

AMENDMENTS OF RESTRICTIVE COVENANTS  
FOR EAST RIDGE SUBDIVISION

4391

On March 2, 1983, George W. Rosenbarger and Tony Schuler<sup>9/6</sup> being the sole owners of R & S Developers, Inc., and of all lots in East Ridge Subdivision which subdivision is of record in the office of the Recorder of Floyd County, Indiana in Miscellaneous Book 10, at Page 1739, executed and recorded Restrictive Covenants for East Ridge Subdivision (hereinafter referred to as "Restrictive Covenants"). These Restrictive Covenants were recorded March 28, 1983 in Miscellaneous Drawer 10, as Instrument No. 1740.

These Restrictive Covenants allow for amendments to the Restrictive Covenants pursuant to paragraph 16, Terms and Amendments.

The undersigned, being not less than fifty-one percent (51%) of said East Ridge Subdivision by area, exclusive of dedicated roadways, in consideration of their mutual benefit, the sufficiency of this consideration is hereby acknowledged, desire to amend the Restrictive Covenants.

The Restrictive Covenants are hereby amended as set forth below:

A. Paragraph 2. Building Type and Size; shall be amended to read as follows:

PARAGRAPH 2. BUILDING TYPE AND SIZE:

All lots in said subdivision shall be subject to the following restrictions: No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half (2 1/2) stories in height, and only private attached garages for not more than three (3) cars. The ground floor use of the main structure, exclusive of porches and garages, shall not be less than 1200 square

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RECORDED BY FLOYD COUNTY

feet for a one-story, or less than 900 square feet for a dwelling of more than one-story, as measured at the outer line of the foundation. No detached storage buildings or any other structures, including, but not limited to storage barns, sheds, or outbuildings of any kind, above ground or on-ground swimming pools, temporary or otherwise, may be built on any lot except facilities servicing an in-ground swimming pool, and these must meet the approval of the majority of the property owners or their designated representative. It is the intention of this covenant to only allow in-ground swimming pools which pools are completely flush with the ground. For purposes of these Covenants, Structure is defined as anything constructed or erected which requires location on the ground or attachment to something having a location on the ground.

B. Paragraph 18. Severability; shall be amended to read as follows:

PARAGRAPH 18. SEVERABILITY:

Invalidation of any one of the covenants or restrictions contained in this Amendment or the Restrictive Covenants shall in no way affect any of the other provisions, which shall remain in full force and effect. Any lot owner shall have the right to enforce, by any proceeding at law or in equity all restrictions, conditions, covenants, and or easements now or hereafter imposed. Failure by any lot owner(s) to enforce any restriction, condition, or covenant shall in no event be deemed a waiver of the right to do so at a later date.

IN WITNESS WHEREOF, the undersigned have executed this Amendment of Restrictive Covenants.

LOT OWNERS

Lot 1

John R. Fisher  
Mary Lee Fisher

Lot 2

Marilyn A. Bacon

Lot 3

Timothy W. Blanton

Lot 4

Elizabeth Cadonic

Laura M. Blanton

Lot 5

James Thaxton

N. Carol Thaxton

Lot 6

Phillip Mack Stocksdaile  
Rita Stocksdaile

Lot 7

Jerry B. Roby, Jr.

