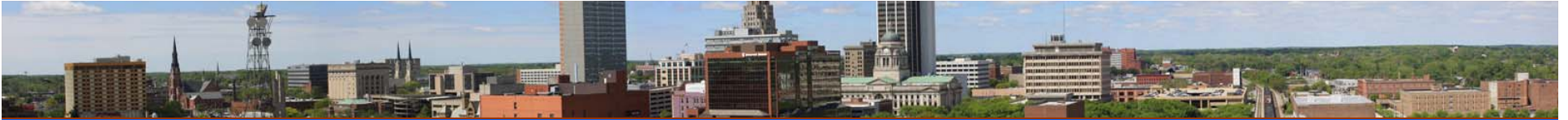


Finding Your Neighborhood Covenants and Restrictions

In The Allen County Recorder's Office





Why Do I Need to Understand My Covenants?



- Designed to preserve an area's safety, appearance, quality of life and property value.
- Govern such issues as decks, fences, swing sets, swimming pools, association dues, signage and activities.
- Perhaps the single largest source of conflict between neighbors and homeowners' associations.
- A contractual agreement between you and your association.
- Enforced by civil courts.



Why Covenants Are A Mystery to Most:

- Owners lose track of their covenants or never got them.
- Sellers don't always provide buyers with a copy.
- NO legal requirement for the seller to provide buyer a copy of covenants.
- Seller must inform a buyer about the existence of restrictive covenants.

SELLER'S RESIDENTIAL REAL ESTATE SALES DISCLOSURE
State Form 46234 (R4 / 1-07)

Date (month, day, year) _____

Seller states that the information contained in this Disclosure is correct to the best of Seller's CURRENT ACTUAL KNOWLEDGE as of the above date. The prospective buyer and the owner may wish to obtain professional advice or inspections of the property and provide for appropriate provisions in a contract between them concerning any advice, inspections, defects, or warranties obtained on the property. The representations in this form are the representations of the owner and are not the representations of the agent, if any. This information is for disclosure only and is not intended to be a part of any contract between the buyer and the owner. Indiana law (IC 32-21-5) generally requires sellers of 1-4 unit residential property to complete this form regarding the known physical condition of the property. An owner must complete and sign the disclosure form and submit the form to a prospective buyer before an offer is accepted for the sale of the real estate.

Property address (number and street, city, state, and ZIP code) _____

1. The following are in the conditions indicated:

A. APPLIANCES	None/Not Included	Defective	Not Defective	Do Not Know	C. WATER & SEWER SYSTEM	None/Not Included	Defective	Not Defective	Do Not Know	
Built-in Vacuum System					Cistern					
Clothes Dryer					Septic Field / Bed					
Clothes Washer					Hot Tub					
Dishwasher					Plumbing					
Disposal					Aerator System					
Freezer					Sump Pump					
Gas Grill					Irrigation Systems					
Hood					Water Heater / Electric					
Microwave Oven					Water Heater / Gas					
Oven					Water Heater / Solar					
Range					Water Purifier					
Refrigerator					Water Softener					
Room Air Conditioner(s)					Well					
Trash Compactor					Septic & Holding Tank/Septic Mound					
TV Antenna / Dish					Geothermal and Heat Pump					
Other:					Other Sewer System (Explain)					
								Yes	No	Do Not Know

Are the improvements connected to a public water system? Yes No Do Not Know

Is there any threatened or existing litigation regarding the property?

Is the property subject to covenants, conditions and/or restrictions of a homeowner's association?

Is the property located within one (1) mile of an airport?



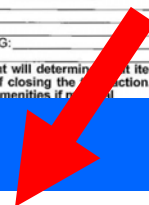
Why Covenants Are A Mystery to Most:

- Requirement to provide association documents IS part of the Indiana Association of REALTORS® standard purchase agreement.

Listing Broker (Co.) _____ (_____) By _____ (_____)
 office code individual code
 Selling Broker (Co.) _____ (_____) By _____ (_____)
 office code individual code

**PURCHASE AGREEMENT
(IMPROVED PROPERTY)**

1 Date: _____
 2
 3 1. **BUYER:** _____ ("Buyer")
 4 agrees to buy the following property from the owner ("Seller") for the consideration and subject to the following
 5 terms, provisions, and conditions:
 6
 7 2. **PROPERTY:** The property ("Property") is known as _____
 8 in _____ Township, _____ County,
 9 Indiana, _____ (zip code) legally described as:
 10
 11 together with any existing permanent improvements and fixtures attached (unless leased or excluded), including,
 12 but not limited to, electrical and/or gas fixtures, home heating fuel, heating and central air-conditioning equipment
 13 and all attachments thereto, built-in kitchen equipment, sump pumps, water softener, water purifier, gas grills,
 14 fireplace inserts, gas logs and grates, central vacuum equipment, window shades/blinds, curtain rods, drapery poles
 15 and fixtures, ceiling fans and light fixtures, towel racks and bars, storm doors, windows, awnings, TV antennas,
 16 satellite dishes and controls, storage barns, all landscaping, mailbox, garage door opener with controls AND THE
 17 FOLLOWING: _____
 18
 19 _____
 20
 21 EXCLUDES THE FOLLOWING: _____
 22
 23
 24 The terms of this Agreement will determine what items are included/excluded. All items sold shall be fully
 25 paid for by Seller at time of closing the transaction. Buyer should verify total square footage, land, room
 26 dimensions or community amenities if applicable.



