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SECONDARY PLAT
AUSTIN TRACE - SECTION 3
 PART OF NW 1/4 SEC. 35-T7N-R5E.
 HANCOCK COUNTY, INDIANA
 SHEET 4 OF 4

Cabinet _____
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 Instr # _____

General Street Standards and Requirements

- 1) Only one street, driveway or point of vehicle access shall be permitted from a subdivision onto a Major Collector Highway, Arterial Highway, or minor Collector Road. Two or more streets, driveways, or point of vehicle access may be permitted by the Commission if one or more of the following reasons are met: to preserve, promote and protect the public health, safety, comfort, convenience and general welfare of the County and Traffic circulation in the area. (Ord. No. 1895-10C 10-12-95)
- 2) Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with other requirements of these regulations and where the Commission or the Board of County Commissioners finds it will be proper to require the dedication of the other half when the adjoining property is subdivided. Where a half street is adjacent to a tract to be subdivided, the other half of the street shall be plowed within such tract.
- 3) No street names may be used which will duplicate or be confused with the names of existing streets. All street names shall include a directional element to position the street approximately with in the north-south and east-west grid covering the county. The streets which are logical extensions or continuations of, or obviously in alignment with, any existing streets, either constructed or appearing on any validly recorded plat, shall bear the names of such existing streets.
- 4) Rights-of-way for proposed streets shall be extended to the boundary lines of the proposed subdivision so that a connection can be made to all adjacent properties unless such an extension is not feasible because of topography or other physical conditions, or unless in the opinion of the Commission such extension is not necessary or desirable for the coordination with existing streets or the most advantageous development of adjacent tracts. In any event, no subdivision shall be designed so as to create or perpetuate the land-locking of adjacent undeveloped land.
- 5) A temporarily dead-ended street shall be permitted in any case in which a street is proposed to be and should logically be extended but is not yet constructed. An adequate easement for a turn-around shall be provided for any such temporary dead-end street which extends 200 feet or more in length. Such easement shall be automatically vacated to adjoining property owners when said dead-ended street is legally extended.
- 6) In subdivisions that adjoin or include existing streets that do not conform to the minimum right-of-way dimensions as established by this Article the subdivision shall dedicate additional width along either one or both sides of such streets of inadequate width so as to bring them up to standards, provided the area to be used for widening is owned by the subdivider or under his control.
- 7) The following paragraphs shall be required as a provision of the restrictive covenants of all secondary plats to which they apply:

Subdivision Covenants

- The following statements shall become part of the Restrictive Covenants of every platted subdivision:
- (a) Open channels and the drains within all drain easements shall be regulated drains subject to Indiana Code 36-9-27 and its amendments.
 - (b) It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply at all times with the provisions of the drainage plan as approved for this plat by the Hancock County Drainage Board through its agents, the Hancock County Surveyor and the Hancock County Engineer, and the requirements of all drainage permits for this plat by said Hancock County Drainage Board.
 - (c) The property shall be graded pursuant to the final construction plan and may not thereafter be changed without the written approval of the Hancock County Surveyor, whose decision may be appealed to the Hancock County Drainage Board.
 - (d) No trees, shrubs or fences shall be located, nor any structure erected in any drainage easement, unless otherwise approved by the Hancock County Surveyor and the Hancock County Engineer.
- (When requesting in writing, the above covenant may be waived or modified by the Hancock County Drainage Board for good cause.)
- (e) Drainage swales (ditches) along dedicated roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, used, or otherwise changed without the written permission of the Hancock County Drainage Board (Commissioners). Property owners must maintain these swales as sodded grassways, or other non-eroding surfaces. Water from roofs or parking areas must be discharged on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts are installed as set out in Section 7-1-47 (5) of the Hancock County Subdivision Control Act.
 - (f) Any property owner altering, changing, or damaging these swales or ditches will be held responsible for such action and will be given ten (10) days notice by registered mail to repair said damage, after which time, if no action is taken, the Hancock County Drainage Board (Commissioners) will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.
 - (g) All trees and common areas are to be maintained by the Austin Trace Home Owners Association. Maintenance requirements are to include such things as mowing, confining dogs, growing, etc. (Ord. No. 1895-10C)

appropriate assessment for a two-sided street shall be provided but not for a one-sided street. The assessment shall extend 200 feet or more in length. Such assessment shall be automatically vacated by defaulting property owner when said dead-ended street is legally extended.

7) In subdivisions that adjoin or include existing streets that do not conform to the minimum right-of-way specifications as outlined by this Article, the subdivision shall dedicate additional width along either one or both sides of such streets of inadequate width so as to bring them up to standards, provided the area to be used for widening is owned by the subdivision or under its control.

8) The following paragraphs shall be required as a provision of the restrictive covenants of all secondary plots to which they apply.

a) No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between 2.5 and 8 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets), or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.

b) The same sight line limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street lines. No driveway structures shall be located within driveway limits.

c) No sump pump drains or other drains shall outlet onto the street.

d) No trees shall be planted in the Hancock County right-of-way.

e) Pipe under-drains will be used on both sides of the street as shown in Figure 5 on page 13B. The minimum slope of the pipe shall be 4 percent per the Hancock County Subdivision Ordinance.

f) All concrete used for construction of streets, curbs and gutters, sidewalks and other related items shall have a minimum compressive strength of 4,000 psi with the appropriate air entrainment and a slump not to exceed four (4) inches.

