

340 DEERPATH DRIVE W.
Schererville, IN 46375

LAKWOOD FNC

Party Wall Rights, Restrictions and Easements

Each wall which is built as part of the original construction of a Duplex Unit and placed on the lot line of a Duplex Unit shall constitute a party wall and to the extent not inconsistent with the provisions of this article, the general rules of law regarding party walls and of liabilities for property damage due to negligence or willful acts or omissions shall apply thereto. In the event and to the extent that the center of any wall between Duplex Units shall encroach into or on the adjacent Duplex Unit, the owner utilizing said party wall shall have a perpetual exclusive easement appurtenant to his Duplex Unit to the extent that the same shall occupy such adjoining Duplex Unit, and such wall shall be deemed a party wall for all purposes of this declaration. The cost of reasonable repairs and maintenance of a party wall shall be shared equally by the Owners who make use of the wall. If a party wall is destroyed or damaged by fire or other casualty, the Owner who has shared the wall may restore it, and if the other owner thereafter makes use of the wall, they shall contribute equally to the cost of restoration thereof, without prejudice however, to the right of any such Owner to call for a larger contribution from the other under any rule of law regarding liability for negligence or willful acts or omissions. Notwithstanding any other provisions of this declaration, any owner who by his negligence or willful act, or the negligence or willful act of his occupancy causes the party wall to be exposed to the elements shall bear the whole cost of furnishing the necessary protection against such elements. The right of any Owner to contribution from any other Owner under this declaration shall be appurtenant to the land and shall pass as to such Owner's successors in title. Easements are hereby declared and granted to Owners having a party wall to install, lay, operate, maintain, repair and replace any components through the party walls whether or not such walls lie in all or in part within the boundaries of a Duplex Unit. Every portion of a Duplex Unit which contributes to the structural support of another Duplex Unit shall be burdened with an easement of structural support for the benefit of the other Duplex Unit. The conditions set forth for the Party Walls shall apply also to the roofs of each of the duplex unit.

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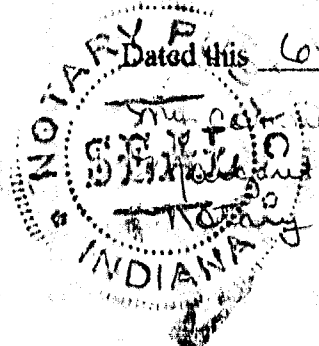
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STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

AMASA G. COLBY
CHIEF CLERK
REC'D

Lot 546 in Foxwood Estates, Unit 8, an Addition to the Town of Schererville, per plat thereof, recorded in Plat Book 76, Page 76, in the Office of the Recorder of Lake County, Indiana.



Dated this 6th day of December, 1994.

My Notary Commission Expires 6-9-96
of Adrian

FILED

JAN 24 1995

SAM ORLICH
AUDITOR LAKE COUNTY

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