

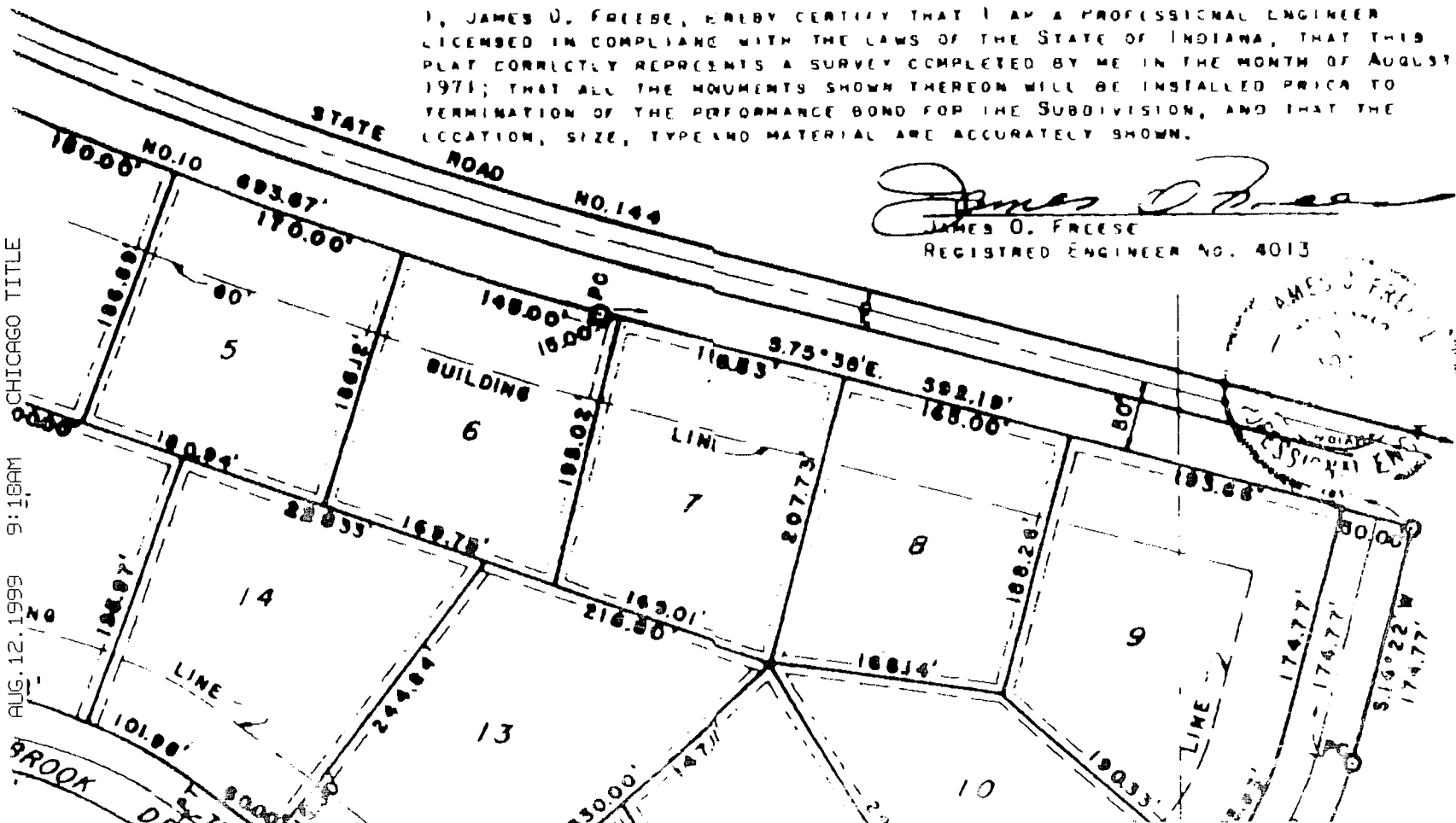
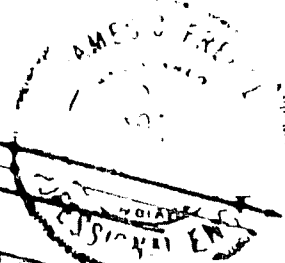
P.277
NO.593