Melanie Jo Roby

Lot 8

Michael P. Kahl  
Theresa L. Kahl

Lot 9

Wendell L. Bratcher  
Debra Jean Bratcher  
Deborah Jean

Lot 10

Kerry M. Stemler  
Debra R. Stemler

Lot 11

William J. Reznicek  
Janella R. Reznicek

Lot 12

Philip D. Gentry  
Laura P. Gentry

Lot 13

Matthew W. Stanley  
Jody A. Stanley

Lot 14

Russell T. Lucas

Hazel Lucas

Lot 15

Ronnie S. Rock

Linda J. Rock

Lot 17

Donald L. Rosenbarger

Doris M. Rosenbarger

Lot 19

Richard D. McCauley

Janice K. McCauley

Lot 21

Paul J. Book

Alice J. Book

Lot 23

Michael Gattelfinger

Janet Gattelfinger

Lot 25

Henry J. Klein

Wilma H. Klein

Lot 27

James T. R. Jones

Jane C. Jones

Lot 16

K. Patrick McCrite

Leanne G. McCrite

Lot 18

David E. Hammond

Robin L. Hammond

Lot 20

Richard G. Bolin

Ellen L. Bolin

Lot 22

Michael G. Hargrave

Phyllis L. Hargrave

Lot 24

Charles R. Murphy

Elizabeth A. Murphy

Lot 26

Gregory A. Hendershah

Patricia Hendershah

Lot 28

Stephen R. Burgan

Janice B. Burgan

Lot 29

Wilma R. Applegate  
Wilma R. Applegate

Lot 30

Anna J. Loweth  
Anna Jean Loweth

Lot 31

Lawrence J. Ryan, Jr.  
Lawrence J. Ryan, Jr.  
Mary H. Ryan  
Mary H. Ryan

Lot 32

Edward S. Condra, Jr.  
Edward S. Condra, Jr.  
Sandra A. Condra  
Sandra A. Condra

Lot 33

Richard B. Bozick  
Richard Bozick

Lot 34

Donald M. Seabrook  
Donald M. Seabrook  
Ellen K. Seabrook  
Ellen K. Seabrook

Lot 35

Stephen P. Leist  
Stephen P. Leist  
Debra S. Leist  
Debra S. Leist

Lot 36

Robert Norwood  
Robert Norwood  
Linda Norwood  
Linda Norwood

Lot 37

Beverly F. Sullivan  
Beverly F. Sullivan

Lot 38

Thomas G. Traylor  
Thomas G. Traylor  
Linda C. Traylor  
Linda C. Traylor

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared WILMA R. APPLEGATE and  
acknowledged the execution of the foregoing Deed this 16 day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donna Mark Senter  
Notary Public  
Donna Mark Senter

Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared Donald M. Seabrook and Ellen R. Seabrook and acknowledged the execution of the foregoing Deed this 18th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:

2-3-95

Charles R. Murphy  
Notary Public  
CHARLES R. MURPHY  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared LAWRENCE J. RYAN, JR. + MARY H. RYAN and acknowledged the execution of the foregoing Deed this 18th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:

September 30, 1994

Donald Mark Seabrook  
Notary Public  
DONALD MARK SEABROOK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared RICHARD A. BOZICH and acknowledged the execution of the foregoing Deed this 18th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:

September 30, 1994

Donald Mark Seabrook  
Notary Public  
DONALD MARK SEABROOK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared STEPHEN P. LEIST + DEBRA S. LEIST and acknowledged the execution of the foregoing Deed this 18th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:

September 30, 1994

Donald Mark Seabrook  
Notary Public  
DONALD MARK SEABROOK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared EDWARD S. CONNELL JR. + SARAH A. CONNELL and acknowledged the execution of the foregoing Deed this 18<sup>th</sup> day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark Seaborn  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared ROBERT NORWOOD + LINDA NORWOOD and acknowledged the execution of the foregoing Deed this 18<sup>th</sup> day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark Seaborn  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared GARY A. HENDERSON + PATRICIA HENDERSON and acknowledged the execution of the foregoing Deed this 18<sup>th</sup> day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark Seaborn  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared DAVID E. HAMMOND + ROBIN L. HAMMOND and acknowledged the execution of the foregoing Deed this 18<sup>th</sup> day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark Seaborn  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared PATRICK MCCARTHEE + LEANN G. MCCARTHEE and acknowledged the execution of the foregoing Deed this 18 day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
SEPTEMBER 30, 1994

