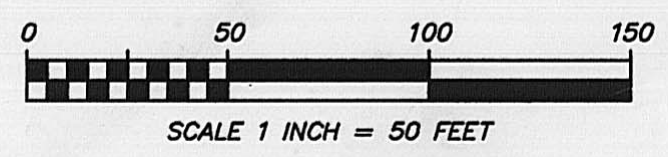


WATERCOURSE EASEMENT:

The following restrictions shall apply to all Lots shown to have a "Drainage Easement". All Drainage easement widths shall be as shown on the plat and measured each way from the centerline of the watercourse unless otherwise shown. A watercourse easement shall be defined by any storm water flow or storm sewer pipe above and below the ground.

- 1) No structure or improvements of any kind, including sheds, fences, flower beds, rock gardens and trees (but excluding grass and approved bank protection), shall be erected or planted within the easement provided for the watercourse.
- 2) No owner shall take any action or permit any action to be taken that might change or divert the flow of the watercourse, nor shall he/she, within the easement provided, alter the ground level or the course of the stream as shown on this plat. An owner may provide riprap, walls or other bank protection upon securing written approval from the Madison County Engineer's Office or the Madison County Flood Plain Administrator.
- 3) Every owner of property along the watercourse shall maintain the portion of said watercourse in his/her property and keep the same free of debris and obstruction of all kinds. The County shall be free of any responsibility toward maintaining the watercourse.
- 4) These restrictions and agreements shall run with the land and shall bind the owner, his/her successors and assigns unless and until a modification or change thereto is agreed to and approved by Madison County.
- 5) Said restrictions and agreements may be enforced by Madison County and its successors and assigns, and are for the benefit of said County and owners of neighboring property in such proximity to the above described premises that the violation of said restriction of the use thereof.
- 6) The failure of said County to take prompt action by injunction or otherwise with regard to a violation of any of these restrictions and agreements shall not be deemed to be a waiver of its (county) rights to take action for said violation or any further violation of any said restrictions and agreements.



AMHERST MEADOWS SECTION 4