BROOKSIDE WEST SUBDIVISION

FRANKLIN TOWNSHIP, JOHNSON COUNTY, INDIANA

I, JAMES O. FREESE, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME IN THE MONTH OF AUGUST 1971; THAT ALL THE MONUMENTS SHOWN THEREON WILL BE INSTALLED PRIOR TO TERMINATION OF THE PERFORMANCE BOND FOR THE SUBDIVISION, AND THAT THE LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN.

James O. Freese
 JAMES O. FREESE
 REGISTERED ENGINEER NO. 4013



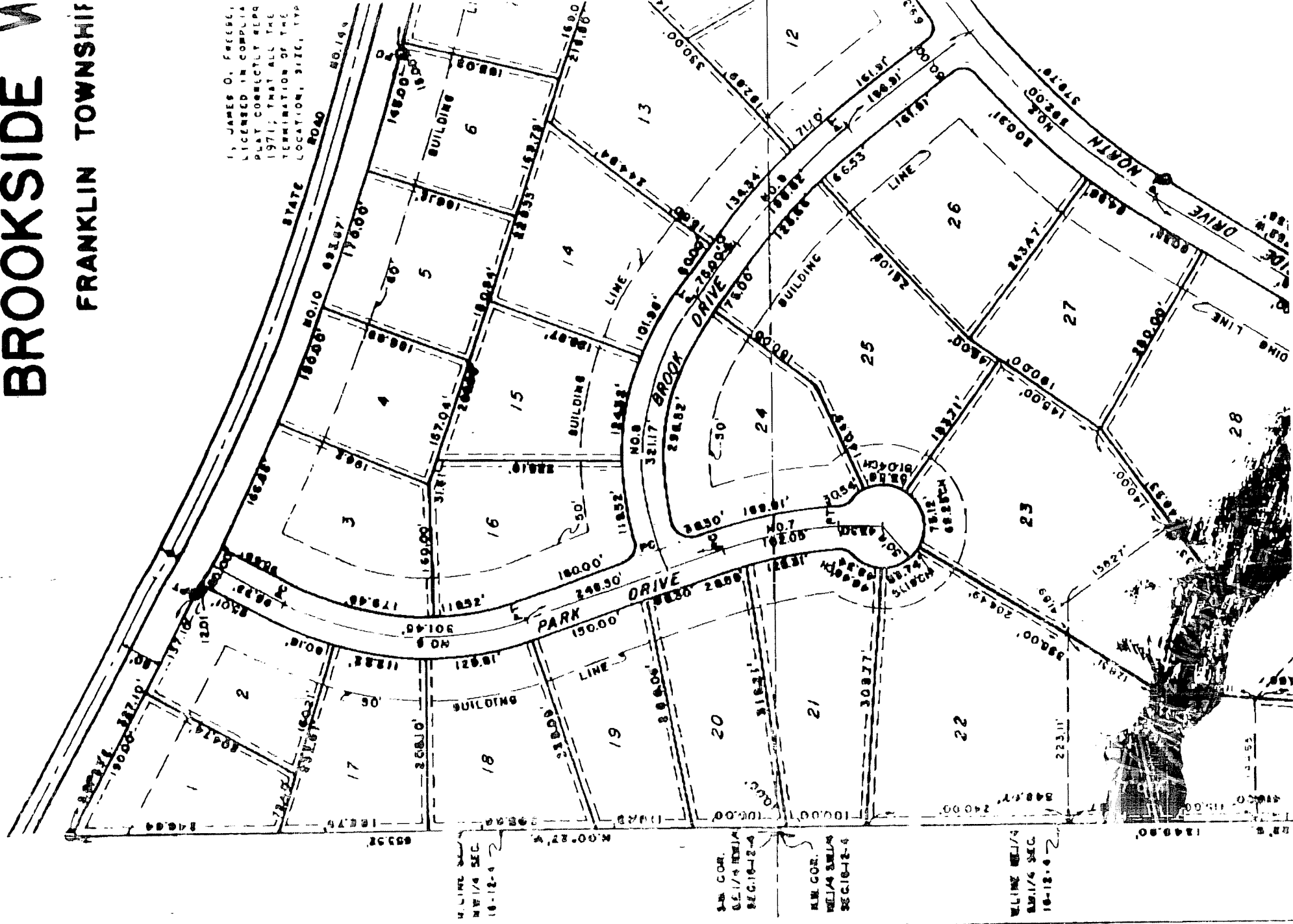
| NO. | LOCATION | DELTA | RADIUS | LENGTH | TANGENT |
|-----|------------|-----------|---------|---------|---------|
| 1 | INSIDE | | 219.45' | 170.45' | 89.77' |
| | CENTERLINE | 44°30'02" | 244.45' | 189.84' | 100.00' |
| | OUTSIDE | | 269.45' | 209.28' | 110.23' |
| 2 | INSIDE | | 777.19' | 578.78' | 183.77' |
| | CENTERLINE | 28°00'03" | 802.16' | 592.00' | 200.00' |
| | OUTSIDE | | 827.16' | 604.22' | 206.23' |
| 3 | INSIDE | | 278.25' | 177.26' | 81.73' |
| | CENTERLINE | 56°30'07" | 303.25' | 182.19' | 100.00' |
| | OUTSIDE | | 328.25' | 208.11' | 108.24' |
| 4 | INSIDE | | 245.90' | 132.39' | 68.17' |
| | CENTERLINE | 31°00'00" | 270.90' | 146.51' | 78.10' |
| | OUTSIDE | | 295.90' | 160.04' | 82.03' |
| 5 | INSIDE | | 250.91' | 132.88' | 72.17' |
| | CENTERLINE | 34°47'00" | 253.41' | 158.05' | 80.00' |
| | OUTSIDE | | 280.91' | 170.25' | 87.83' |
| 6 | INSIDE | | 538.02' | 280.73' | 148.00' |
| | CENTERLINE | 47°30'00" | 533.32' | 304.48' | 160.00' |
| | OUTSIDE | | 568.32' | 322.20' | 171.00' |
| 7 | INSIDE | | 490.62' | 184.19' | 77.73' |
| | CENTERLINE | 18°00'11" | 515.22' | 182.95' | 81.88' |
| | OUTSIDE | | 540.62' | 198.91' | 85.85' |
| 8 | INSIDE | | 500.79' | 294.53' | 161.57' |
| | CENTERLINE | 22°30'00" | 500.00' | 271.17' | 138.00' |
| | OUTSIDE | | 500.79' | 294.53' | 161.57' |

