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October 4, 2013

Viking Meadows Lot Owners Advisory Committee
Attention: Aaron Bell, David Helm, and Jeff McDonald
840 Viking Sunrise Lane
Westfield, IN 46074

Re: Pulte/Viking Meadows Ordinances and Commitments

Gentlemen:

We have been retained as special counsel for you in the above-captioned matter. We have reviewed certain documents pertaining to the above-captioned real estate development, the applicable law and ordinances in order to provide an opinion to you. The primary documents reviewed are as follows:

1. The 2004 Original Viking Meadows PUD Ordinance, dated June 14, 2004;
2. 2010 Viking Meadows PUD Amended Ordinance, dated December 13, 2010;
3. The Declaration of Covenants, Convictions and Restrictions, dated June 19, 2006;
4. The First Amendment to the Declaration of Covenants, Convictions and Restrictions, dated July 28, 2006;
5. The Second Amendment to the Declaration of Covenants, Convictions and Restrictions, dated December 11, 2007;
6. The Third Amendment to the Declaration of Covenants, Convictions and Restrictions, dated December 23, 2010;
7. The Bylaws of Viking Meadows Homeowners Association, Inc.;
8. Pulte's Proposal dated 08/29/2013;
9. Commitments for the Use and Development of Real Estate;
10. Proposed 2013 Enclave and Springs PUD Ordinance;
11. Proposed 2013 Viking Meadows Amendment Ordinance re: parcels E and F.

We have also corresponded by telephone and email with Pulte's counsel, Steve D. Hardin, Esq., pertaining to this matter.

Kiley, Harker & Certain

Based on our examination of the documents, and based on our correspondence with you and counsel for Pulte, I am of the opinion that:

1. The document entitled Commitments for the Use and Development of Real Estate lawfully and accurately reflects the agreement reached between the lot owners and Pulte, as indicated in the document entitled Pulte's Proposal dated 08/29/2013;
2. The Proposed 2013 Enclave and Springs PUD Ordinance lawfully and accurately modifies the original Viking Meadows ordinance to comply with the agreement reached between Pulte and the lot owners as set forth in Pulte's Proposal dated 08/29/2013.
3. The Proposed 2003 Viking Meadows PUD Amendment Ordinance re: Parcels E & F lawfully and accurately sets forth the agreement reached between the lot owners and Pulte as set forth in Pulte's Proposal dated 08/29/2013.
4. The document entitled Commitments for the Use and Development of Real Estate binds Pulte to the terms and conditions and statement of commitments contained in that document, which follows the Pulte Proposal dated 8-29-13. The Commitments document can be enforced in court by the Lot Owners and/or Common Council of the City of Westfield, should Pulte not comply with the terms of that document.

This opinion letter addresses the modifications, the ordinance amendments and the commitments based on my review of the documents effective the date of this letter. Any amendments and/or changes that occur at a later date are not covered by this opinion letter. If further changes are made at either the Advisory Plan Commission meeting or at a Westfield City Council meeting, please advise as to whether you desire a further opinion letter on those changes.

Sincerely,

KILEY HARKER & CERTAIN



cc: Steven D. Hardin, Esq., Faegre Baker Daniels, LLP
City of Westfield Advisory Plan Commission
City of Westfield Common Council