

Warren Opperman
711 W. Commercial Ave.
Lowell 46356

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PINEVIEW ESTATES
RESTRICTIVE COVENANTS

OPPERMAN DEVELOPERS, INC. does also hereby certify that by authorization granted by Corporate Resolution R91-2, herein attached as Exhibit "A", the Restrictive Covenants for Pineview Estates Subdivision as recorded on the 31st day of August 1990 as document number 120977 are hereby considered null and void and the following Restrictive Covenants shall supersede the original covenants recorded as document number 120977.

PREAMBLE

The undersigned, OPPERMAN DEVELOPERS, INC., an Indiana Corporation (the "developer") owner of real estate described hereon, does hereby certify that it has laid off, platted, and subdivided certain real estate as recorded on the 31st day of August 1990 as document number 120978. This subdivision shall be known as PINEVIEW ESTATES SUBDIVISION in the city of Schererville, Indiana. As recorded in Plat Book 69, Page 18, Lake County Indiana.

1. SINGLE FAMILY DWELLINGS. No lot shall be used except for single family (one family) residential purpose and no structure shall be erected, placed, altered or permitted to remain on any lot unless it is a single family dwelling house not exceeding two (2) stories.

2. ARCHITECTURAL CONTROL COMMITTEE.

A. MEMBERSHIP. So long as OPPERMAN DEVELOPERS, INC. an Indiana Corporation (the developer) has title to any lot in Pineview Estates Subdivision, at the direction of the Corporation, shall appoint the members of Architectural Control Committee and when said lot is sold in Pineview Estates Subdivision, a committee will be appointed of residents in Pineview Estates Subdivision.

The current committee shall be composed of:

Daniel E. Jordan, 7727, 75 Avenue, Schererville, Indiana.

D. Warren Opperman 711 W. Commercial Avenue, Lowell, Indiana.

One committee member may designate a representative to act for it. In event of the death or resignation of any member of the committee, the remaining member shall have full authority to designate a successor.

B. Procedure. No building or structure shall be erected, materially altered, or placed on any lot in Pineview Estates Subdivision, until the architectural plans have been approved by the Architectural Control Committee referred to above. Plans shall be submitted to the committee at 7727 75th avenue, Schererville, Indiana 46375 or such other place as the committee may designate. In the event the committee, or its designated representative, fail to approve or disapprove plans and specifications which have been submitted within ten (10) days from the date of submission, said plans shall be deemed approved, provided, however, such assumption of approval shall not preclude any suit or other legal action by the committee or its representative to enjoin the construction of any building which does not conform to these restrictions.

C. Standards and Grades. It is the purpose of the Architectural Control Committee to implement the general purpose of this declaration. The Committee shall consider the harmony of the external design with existing structures as well as the covenants in this declaration. The finished yard and excavation grade shall conform to the requirements of the building code of the Town of Schererville, Indiana, and standard building practice. The committee shall not be involved in any grading or elevations requirements. Proper Grading shall be the sole responsibility of the Builder, Owner.

3. DWELLING SIZE. No one story dwelling house shall be permitted on any lot unless the ground floor area of the main structure exclusive of open porches and garages connected to the structure shall be a least one thousand two hundred thirty two (1,232) square feet, and shall have an attached garage. No two story houses shall have a ground floor area of not less than Nine Hundred Sixty (960) square feet, and shall have an attached garage. No Bi-levels, Quad-levels or Tri-levels house shall be permitted on any lot unless the ground floor area of the main structure exclusive of open

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porches and garages connected to the structure shall be at least One Thousand Two Hundred Thirty Two (1232) square feet, and shall have an attached garage. No Bi-Level with garage under shall be permitted on any lot unless the width facing the street is 48 feet or over.
(ground floor area shall be floors above ground level)

5. No fences or walls shall be erected, placed, or altered on any lot unless they conform to the ordinances of the Town of Schererville, as to location, size, type and height. No out building for storage shall be erected, placed, or altered on any lot unless it conforms with the town of Schererville Building Codes and must be of similar type of construction as the home, and is 144 square feet or less. Approval of out buildings must be approved by the architectural committee. No entertainment or sports devices of any kind shall be placed in the front yards.

6. EASEMENTS. Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. Written approval from Northern Indiana Public Service Company, Indiana Bell Telephone Company and the town of Schererville must be obtained before establishing grades in any public service easement is encroached upon to the depth of, or altered by more than five (5) inches.

7. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out building shall be used on any lot at any time as a residence, either temporarily or permanently.

