

**Cross Reference: Instrument No. 00300407
 Instrument No. 0402877
 Instrument No. 0500988
 Instrument No. 200600006833**

**NEIGHBORHOOD DECLARATION FOR THE TOWNHOMES NEIGHBORHOOD OF
STONEGATE SUBDIVISION**

THIS NEIGHBORHOOD DECLARATION ("Townhomes Neighborhood Declaration"),
made and entered into this _____ day of January, 2007, by Reitz Group, Inc. ("Declarant"),

WITNESSETH:

WHEREAS, Stonegate is a community currently under development in Eagle Township, Boone County, Indiana ("Stonegate"), which is planned upon completion to include various residential neighborhoods, limited office, professional and other commercial uses, and, in particular for purposes hereof, a neighborhood consisting of buildings containing connected townhomes, each on a separately platted lot ("Townhome Lot") located within a ("Block Lot"), with landscaping and certain other maintenance services provided to Townhome Lot Owners (the "Townhomes Neighborhood");

WHEREAS, on or about January 6, 2003, Declarant recorded a Declaration of Covenants, Conditions and Restrictions for the Stonegate Community in the Boone County Recorder's Office as Instrument No. 0300407 ("Declaration");

WHEREAS, on or about March 11, 2004, a Supplement to and Amendment of Declaration of Covenants, Conditions and Restrictions for the Stonegate Community was recorded in the Boone County Recorder's Office as Instrument No. 0402877 ("First Amendment"), and on or about January 26, 2005, a Second Supplement to and Amendment of Declaration of Covenants, Conditions and Restrictions for the Stonegate Community was

made a part hereof upon each of which may be constructed a grouping of connected townhomes, each on a Townhome Lot, which shall be subject to a General Maintenance Assessment (as hereinafter defined), Special Maintenance Assessment (as hereinafter defined) and certain other assessments as herein described to satisfy the Lot Maintenance Obligations and Exterior Maintenance Obligations imposed hereby with respect to the Townhome Lots. For purposes hereof, a "Townhome" shall mean any structure of two or more stories for single family occupancy, connected to one or more similar structures, all constructed on a Block Lot, together with the individual Townhome Lot conveyed therewith and upon which located, as depicted on a further plat of a Block Lot recorded in the Boone County Recorder's Office.

Section 1.2. Lot Improvement Strictly Controlled. No Block Lot or Townhome Lot shall be developed or improved, nor shall any Building or structure of any type or kind be constructed placed, altered or permitted to remain thereon (including, without limiting the generality of foregoing, any excavation, grading or other site work, alteration of existing topography or removal of existing landscaping in connection with initial construction thereon) without full compliance with the requirements set forth in the Declaration as amended from time to time, and, in particular (without limiting the generality of the foregoing) compliance with the requirements set forth in Article VI of the Declaration. Buildings constructed upon any Block Lot shall also satisfy the requirements of certain Commitments recorded on or about November 11, 2000, in the Boone county Recorder's Office as Instrument No. 0011328 (the "Commitments"), as well as the conditions, if any, imposed upon a Block Lot or Townhome Lot in connection with any other land use approvals required and obtained to permit development thereof, any whether imposed by the Boone County Area Plan Commission and/or Board of Zoning Appeals.