Donald Mark Semadeni  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared PAUL J. BOCK + ALICE J. BOCK and acknowledged the execution of the foregoing Deed this 18 day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
SEPTEMBER 30, 1994

Donald Mark Semadeni  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared HENRY J. KLEIN + WILMA H. KLEIN and acknowledged the execution of the foregoing Deed this 18 day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
SEPTEMBER 30, 1993

Donald Mark Semadeni  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared CHARLES P. MURPHY + EUGENIA A. MURPHY and acknowledged the execution of the foregoing Deed this 18 day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
SEPTEMBER 30, 1994

Donald Mark Semadeni  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana



STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared Wesley L. Battenok + Deborah Battenok and acknowledged the execution of the foregoing Deed this 18th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark Lutz  
DONALD MARK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared William J. Pezwick + Janella A. Pezwick and acknowledged the execution of the foregoing Deed this 19th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark Lutz  
DONALD MARK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared Donald Mark Stocks + Rita Stocks and acknowledged the execution of the foregoing Deed this 19th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark Lutz  
DONALD MARK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared Michael P. Kahl + Theresa L. Kahl and acknowledged the execution of the foregoing Deed this 19th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark Lutz  
DONALD MARK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared KERRY A. STANLEY + DEBRA R. STANLEY and acknowledged the execution of the foregoing Deed this 19th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
SEPTEMBER 30, 1994

Donald Mark Stanley  
DONALD MARK STANLEY  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared ARLENE D. GENTRY + LAURA P. GENTRY and acknowledged the execution of the foregoing Deed this 18th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
SEPTEMBER 30, 1994

Donald Mark Stanley  
DONALD MARK STANLEY  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared MATTHEW W. STANLEY + JODY A. STANLEY and acknowledged the execution of the foregoing Deed this 18th day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
SEPTEMBER 30, 1994

Donald Mark Stanley  
DONALD MARK STANLEY  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared THOMAS G. TRAYLOR + LENA C. TRAYLOR and acknowledged the execution of the foregoing Deed this 21st day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
SEPTEMBER 30, 1994

Donald Mark Stanley  
DONALD MARK STANLEY  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared John D. Fisher & Mary Lee Fisher and acknowledged the execution of the foregoing Deed this 21st day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark  
Notary Public  
DONALD MARK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared James L. Rosecrance & Mary M. Rosecrance and acknowledged the execution of the foregoing Deed this 21st day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark  
Notary Public  
DONALD MARK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared James D. McCarley & James E. McCarley and acknowledged the execution of the foregoing Deed this 21st day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark  
Notary Public  
DONALD MARK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state, personally appeared Stephen B. Burgett & James B. Burgett and acknowledged the execution of the foregoing Deed this 21st day of April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mark  
Notary Public  
DONALD MARK  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared Timothy W. Blanton and  
acknowledged the execution of the foregoing Deed this 21<sup>st</sup> day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
September 30, 1994

Donald Mack  
Notary Public  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA Kentucky  
COUNTY OF FLOYD Jefferson

Before me, a Notary Public in and for said county and state,  
personally appeared Anna Jean Loweth and  
acknowledged the execution of the foregoing Deed this 22<sup>nd</sup> day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires:  
March 1, 1996

Marlice D. York  
Notary Public  
Printed Signature  
Resident of ~~Floyd County, Indiana~~  
Jefferson County, Kentucky

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires:

Notary Public

Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires:

Notary Public

Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

STATE OF INDIANA

COUNTY OF FLOYD

Before me, a Notary Public in and for said county and state,  
personally appeared \_\_\_\_\_ and  
acknowledged the execution of the foregoing Deed this \_\_\_\_ day of  
April, 1993.

WITNESS my hand and notarial seal.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Printed Signature  
Resident of Floyd County, Indiana

This instrument prepared by:  
Charles R. Murphy  
Stites & Harbison  
323 East Court Avenue  
Jeffersonville, IN 47130  
(812) 282-7566