

DECLARATION OF COVENANTS FOR
THE FRONT NINE

This Declaration of Covenants made this ___ day of _____, 1993, by Front Nine Development, Inc., an Indiana Corporation, hereinafter sometimes called the "Declarant".

1. Real Estate. The Declarant hereby declares that the real estate (hereinafter the "real estate") described in Exhibit A shall be held, conveyed, sold, leased, used and occupied subject to this Declaration of Covenants.

2. Use. The real estate shall be developed for residential use.

3. The Pointe Service Association. The real estate is a part of the real estate described in the Declaration of Covenants, Conditions and Restrictions recorded in Book 88 at pages 75 through 95 in the office of the Recorder of Monroe County, Indiana, which covenants, conditions and restrictions are incorporated herein.

4. Association of Owners. The Declarant intends to form an association of owners to be known as the Front Nine Owners Association, Inc., an Indiana not-for-profit corporation. The owner of each lot in the Front Nine shall be a member of the association of owners subject to the Articles of Incorporation, By-Laws and Rules and Regulations adopted by the Board of Directors of the Association. Declarant shall designate the incorporator for the Association and the initial board of directors for the Association who shall serve until the first regular meeting of the Association.

5. Powers of the Association. The Association, acting through its Board of Directors, will be empowered to adopt rules and regulations to provide for the maintenance, preservation and use of common areas and facilities and to provide common services for the benefit of all members and the real estate. Services to be provided by the Association may include, but are not limited to, the following: (a) contracting for lawn maintenance and trash removal; (b) contracting for maintenance of the common road system throughout the Front Nine; (c) ownership, maintenance and use of the swimming pool, tennis courts or other recreational facilities; (d) ownership of such common areas as may be conveyed to the Association by Declarant; (e) grant of easements for ingress and egress, drainage, or utility services over, across, or through the common areas; (f) appointment of an architectural control committee with authority to control construction and