DULY ENTERED FOR TAXATION

JUL 18 2001

Angela B. Decker
 Auditor of Hancock County

(4) Any property owner altering, changing, or damaging these swales or ditches will be held responsible for such action and will be given ten (10) days notice by registered mail to repair said damage, after which time, if no action is taken, the Hancock County Drainage Board (Commissioner) will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.

(9) All trees and common areas are to be maintained by the Austin Trace Home Owners Association. Maintenance requirements are to include such things as (mowing, contracting dogwood growth, salt removal, etc.).

Additional restrictive covenants are recorded as instrument No. 20125220 in the Office of the Recorder of Hancock County, Indiana. Each owner of a lot shall take title to such lot subject to the terms and conditions of the plot covenants and restrictions.

FINAL ZONING COMMITMENTS

1. All homes shall be 1,200 sq. ft. living space or greater;
2. All homes shall have a two car garage;
3. The front elevation of all homes shall contain at least 50% brick, except for those homes which feature a full front porch;
4. 4 feet wide sidewalks shall be installed on both sides of all roads;
5. All homes shall be served by sanitary sewers and municipal water;
6. All common areas shall be maintained by the Owners Association, including all common areas of the boulevard entrance;
7. Appropriate mounding and landscaping shall be utilized in the common areas along County Line Road (County Road 700 West);
8. Parking shall be restricted to one side of each street;
9. All homes shall have a minimum 17 feet side driveway;
10. All lots shall have a minimum 5 feet side yard;
11. All trash collection and curbside recycling shall be provided by one provider and the cost of the provider shall be included in the Home Owner Assessment;
12. The entrance and exits to the project along County Line Road (County Road 700 West) shall be widened to 24 feet to permit a right hand turn lane and a left hand turn lane;
13. Trees shall not be planted within right of way limits.

NOTES

- Dedicated Right of Way in this major subdivision consists of 3.885 acres +/-.
- 1) Cross reference is hereby made to the boundary survey of Record recorded as instrument No. 201816 recorded in the Office of the Recorder of Hancock County, Indiana.
 - 2) Cross reference is hereby made to owner's record source of title in instrument No. 2012477 recorded in the Office of the Recorder of Hancock County, Indiana.

LAND OWNER:
 ARBOR INVESTMENTS, LLC
 7478 SHADELAND STATION WAY
 INDIANAPOLIS, IN 46228
 (317) 842-8875
 (317) 842-8288

Witness my signature this 22nd day of June, 2001.

Signature: *Brian L. Hogard*

Brian L. Hogard Registered Land Surveyor - Indiana - # LS28900001



698 TOWER ROAD, SUITE #100
 PLAINFIELD, IN 46168
 BUS: (317) 839-4581, FAX (317) 838-9171
 E-MAIL: banning@banning-eng.com

Revisions	PRELIMINARY PLAT	FINAL PLAT	RECORDING	DRAWN
	Checked: Date: 3/8/2001	Checked: Date:	Checked: Date:	Scale: 1/4"
	By: B.L.H.	Checked: Date:	Checked: Date:	Date: 6/28/01
	REVISED PER COUNTY SURVEYOR COMMENT LETTER			Project: 00
				Sheet: 4

dedicate additional width along either one or both sides of such streets of inadequate width so as to bring them up to standards, provided the area to be used for widening is owned by the subdivider or under his control.

- 7) The following paragraphs shall be required as a provision of the restrictive covenants of all secondary plots to which they apply.
 - a) No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between 2.5 and 6 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets), or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.
 - b) The same sight line limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two street lines. No driveway structures shall be located within driveway limits.
 - c) No sump pump drains or other drains shall outlet onto the street.
 - d) No trees shall be planted in the Hancock County right-of-way.
- 8) Pipe underdrains will be used on both sides of the street as shown in Figure 5 on page 13B. The minimum slope of the pipe shall be 4 percent per the Hancock County Subdivision Ordinance.
- 9) All concrete used for construction of streets, curbs and gutters, sidewalks and other related items shall have a minimum compressive strength of 4,000 psi with the appropriate air entrainment and a slump not to exceed four (4) inches.

DULY ENTERED FOR TAXATION

JUL 18 2001

Handwritten Signature
 Auditor of Hancock County

County Drainage Board (Commissioner) will cause said repairs to be accomplished and the bill for such repairs will be sent to the affected property owner for immediate payment.

(g) All trees and common areas are to be maintained by the Austin Trace Home Owners Association. Maintenance requirements are to include such things as mowing, control of grass growth, silt removal, etc).

Additional restrictive covenants are recorded as Instrument No. 2017520 in the Office of Recorder of Hancock County, Indiana. Each owner of a lot shall take title to such lot subject to the terms and conditions of the plat covenants and restrictions.