CHICAGO TITLE
AUG. 12, 1999 9:18AM

BROOKSIDE W

FRANKLIN TOWNSHIP

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 1971; THAT ALL THE
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 NW 1/4 SEC
 18-12-4

S.W. COR.
 S.E. 1/4 S.W. 1/4
 SEC. 18-12-4

N.W. COR.
 N.E. 1/4 S.W. 1/4
 SEC. 18-12-4

W. LINE NE 1/4
 SW 1/4 SEC
 18-12-4

THENCE SOUTH 01 DEGREES AND 05 MINUTES EAST 10.25 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A DEFLECTION ANGLE OF 34 DEGREES 47 MINUTES 00 SECONDS, A RADIUS OF 290.41 FEET AND A TANGENT OF 87.83 FEET, A DISTANCE OF 170.23 FEET TO A POINT OF TANGENCY; THENCE SOUTH 27 DEGREES AND 39 MINUTES WEST A DISTANCE OF 21.70 FEET; THENCE SOUTHEASTERLY ON A CURVE HAVING A RADIUS OF 50 FEET AND WHOSE CENTER IS 26.76 FEET SOUTH OF AND 42.24 FEET WEST OF THE TERMINATION OF LAST SAID COURSE, TO A POINT THAT IS 49.09 FEET SOUTH OF AND 9.45 FEET WEST OF THE CENTER OF LAST SAID CURVE; THENCE SOUTH 00 DEGREES 22 MINUTES EAST 154.33 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES WEST 295.00 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE NORTH 00 DEGREES AND 22 MINUTES WEST WITH THE WEST LINE OF LAST SAID QUARTER QUARTER SECTION 1349.90 FEET TO THE PLACE OF BEGINNING, CONTAINING 39.1624 ACRES, INCLUDING CREEKSIDE DRIVE NORTH AND CREEKSIDE COURT SOUTH.

