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CONDITIONS, RESTRICTIONS, RESERVATIONS AND  
PROTECTIVE COVENANTS FOR LOTS 1 THROUGH 40  
INCLUSIVE OF WATERSTONE VILLAGE SUBDIVISION - SECTION #1

The undersigned, MAKEN CORPORATION, an Indiana corporation, being the Owner of the lots and land comprising a subdivision known and designated as Waterstone Village - Section #1 located in Warrick County, Indiana, recorded as Instrument No. 2003R-005238 in the Office of the Recorder of Warrick County, Indiana, does hereby impose the following conditions, restrictions, reservations and protective covenants, upon the lots within said Subdivision, to-wit:

1. Definitions.

- a. "building plot" shall mean a building site for the construction of a dwelling which is less than an entire lot.
- b. "Covenants" shall mean the conditions, reservations, restrictions and protective covenants imposed by this instrument upon the real estate comprising Waterstone Village Subdivision Section #1 as platted.
- c. "dwelling or dwelling house" shall mean a house designated and utilized for occupancy and use by a single family.
- d. "lot" shall mean a lot within Waterstone Village Subdivision Section #1 as platted.
- e. "lake" shall mean that portion of the Lake owned by the Developer located northeasterly of Lots 16 through 35 of the Subdivision
- f. "retention area" shall mean the retention area designated on the recorded plat of Waterstone Village - Section #1 for the collection of water upon certain lots of the Subdivision as a part of the storm water drainage system of the Subdivision.
- g. "structure" shall mean and include any and all improvements of every kind and nature, including but not being limited to dwellings, garages, guest houses, swimming pools, green houses, garden shelters, satellite dishes, buildings to shelter pets, driveways, fences and buildings for the storage of vehicles, equipment and tools.
- h. "Subdivision" shall mean Waterstone Village Subdivision Section #1 as platted.

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 BETTY NIEMEYER  
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- i. "Subdivision Developer" or "Developer" shall mean Maken Corporation, or its designee, or any person or entity to whom it assigns its rights under these Covenants as the Subdivision Developer.
2. Permitted Structures. All lots and building plots in said subdivision shall be known, described and used a residential lots only and shall not be used for any business, commercial or industrial purposes. No structure shall be erected placed or permitted to remain on any building lot other than one (1) single-family dwelling with a minimum attached two (2) car garage and/or one (1) detached structure of the same design and material as house. Construction of a dwelling or more than one (1) lot or upon less than a full lot may only be permitted with the Subdivision Developer's prior written approval of the Developer.
3. Size and Type. Regulations governing the size and type of building are as follows:
  - a. Any one story dwelling house shall consist of not less than One Thousand Four Hundred (1,400) square feet of living space excluding garages, carports, and porches;
  - b. Any two story or story and a half dwelling house shall consist of not less than One Thousand Eight Hundred (1,800) square feet of living space excluding garages, carports, and porches;
  - c. Any BI-level dwelling house shall consist of not less than One Thousand Four Hundred (1,400) square feet of living space on the upper lever, excluding any porches or balcony;  
  
Any tri-level dwelling house shall consist of not less than One Thousand Four Hundred (1,400) square feet of living space in the combined second level and third level of such dwelling;
  - d. All roofs shall be a minimum of 6 to 12 pitch;
  - e. No structure may be moved onto any Lot. All structures erected upon any lot must be newly constructed;
  - f. Construction of a detached garage, or other accessory structures on any lot or building plot shall be in architectural harmony of external design with the already existing structures in the subdivision and be subject to prior written approval by the Developer;

g. No modular homes or trailers may be placed upon any lot.

4. Composition. One story dwellings constructed in the subdivision are to be constructed of brick or stone, with wood, aluminum or vinyl trim not to exceed twenty percent (20%) of exterior wall surface. Two story and 1 1/2 story dwellings are to be construction of eighty percent (80%) brick or stone on lower level, with aluminum, wood or vinyl trim not to exceed 50% of exterior wall surface of the entire dwelling. Concrete block walls or concrete foundation will not be allowed to show upon the external view in any dwelling house. If dryvit or durock is used on any home, it may cover one hundred percent (100%) of the wall surface. With prior written permission from the Developer. as much as eighty percent (80%) of an exterior wall surface may consist of wood, aluminum or vinyl.

5. Footings. Notice is given to all property owners that Waterstone Village lots are located upon reclaimed stripper ground and owners will need to enlarge footing requirements from the State Building Code minimums. The minimum footings for residences constructed in the Subdivision shall be not less than as follows:

Footings shall be at least 24 in. wide and 14 in. thick with 3# 5/8 rebar 2 in. from bottom and 2 # 5/8 rebar 2 in. - 3 in. from top. All bars shall be set on chairs to insure proper location in footings. Whenever possible, all footings shall be on one level with bearing walls and outside walls tied together.

No residence shall be constructed in the Subdivision with footings that are less adequate than the minimum set forth here.

The Developer does not warrant or guarantee that such minimum footings will be adequate for any particular residence. It shall be the responsibility of each owner and of any contractor, engineer or architect involved in the design or construction of a residence upon a lot within the Subdivision to determine whether such minimum footings are adequate for the residence being constructed and to perform any testing or evaluation necessary to such determination.

6. Driveways. All driveways are to be paved with concrete.

7. Sidewalks. It shall be the responsibility of all lot Owners to construct buildings and sidewalks in a timely fashion. If sidewalks are not constructed before Warrick County formally requests the construction of the sidewalks by the lot Owner, the Developer shall have the right to construct the sidewalks and the Owner shall reimburse the Developer upon demand for the construction cost thereof. The Developer shall have the right to file a mechanic's lien on the lot upon which the sidewalks have been constructed for the amount of construction costs if not