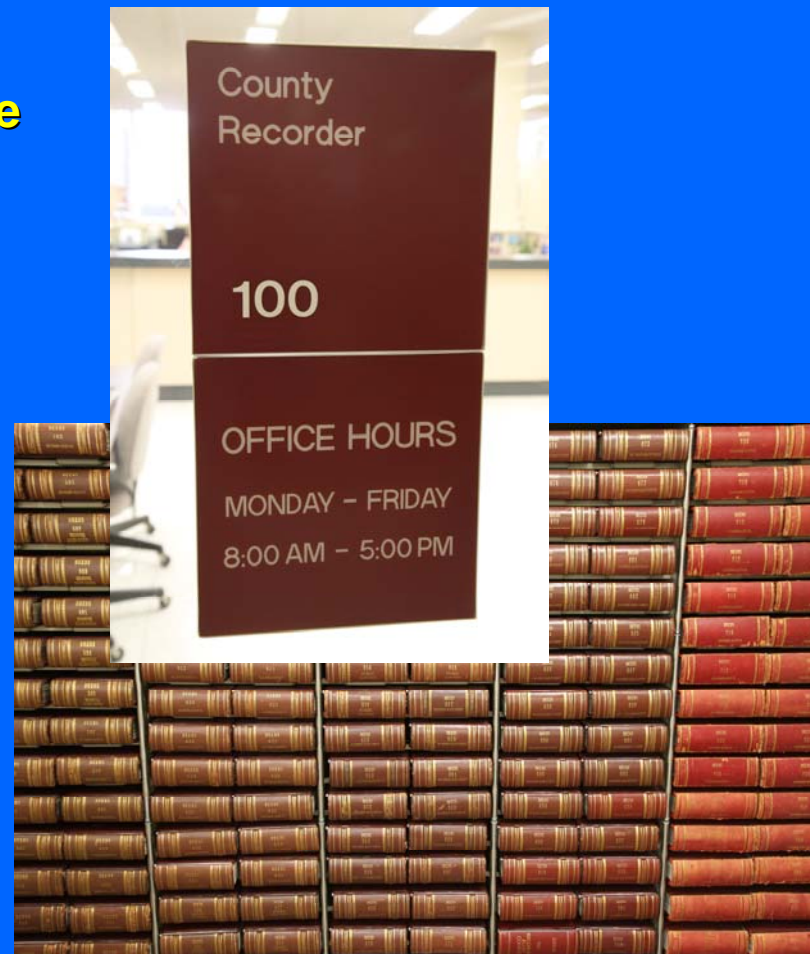
20. HOMEOWNERS ASSOCIATION/CONDOMINIUM ASSOCIATION: Documents for a **mandatory** membership association shall be delivered by the Seller to Buyer within _____ days after acceptance of this Agreement. If the Buyer does not make a written response to the documents within _____ days after receipt, the documents shall be deemed acceptable. In the event the Buyer does not accept the provisions in the documents and such provisions cannot be waived, this Agreement may be terminated by the Buyer and the earnest money deposit shall be refunded to Buyer promptly. Any approval of sale required by the Association shall be obtained by the Seller, in writing, within _____ days after Buyer's approval of the documents.

Buyer acknowledges that in every neighborhood there are conditions which others may find objectionable. Buyer shall therefore be responsible to become fully acquainted with neighborhood and other off-site conditions that could affect the Property.



Where Can I Find My Restrictive Covenants?

- **The Allen County Recorder's Office**
 - Single location where information about real estate can be filed and searched by interested parties.
 - Provides a means of public notice for those establishing a claim on real estate.
 - First records date back to 1817.





How Do You Find Your Covenants?

- Several types of documents may contain covenants.
- Hand-written, hand-drawn plats.
- Some date from the early 1900s; contain obsolete provisions.
- Standalone restrictive covenant documents.
- Modern subdivision plat records with covenants attached.

1203085197

Doc. No. 202008197
Receipt No. 29657

PLAT	34.00
PLAT	9.00
TOTAL	46.00

08/18/2003 14:52:12
RECORDED
PUBLICS J CRICK
ALLEN COUNTY, IN

PLAT CASE FILE 149

**DEDICATION AND DECLARATION OF PROTECTIVE RESTRICTIONS,
COVENANTS, LIMITATIONS, EASEMENTS, AND APPROVALS APPENDED
TO AS PART OF THE DEDICATION AND PLAT OF
KENSINGTON DOWNS EAST, SECTION IV,
A SUBDIVISION OF ST. JOSEPH TOWNSHIP, ALLEN COUNTY, INDIANA**

CHESTNUT GROUP, INC., an Indiana Corporation, by Roger L. Delagrang, its President, hereby declares that it is the Owner and Developer of the real estate which includes Kensington Downs East, Section IV, and which is shown and described in this Plat and does hereby layoff, plat and subdivide said real estate in accordance with the information shown on the final plat, being the certified plat to be appended hereto and incorporated herein. The Subdivision shall be known and designated as Kensington Downs East, Section IV, a Subdivision in St. Joseph Township, Allen County, Indiana.

