

DEDICATION OF CEDARVIEW ESTATES SUBDIVISION

The undersigned, Jeffrey Steven Busley, owner of the real estate described on this plat, does hereby certify that he has platted and subdivided the same into lots, to be known as CEDARVIEW ESTATES SUBDIVISION, as shown hereon, and does now establish the following covenants and restrictions, provisions and conditions as a part of said subdivision plat, which covenants, restrictions, provisions and conditions being for the mutual benefit of all lot owners, the same are hereby declared to be covenants which shall run with the land. Invalidation of any one of the covenants, by judgment of a court of law or by legislative statute shall in no way affect the other covenants which shall remain in full force and effect.

1. All streets, roadways and drives as shown on said plat are hereby dedicated to the public and are for the use of the owners of the lots in said subdivision.

2. Building and set back lines are hereby established as shown on said plat and the front building lines are to be construed in such a manner that no structure shall be erected or maintained on said building line or between the street and the front building line.

3. That the utility easements shown on said plat are reserved for the public utility companies, not including transportation companies, for the installation of lines, ducts, gas or water mains or laterals and sewers. Drainage easements, as shown on said plat, are reserved as drainage ways/swales for water runoff, and said ways/swales are to be maintained by the adjoining owner such that water runoff from adjacent lands is not obstructed or hindered in its flow into or through said drainage ways/swales. No permanent structure shall be maintained upon said utility and/or drainage strips. All owners shall take their titles subject to the rights of the public utilities and subject to the rights of the owners of the other lots in this subdivision.

4. No lot shall be used except for residential purposes.

5. No mercantile or business establishment of any kind or character shall be erected, altered, permitted or maintained on any of said lots.

6. No more than one dwelling shall be placed upon any one lot. Each dwelling shall have a ground floor minimum area, exclusive of open porches and garages, of 1400 square feet unless the structure is in two stories in which case the minimum area of the first floor shall be 900 square feet. A Garage, if any, shall be attached to the dwelling, detached garages or other permanent detached structures will not be allowed. Storage buildings, i.e. mini-barns, shall have a maximum floor area of 192 square feet, have approved rough sawn wood siding and trim, and must be readily moveable.

7. The exterior of all structures shall be of brick or stone veneer or a combination of brick or stone and rough sawn cedar wood siding and trim. The roof shall be approved regulation shingles. No prefabricated or precut structures shall be erected, altered or permitted to remain thereon.

8. All waste from bathrooms, sinks and laundry tubs shall be disposed of through sewer lines or approved septic systems and shall comply with the regulations of the Indiana State Board of Health and all other proper state or municipal authorities. If, at any future time, a central sanitary sewer becomes available the owner MUST connect to the sewer.

9. No dumping of refuse, garbage or tin cans will be permitted.

10. No trailer or other device shall be altered, placed or permitted to remain thereon and no trailer, portable device, garage or outbuilding shall be used as a residence thereon. Above ground pools are prohibited as are chain link fences. Decorative privacy fences may be placed around patio and/or in-ground pool areas

11. No livestock or poultry shall be quartered or permitted to remain thereon, except household pets, which shall be confined to the owner's premises.

12. Construction on any dwelling shall be completed within one (1) year from the date of the commencement of construction.

13. All plans for dwellings must be approved by the developer as

STAINING AND TRIM. THE ROOF SHALL BE APPROVED REGULATION SHINGLES. NO prefabricated or precut structures shall be erected, altered or permitted to remain thereon.

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12. Construction on any dwelling shall be completed within one (1) year from the date of the commencement of construction.

13. All plans for dwellings must be approved by the developer as long as the developer retains interest in said subdivision.

14. All drives and parking areas are to be asphalt or concrete.

15. Where water is available through public utility, no wells shall be used as a domestic potable water source and the dwelling must be connected to the public water utility, however, a well may be used for watering lawns or other non-potable water uses. All connections to a public utility or to a private well must comply with the regulations of the Indiana State Board of Health and all other proper state or municipal authorities.

16. The right to enforce these provisions and conditions shall be by injunction together with a right to cause the removal by due process of law and structure erected or maintained in violation of any of the above conditions and provisions is hereby reserved to the owner and is dedicated to the several owners of the lots in said subdivision.

This declaratory statement of uses, limitations, restrictions and covenants to run with the land is hereby so declared and executed this 11 day of July, 1988.


Jeffrey Steven Endsley

State of Indiana)
)
County of Morgan)

Before me, the undersigned, a Notary Public, personally appeared Jeffrey Steven Endsley, and acknowledged the above foregoing to be his voluntary act and deed.

Witness my Hand and Seal this _____ day of _____, 1988.

Signed Notary Public

Printed or Typed

Resident of 11111 022 County

My Commission Expires: _____