## **Chapel Creek Restrictive Covenants**

## Section 3 & 4 use the same Covenants

The Plat Maps are the key to finding the applicable Covenants (see circled area below)

Plat Map #3 references Plat Drawer 17, Instrument No. 2928

| PROTECTIVE COVENANTS   |  |
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|  | FLOYD COUNTY COMMISSIONERS                   |
| the Floyd Co., Indiana Records.  | Edward R Krable                              |
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| FILED & RECORDED   |  |
|  | Carl Dearca & Member                         |
| This 18 day of Upil 1990   | Weth Q. Skarn Member                         |
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| Blenn Hattiett   | John Stand Adenor Date                       |
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| ENTERED FOR TAXATION   | APPROVED BY                                  |
|  | FLOYD COUNTY PLAN COMMISSION                 |
| This LE day of April, 1990   | Mark C. Karedell                             |
| Beth A. Share  | Yrcs President                               |
| Floyd County Aventer   | Timesta & Smith singles Addessi: Date        |
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|  | NEW ALBANY TOWNSHIP<br>FLOYD COUNTY, INDIANA |
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Plat Map #4 references Plat Drawer 17, Instrument No. 2928

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|---|--|--|
| PROTECTIVE COVENANTS  Subject to protective covenants as recorded in Misc. Drayer  Inst. No. 2 128  The Floyd Co., Indiana Records.  FILED & RECORDED  This B# day of Mw , 199  10 25 o'clock 1. M. E.S.T.  Alm M. Hatfuld  Glenn Hatfuld | APPROVED BY FLOYD COUNTY COMMISSIONERS  Oharlo of Ziff President Lawy N Demoor Member Edmund R Grable Member Webst G. Skarp FEB. 4, 1991 Attest: Floyd County Auditor Oate | APPROVED BY BOARD OF PUBLIC WORKS & SAFETY OF THE CITY OF NEW ALBANY  Lewis Endres Lewis Endres  Low |
| ENTERED FOR TAXATION  This 13 day of MARCH 1961  Beth A. Sharp  Beth A. Sharp  Floyd County Auditor   | APPROVED BY  FLOYD COUNTY PLAN COMMISSION  Patrick Houghlin  President  President  President  President  Oote  | PLAT NO. 983- CHAPEL CREEK SECTION FOUR LOCATED IN SURVEY NO. 107 ILLINOIS GRANT NEW ALBANY TOWNSHIP FLOYD COUNTY, INDIANA               |

**Section #3 Restrictive Covenants** reference the same Plat Drawer (#17), and Instrument No. (#2928) as the Plat Maps (see circled area below)

## RESTRICTIONS AND PROTECTIVE COVENANTS FOR CHAPEL CREEK, SECTION III

D.H.S., Inc., an Indiana Corporation, being the sole owner of all lots in Chapel Creek, Section III, Plat No. 981 as the same appears of record in the Office of the Recorder of Floyd County, Indiana in Misc. Drawer 17, Instrument No. 2122, loes hereby impose the following Restrictions and recordive Covenants upon each lot within the Plat of Chapel Creek, Section III, for the mutual benefit of all persons, firms and corporations who may now or hereafter have any vested interest, legal cr equitable, in any lot within such development.

## 1. Primary Use Restrictions.

The Plat Maps are the overriding Legal Document.

Plat Map Section #4 references Section III (Restrictions and Protective Covenants).

Therefore, Section #4 must abide by Section III Covenants.

There will never be a <u>separate</u> Section #4 Covenants at the Recorder's Office, because Section #4 references Section #3 Covenants.

The question was asked, can we amend "Sections 3 Covenants" so that there is a unique "Section #4 Covenants" at the Recorder's Office. To amend Section 3 would require 100% of the homeowners in section 3&4 to agree to the amendment. Everyone at the attorney's office agreed this would be impossible: folks are too divisive. A lot of work for no return.