DO HEREBY MAKE, LAY, SUBDIVIDE, LAY OFF AND DEDICATE SAID DESCRIBED REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HEREON, WHICH ADDITION SHALL BE KNOWN AS "BROOKSIDE WEST SUBDIVISION", IN FRANKLIN TOWNSHIP, JOHNSON COUNTY, INDIANA.

THAT THE STREETS AS SHOWN ON THIS PLAT ARE HEREBY DEDICATED TO PUBLIC USE AND THAT ALL OF THE LOTS CONTAINED IN THE ABOVE PLAT OR ANY PORTION THEREOF SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH RESTRICTIONS SHALL BE CONSIDERED AND HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND, WHICH SAID RESTRICTIVE COVENANTS ARE AS FOLLOWS, TO-WIT:

1. No lot shall be used except for residential purposes and no building shall be erected, altered, or placed on any lot, other than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than two cars.
2. No dwelling shall be permitted on any lot unless the ground floor area of the main structure, exclusive of one story open porches and garages, shall be not less than 1200 square feet for a one story dwelling nor less than 1000 square feet for a dwelling of more than one story.
3. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building set-back lines shown on the recorded plat. In any event, no building shall be located on any lot nearer than 35 feet to the front lot line, or nearer than 35 feet to any side street line. No building shall be located nearer than 15 feet to an interior lot line, except that no side yard shall be required for a garage or other permitted accessory building located 35 feet or more from the minimum set-back line. No dwelling shall be located on any interior lot nearer than 25 feet to the rear lot line. For the purposes of this covenant, eaves, steps and open porches shall not be considered as a part of the building provided, however, that this shall not be construed to permit any portion of a building to encroach upon another lot.
4. No dwelling shall be erected or placed on any lot having a width of less than the smallest lot in this plat at the minimum building set-back line, nor shall any dwelling be erected or placed on any lot having an area of less than 25,000 square feet.
5. There are strips of ground marked U.S. (Utility Strips) and marked U.D.S. (Utility and Drainage Strips) which are reserved for the use of public utilities for the installation of mains, poles, lines, ducts, and wires and for drainage, subject at all times to the proper authorities and to the laws and ordinances thereof. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

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PREPARED BY
 FREESE AND COMPANY

●—CONCRETE MONUMENT

- 6. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done upon any lot which may be or may become an annoyance or nuisance to the neighborhood.
- 7. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence, either temporarily or permanently.
- 8. No downspout shall be connected to or caused to discharge rain water into any sanitary sewer.
- 9. No sign of any kind shall be displayed to the public view on any lot, except for one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

10. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in working for oil or natural gas shall be erected, maintained or permitted on any lot.

11. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.

12. No lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Waste matter or materials shall be kept only in sanitary containers, and all incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

13. No fence, wall, hedge or shrub planting which obstructs the sight line at elevations between two and six feet above roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting at points 25 feet from the intersection of the street property lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight line limitation shall apply on any lot within 10 feet from the intersection of lines extended. The same sight line limitation shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement.

14. No screen planting or hedge more than 36 inches high, nor any fence, shall be permitted on side lot lines between the front lot lines and the building set-back line.

15. All ditches, for drainage of lots, that are located on side lot lines and rear lot lines shall be preserved and not obstructed.

