

LAKEWOOD, INC. ←
1242 W. 95th Pl.
Crown Point, IN
46307

Party Wall Rights, Restrictions and Easements

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

97085118

DEC 16 1997 9:35

MORRIS W. CARTER

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, in the event that 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 unit of the duplex unit.

Lot 6 in Prairie View, Unit 1, an Addition to the City of Crown Point as per plat thereof, recorded in Plat Book 82, Page 20, in the Office of the Recorder of Lake County, Indiana. KEY 9-506-06

Dated this 15 day of December, 19 97

Margaret J. Aldrin
Notary

My Commission Expires 6-9-2000 County of Lake

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SAM ORLICH
AUDITOR LAKE COUNTY

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