

CHAPEL HILL THIRD SECTION

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RECORDED MAY 29, 1962

RESTRICTIONS

- A. The streets shown and not heretofore dedicated are hereby dedicated to the public.
- B. All numbered lots in this Addition shall be designated as residential lots. Only one single family dwelling with accessory building and not exceeding two stories in height may be erected or maintained on said lots.
- C. Front and side building lines are established as shown on this plat, between which lines and the property lines of the streets no structure shall be erected or maintained. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 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 property lines and a line connecting points 25 feet from the intersection of said street lines, or in the case of a rounded property corner, from the intersection of the street lines extended. The same sight-line limitation shall apply to any lot within 10 feet from the intersection of a street line with the edge of a driveway pavement or alley line. No tree shall be permitted to remain within such distances of such intersection unless foliage line is maintained at sufficient height to prevent obstruction of sight line.
- D. No trailer, tent, shack, basement, garage, barn or other outbuilding or temporary structure shall be used for temporary or permanent residential purposes in any lot in this Addition.
- E. No noxious or offensive trade shall be carried on upon any lot in this Addition, nor shall anything be done thereon which shall be or become a nuisance to the neighborhood.
- F. No lot in this subdivision shall be resubdivided into a building lot having an area of less than 11,250 square feet.
- G. No poultry or farm animals shall be raised or maintained on any lot. This restriction shall not prohibit a resident from keeping a usual pet animal or bird.
- H. There are strips of ground as shown on the within plat marked "Drainage and Utility Easements" which are hereby reserved for the use of public utility companies, not including street car or transportation companies for the installation and maintenance of mains, ducts, poles, lines, wires, sewers and drains, subject at all times to the authority of Marion County, Indiana, and to the easement herein reserved. No permanent or other structures shall be erected or maintained on said strips. The owners of such lots in this Addition, however, shall take their title subject to the rights of the public utilities and to those of the other owners of lots in this Addition to said easement herein granted for ingress and egress in, along and through the strips of ground so reserved.
- I. The owners, for themselves and for their heirs, successors and assigns, waive all right to object to, or to remonstrate against any annexation or proposed annexation of the real estate subject to this plat or any part thereof, to the City of Indianapolis or to the Indianapolis Sanitary District, including the right to take an appeal from any order or judgment annexing said real estate, or to file a complaint or other action against such annexation proceedings.
- J. No building shall be erected on any lot until the design plans have been approved by the platter. The building of all improvements shall be subject to inspection by the platter, or its representatives, and shall meet its construction standards. If the construction of any house shall not meet the approval of the platter, it shall have the right to prohibit the commencement or continuation of such improvement.
- K. The right to enforce the within provisions, restrictions and covenants by injunction, together with the right to cause the removal by due process of law of structures erected or maintained in violation thereof, is hereby dedicated and reserved to the owners of the several lots in this subdivision, their heirs or assigns, who shall be entitled to such relief without being required to show any damage of any kind to any such owner or owners by or through any such violation or attempted violation. Said provision shall be in full force and affect until August 1, 1985, at which time said covenants shall be automatically extended for successive periods of ten years, unless by a vote of the majority of the then owners of the lots it is agreed to change the covenants in whole or in part. Invalidation of any one of the covenants by judgments or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.
- L. The within covenants, limitations and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.