These restrictions are hereby declared to be covenants running with the land and shall be binding on all parties, and on all persons claiming under them for a period of 25 years from the date these covenants are recorded, after which time such covenants shall be automatically extended for successive periods of ten years unless an instrument signed by a majority of the then owners of the lots in the plat is recorded, agreeing to the alteration of such covenants in whole or in part.

Permanent corners are as shown on the plat and shall be preserved by all parties to these covenants.

The 1965 Drainage Act shall apply to this plat as well as all applicable laws and acts pertaining thereto.

Invalidation of any one of these covenants by judgment of court under shall in no wise affect any of the other provisions which shall remain in full force and effect.

NO. 593 P. 67

PRESENTS THAT OWNERS IN DESCRIBED, INDIANA, THE NORTH- EAST QUARTER OF THE NORTH- AND A PART EAST QUARTER RGE 4 EAST ED AS FOLLOWS:

CHICAGO TITLE SOUTHEAST SECTION 16; WITH THE 53.52 FEET T RIGHT 144; THENCE VALLEL WITH OF A CURVE AND CURVE IANNA ROAD SAID CURVE LTES, A RADIUS RCE CONTINUEN HENCE SOUTH BEGINNING OF 4 DEGREES AND A TANGENT SOUTH 58 OF A CURVE MINUTES AND Y OF 193.77

THE 1965 DRAINAGE ACTS SHALL APPLY TO THIS PLAT AS WELL AS ALL APPLICABLE LAWS AND ACTS PERTAINING THERE TO.
INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THESE COVENANTS MAY BE ENFORCED BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT, EITHER TO RESTRAIN VIOLATION, TO RECOVER DAMAGES OR BOTH.

WITNESS OUR HANDS AND SEALS THIS 9 DAY OF September, 1971.

Paul M. Foley
PAUL M. FOLEY

Bertha Foley
BERTHA FOLEY

STATE OF INDIANA
COUNTY OF JOHNSON) 99:

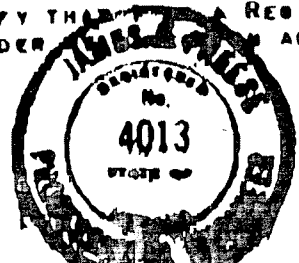
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED PAUL M. FOLEY AND BERTHA FOLEY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS BEING THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSE CONTAINED HEREIN.

WITNESS MY HAND AND NOTARIAL SEAL THIS 9 DAY OF September, 1971.

Marjette Baker
MARJETTE BAKER, NOTARY PUBLIC

MY COMMISSION EXPIRES:
JULY 20, 1973

I, JAMES O. FREESE, CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF INDIANA AND THAT THE PLAT WAS MADE UNDER MY SUPERVISION AND CORRECTLY REPRESENTS A SURVEY MADE BY ME IN THE MONTH OF AUGUST, 1971.



James O. Freese
JAMES O. FREESE
REGISTERED ENGINEER NO. 4013
SEPTEMBER 9, 1971.

UNDER AUTHORITY PROVIDED BY CHAPTER 10, ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ORDINANCE ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JOHNSON, STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE COUNTY OF JOHNSON, AS FOLLOWS:

APPROVED BY THE COUNTY PLAN COMMISSION AT A MEETING HELD ON THE _____ DAY OF _____, 1971.

Marlin Prince, CHAIRMAN
James D. Barnett, REGISTERED

UNDER AUTHORITY PROVIDED BY CHAPTER 47, ACTS OF 1931, OF THE GENERAL ASSEMBLY, STATE OF INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY, INDIANA, AT A MEETING HELD ON THE _____ DAY OF _____, 1971.

Maurice McCarty, PRESIDENT
James D. Barnett, REGISTERED
James D. Barnett, REGISTERED

ENTERED FOR TAXATION THIS 22 DAY OF Oct, 1971.

John H. Wood
JOHN H. WOOD, AUDITOR
JOHNSON COUNTY, INDIANA

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P. 7.77
NO. 593
CHICAGO TITLE
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AUG. 12. 1953