

80-014070

STATE OF INDIANA)  
 ) SS:  
 COUNTY OF ALLEN )

DECLARATION OF RESTRICTIONS

NORTH EASTERN ENTERPRISES, INC., an Indiana corporation, hereby declares that it is the owner of lots in a certain subdivision located in Allen County, Indiana known as The Village of Buckingham, Section I, the final plat for which subdivision having been approved by the Allen County Plan Commission on the 24th day of March, 1980, legally described as follows, to-wit:

Lots Numbered Twenty Nine (29) thru Sixty (60), and Lot Numbered Ninety Seven (97), The Village of Buckingham, Section I, Allen County, Indiana, according to the recorded plat thereof.

NORTH EASTERN ENTERPRISES, INC. hereby agrees for and behalf of itself and future owners of Lots No. 29-60, inclusive, and Lot No. 97 in said subdivision that, following the recording of said plat in the Recorder's Office of Allen County, Indiana, the Allen County Plan Commission shall not issue Improvement Location Permits for said lots in said subdivision until one of the following events first occurs:

- (a) NORTH EASTERN ENTERPRISES, INC. posts a Performance Bond in an amount sufficient to guarantee the completion of the development facilities within said plat, or to said specific lots located within the same;
- (b) NORTH EASTERN ENTERPRISES, INC. posts a final guarantee with acceptable surety in an amount sufficient to guarantee the completion of the development facilities within said plat, or to said specific lots located within the same; or
- (c) all of the development facilities serving said plat or serving said specific lots within a portion of the same shall have been completed and such evidence of completion has been furnished to the Allen County Plan Commission.

It is understood and agreed by NORTH EASTERN ENTERPRISES, INC. that the restrictions contained herein shall run with the land and be binding upon future owners of said Lots No. 29-60 inclusive and Lot 97, in said plat, until such time as the Allen County Plan Commission, by and through its executive director, has recorded in the Office of the Recorder of Allen County, Indiana, a written release of all or a portion of the aforesaid lots in said subdivision from the restrictions imposed under this declaration.

Dated this 8th day of July, 1980.

NORTH EASTERN ENTERPRISES, INC.

By Joseph L. Zehr, President

STATE OF INDIANA)  
 ) SS:  
 COUNTY OF ALLEN )

Before me, a Notary Public in and for said County and State, personally appeared JOSEPH L. ZEHR, the duly acting and authorized

*No Eastern*  
*6700 E. State*  
*4685*

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*Edward J. Hopkin*  
 AUDITOR OF ALLEN COUNTY

DULY ENTERED FOR TAXATION  
 JUL 9 1980

*Allen County Recorder*  
 JUL 9 9 PM 3 33

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President of North Eastern Enterprises, Inc., who acknowledged execution of the foregoing Declaration of Restrictions for and on behalf of said corporation, and who, having been duly sworn, stated that the representations therein contained are true.

WITNESS, my hand and notarial seal, this 8th day of July, 1980.

My Commission Expires:  
May 1, 1983

Cathy A. Fitzgerald  
Cathy A. Fitzgerald, Notary Public  
Resident of Allen County, Indiana.

APPROVED, this 9 day of July, 1980.

ALLEN COUNTY PLAN COMMISSION

By Jack Suter  
Jack Suter, Executive Director

Prepared by: George E. Fruechtenicht, Attorney at Law.

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