8. GARBAGE AND REFUSE DISPOSAL. With the exception of new Construction, no lot shall be used or maintained as a dumping ground for rubbish, grass, trees or refuse. Trash, garbage, or other waste shall not be kept, except in sanitary containers. Equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition and suitably screened from view from the street. Containers shall be placed at curb's edge only on days designated for pick-up service.

9. SIGHT DISTANCE AT INTERSECTION. No fence, wall, hedge or scrub planting which obstructs sight line at elevations between two (2) and Four (4) 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 (20') feet from the intersection of the street line, or in the case of a rounded property corner, from the intersection of the street property lines extended. the same sight-line shall apply on any lot within ten (10) feet from the intersection of a street property line with the edge of a driveway pavement.

10. SIGNS. Signs, billboards, or other graphic displays shall be permitted as provided in the zoning ordinance of the Town of Schererville, Indiana. A sign of a builder, developer or a Real Estate Broker, including decorative signs to identify the subdivision, parks, and special areas, or to advertise during the construction and sales period of Pine View Estates shall be permitted.

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

(Construction of the subdivision and homes are exempt.)

No animals, livestock, or poultry of and kind shall be raised, bred or kept on any lot, except dogs, cats or other household pets may be kept so long as they are not kept, bred, or maintained for commercial purpose, or allowed to annoy neighbors. Lot owners shall maintain their lawns and yard in a sightly condition.

12. OTHER RESTRICTIONS. Nothing herein shall prevent the owners of any parcel of real estate from subjecting any parcel owned by him or her to additional restrictions and covenants as long as the same do not conflict with the agreements, restrictions and covenants set out.

13. TERMINATION, ENFORCEMENT, AND SEVERABILITY.

A. TERM. This declaration shall run with the land and shall be binding on all persons for a period of twenty-five (25) years from the date this declaration is recorded, after which time it shall automatically stand renewed for successive periods of ten (10) years and until an instrument signed by the owners of a majority of the lots has been recorded, changing said covenants in whole or in part.

b. ENFORCEMENT. The Developer, its successors and assigns, or any lot owner, shall have the right to enforce the provision hereof by proceedings at law or in equity against any person or persons violating or attempting to violate any provision of this declaration, either to restrain the violation or to recover damages, or both.

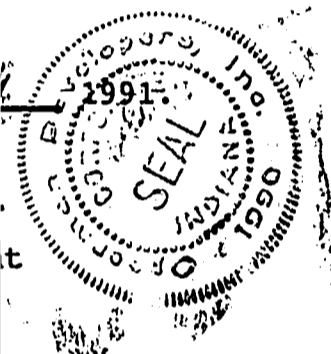
C. SEVERABILITY. Invalidation of any one of these covenants by judgement or court order shall in no way affect any of the other provisions, which other provisions shall remain in full force and effect

WITNESS my hand and seal, this 8th day of MAY 1991.

Document is NOT OFFICIAL!

This Document is the property of Opperman Developers, Inc.
the Lake County Recorder, D. Warren Opperman, President

STATE OF INDIANA
COUNTY OF LAKE



Subscribed and sworn to before me, a Notary Public, in and for said County and state, this 8th day of May 1991.

STOP

Mary Ellen Keil

Notary Public, Lake County In.



My Commission Expires 6-6-91



RESOLUTION NUMBER R91-2

I, CHERYL A. OPPERMAN, do hereby certify that I am the duly elected and qualified Secretary of OPPERMAN DEVELOPERS, INC., a corporation organized and existing under the laws of the State of Indiana, and that I am the keeper of its records and seal, and that the following is a true and correct copy of a resolution unanimously adopted at a duly called meeting of the Board of Directors of said corporation, at which meeting, held in accordance with the law and the by-laws of said corporation, at its office in Lowell, Indiana, on the 8th day of May, 1991, all members of the Board of Directors were present and voting:

"RESOLVED, that the RESTRICTIVE COVENANTS for PINEVIEW ESTATES SUBDIVISION as recorded on the 31st day of August, 1990 as document number 120977 in Lake County, Indiana, are hereby considered null and void. Furthermore, that the RESTRICTIVE COVENANTS considered null and void be replaced in their entirety by those RESTRICTIVE COVENANTS for PINEVIEW ESTATES SUBDIVISION witnessed by Opperman Developers, Inc. on May 8, 1991."

And I do further certify that the above Resolution has not been any way altered, amended, or repealed and is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand personally and on behalf of OPPERMAN DEVELOPERS, INC., an Indiana corporation, this 8th day of May, 1991.

Cheryl A. Opperman
CHERYL A. OPPERMAN, Secretary

EXHIBIT "A"