence nor shall any temporary residential structure or abode of any kind be permitted at any time on any lot for residential purposes. This restriction is intended to prevent living in a mobile home, trailer, garage, or any other kind of vehicle, structure, or building except a permanent residence.
13. No lot shall be used for storage of junk, debris or any automobile not bearing current license plates. 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. All weeds shall be kept cut to a reasonable height.

14. No animals, livestock or poultry of any kind may be raised, bred, or kept on any lot. Except dogs, cats, or other household pets, provide that they are not kept, bred or maintained for any commercial purpose.
15. All roofs must be composition, wood or tile shingles. Exposed rolled roofing, tar paper or any other building paper will not be permitted on any roof or on the exterior of any building where exposed, except on flat roofs.
16. All trailers, mobile homes, campers, tents or shacks are expressly prohibited within this Subdivision and may not be placed upon any lot. No temporary residence shall be permitted any garage or any building which is not completely finished on the exterior. Temporary buildings may be erected to store materials or supplies during construction; however they must be removed immediately upon completion of construction.
17. It is the intention to control the type and appearance of all buildings so as to create a consistent pattern of development and to prevent the erection of structures which are not deemed compatible with others in the subdivision. No building, including garages and carports, shall be erected, placed or altered in exterior design on any lot until the complete construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, harmony of external design with existing structures and as to location with respect to topography, finish grade elevation and relationship to other structures on the same or other lots. The plans and specifications required herein shall be submitted in duplicate before beginning any construction or excavation.
18. The developers with the Architectural Control Committee shall assist in organization of Not-for-profit Corporation. Until not-for-profit association is formed or incorporated under laws of the State of Indiana the developers may impose upon the owners of each lot, an annual maintenance fee, not to exceed two hundred dollars (\$200.00), for mowing of grass in Common Area and road up keep until dedication to County Highway Department.

The Architectural Control Committee shall approve or disapprove such plans or specifications in writing within thirty (30) days after receiving such plans or specifications. If such approval or disapproval is not rendered within such period and if no suit to enjoin construction has been commenced, the related covenants shall be deemed to be complied with, provided such plans and specifications on their face are in accordance with such covenants. The Architectural Control Committee is composed of Floyd E. Curtland, Rosalie A. Curtland & Stan D. Curtland. The Committee may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee nor its designates representative shall

be entitled to compensation for services performed pursuant to this covenant. At any time after ten (10) years from the date of recording hereof, the owners of record of 70% of the lots in the subdivision shall have the right through a duly written instrument to change the membership of the committee.

These restrictions may be modified or amended at any time by an instrument in writing duly signed by the owners of 70% of the lots in the subdivision.

Lot Number One (1) of Stoney Ridge Subdivision (also known as Lots #600 and #601 of Kidneyø Landing) has lake access to Crooked Lake. The remaining lots in Stoney Ridge Subdivision do not have lake access except for the privilege to use (easement to water) for fire protection.