FINAL ZONING COMMITMENTS

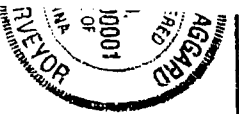
1. All homes shall be 1,200 sq.ft. living space or greater;
2. All homes shall have a two car garage;
3. The front elevation of all homes shall contain at least 50% brick, except for those homes with a full front porch;
4. 4 feet wide sidewalks shall be installed on both sides of all roads;
5. All homes shall be served by sanitary sewers and municipal water;
6. All common areas shall be maintained by the Owners Association, including all common area boulevard entrances;
7. Appropriate mounding and landscaping shall be utilized in the common areas along County (County Road 700 West);
8. Parking shall be restricted to one side of each street;
9. All homes shall have a minimum 17 feet wide driveway;
10. All lots shall have a minimum 5 feet side yard;
11. All trash collection and curbside recycling shall be provided by one provider and the cost shall be included in the Home Owner Assessment;
12. The entrance and exits to the project along County Line Road (County Road 700 West) to 24 feet to permit a right hand turn lane and a left hand turn lane;
13. Trees will not be planted within right of way limits.

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- 1) Cross reference is hereby made to the boundary survey of Record recorded as Instrument No. 2011516 recorded in the Office of the Recorder of Hancock County, Indiana.
- 2) Cross reference is hereby made to owner's record source of title in Instrument No. 2012477 recorded in the Office of the Recorder of Hancock County, Indiana.

LAND OWNER:
 ARBOR INVESTMENTS, LLC
 7478 SHADELAND STATION WAY
 INDIANAPOLIS, IN 46256
 (317) 842-1875
 (317) 842-8268



Witness my signature this 22nd day of June 2001.
 Signature: *Aggaru R. Vevor*
 Aggaru R. Vevor Registered Land Surveyor - Indiana - • LS29800001

BANNING ENGINEERING
 698 TOWER ROAD, SUITE #100
 PLAINFIELD, IN 46168
 BUS: (317) 839-2581, FAX (317) 838-9177
 E-MAIL: banning@banning-eng.com

PRELIMINARY PLAT		FINAL PLAT		RECORDING	
Checked	Date	Checked	Date	Checked	Date
BH	VZS/01				
3/8/2001 REVISED PER COUNTY SURVEYOR COMMENT LETTER					
Revisions					

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HANCOCK COUNTY RECORD

SECONDARY PLAT
AUSTIN TRACE - SECTION 3
 PART OF NW 1/4 SEC. 35-77N-R5E.
 HANCOCK COUNTY, INDIANA
 SHEET 4 OF 4

Cabinet _____
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- 6) In subdivisions that adjoin or include existing streets that do not conform to the minimum right-of-way dimensions as established by this Article, the subdivider shall dedicate additional width along either one or both sides of such streets of inadequate width so as to bring them up to standards, provided the area to be used for widening is owned by the subdivider or under his control.

- 7) The following paragraphs shall be required as a provision of the restrictive covenants of all secondary plats to which they apply.
 - a) No fence, wall, hedge, tree or shrub planting which obstructs sight lines and abutments between 2.5 and 3 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets), or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.

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- (b) It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply at all times with the provisions of the drainage plan approved for this plat by the Hancock County Drainage Board through its agents, the Hancock County Surveyor and the Hancock County Engineer, and the requirements of all drainage permits for this plat by said Hancock County Drainage Board.

- (c) The property shall be graded pursuant to the final construction plan and may not thereafter be changed without the written approval of the Hancock County Surveyor, whose decision may be appealed to the Hancock County Drainage Board.

- (d) No trees, shrubs or fences shall be located, nor any structure erected in any drainage easement, unless otherwise approved by the Hancock County Surveyor and the Hancock County Engineer.

(When requesting in writing, the above covenant may be waived or modified by the Hancock County Drainage Board for good cause.)

- (e) Drainage swales (ditches) along dedicated roadways and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, filled, or otherwise changed without the written permission of the Hancock County Drainage Board (Commissioners). Property owners must maintain these swales as sodded grassways, or other non-eroding surfaces. Water from roofs or porching areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only, when appropriate sized culverts are installed as set out in Section (5) of the Hancock County Subdivision Control Article.

- (f) Any property owner altering, changing or damaging these swales or ditches will be held responsible for such action and will be given ten (10) days notice by registered mail to repair said damage, after which time, if no action is taken, the Hancock County Drainage Board (Commissioners) will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.

- (g) All lakes and common areas are to be maintained by the Austin Trace Home Owners Association. Maintenance requirements are to include such things as mowing, controlling algae growth, silt removal, etc.).

Additional restrictive covenants are recorded as Instrument No. 2012520 in the Office of the Recorder of Hancock County, Indiana. Each owner of a lot shall take title to such lot subject to the terms and conditions of the plat covenants and restrictions.

FINAL ZONING COMMITMENTS

1. All homes shall be 1,200 sq ft. living space or greater.
2. All homes shall have a two car garage.
3. The front elevation of all houses shall be visible at least five feet.