The Lots shall be subject to and impressed with the covenants, agreements, restrictions, easements and limitations hereinafter set forth, and they shall be considered a part of every conveyance of land in Kensington Downs East, Section IV, without being written therein. The provisions herein contained are for the mutual benefit and protection of the owners present and future of any and all land in the Subdivision, and they shall run with and bind the land and shall inure to the benefit of and be enforceable by the owners of land included therein, their respective legal representatives, successors, grantees and assigns.

The Lots are numbered from 96 through 133, inclusive; and all dimensions are shown in feet and decimals of a foot on the Plat. All streets and easements specifically shown or described are hereby expressly dedicated to public use for their usual and intended purposes.

PREFACE

Kensington Downs East, Section IV, is a portion of a tract of real estate which ultimately will be subdivided into approximately two hundred twenty-five (225) residential Lots, all to be included in and known as Kensington Downs East, by its various numerical sections. There has been organized in connection with the development of Kensington Downs East an incorporated non-profit entity known as Kensington Downs East Community Association, Inc., it being the platters' intention that each Owner of a Lot in Kensington Downs East, Section IV, as well as Owners of Lots in other subdivisions of Kensington Downs East, shall become a member of said Community Association and shall be bound by its Articles of Incorporation and By-Laws.

03 7572
ALLEN COUNTY AUDITOR'S NUMBER

AUDITOR'S OFFICE
Not a receipt for taxation. Subject
to final acceptance for transfer.

AUG 18 2003

Robert A. Green
AUDITOR OF ALLEN COUNTY

46



Searching For Your Covenants:

- County Recorder's Office is the only complete database of neighborhood covenants.
- Covenants and amendments must be recorded in order to be enforceable.
- Electronically available and searchable in the County Recorder's Office.
- Over 8,000 documents in all.

The Allen County Recorder's Office

Neighborhood Resource Center

Neighborhood Covenants Search Results

Get PDF READER

Search Criteria: Subdivision/Condominium Name LIKE 'lake forest'

13 Records Found

Recorded Date	Document Name	Last Name	First Name	Party Type	Document Type
09/19/1974	740022039	LAKE FOREST EXTENDED ADD SEC VI		TO	PLAT
05/06/1974	740009628	LAKE FOREST EXT SEC IV		TO	RESTRICTIVE COVENANT
06/01/1973	730013364	LAKE FOREST EXTENDED ADD SEC V		TO	PLAT
05/24/1972	720010692	LAKE FOREST EXTENDED SEC IV		TO	PLAT
11/09/1971	710021634	LAKE FOREST EXTENDED SEC III		TO	PLAT
08/05/1971	710014231	LAKE FOREST EXTENDED SEC II		TO	PLAT
06/10/1971	710009733	LAKE FOREST EXTENDED SEC III		TO	PLAT
09/18/1969	B31A-P132	LAKE FOREST SEC I EXT (LOTS 1-38 INCL)		TO	PLAT



Searching For Your Covenants:

- Available online via our Neighborhood Resource Center:
www.allencountyrecorder.us/neighborhoods
- Downloadable as PDFs.
- Search for covenants by subdivision name.
- Subdivision maps, association contact information and more.
- Service is free.



Downtown Fort Wayne, IN

The Neighborhood Resource Center

Tools for Making Better Neighborhoods in Allen County

Welcome to the Allen County Recorder's Office Neighborhood Resource Center!

This site is designed to provide you with a variety of tools designed to help promote understanding and a higher quality of life in Allen County neighborhoods. Below you will find maps, contact information and other information relating to most Allen County subdivisions. This site is also the gateway to a **FREE** online tool for finding and viewing covenants and restrictions for hundreds of subdivisions and condominium developments in our community.

We hope that this site proves to be a powerful tool for preventing and resolving conflicts between neighbors and homeowners' associations.

Our office is continuously looking for ways to serve you better and to provide more value for the dollars all of us invest in local government. We hope that this resource contributes to building better neighborhoods and a better community.

(Many documents on this site or by linked sites are in **Adobe Acrobat PDF** format)

[Search Restrictive Covenants Online](#)
Keyword search over 7,500 documents for information about your subdivision

NOTE: These documents are **very** large and may take several minutes to download.

[Need to find the name of your subdivision?](#)
Downloadable maps (by quadrant) of Allen County subdivisions

[City of Fort Wayne Neighborhood Information](#)
Links to maps, association contact information and a community resource guide

[2012 Regional Neighborhood Network Conference](#)
In September 2012, Fort Wayne will host a 5-state conference designed to strengthen leadership at the grassroots level.



Contact The County Recorder's Office:

- **Open:**
8 a.m.-5 p.m. Monday-Friday
- **Edwin J. Rousseau Centre:**
Room 100
- **Phone:**
(260) 449-7165
- **E-Mail:**
recorder@allencounty.us
- **On the Web:**
www.allencountyrecorder.us

