

(22)

PLAT OF COLLEGE PLAZA

We the undersigned, P. E. Middleton Co. Inc., Registered Professional Engineers and Land Surveyors of the State of Indiana, Hereby Certify that the within Plat of College Plaza was surveyed and staked by us, is true and correct, and represents a Subdivision of Part of the East Half of the Northeast Quarter of Section 11, Township 17 North, Range 3 East more particularly described as follows; towit:

Beginning at the Northeast corner of the Northeast Quarter of said Section, running thence West upon and along the North line of said Half Quarter Section 1343.37 feet the Northwest corner of the East Half of the Northeast Quarter of said section; thence South upon and along the West line of said Half Quarter Section 706.50 feet to a point; thence in an Easterly direction 1341.70 feet to a point in the East line of said Half Quarter Section; thence North upon and along the East line of said Half Quarter Section 705.47 feet to the place of beginning containing 21.75 acres more or less.

The size of lots and widths of streets are shown on this Plat in figures denoting fee and decimal parts thereof.

The Subdivision was staked with Iron Pipe.

This Subdivision consists of 47 lots numbered from 1 to 47 both inclusive.

Witness our signature this 12th day of September, 1950.

P. E. MIDDLETON CO., INC. ENGINEERS
BY P. W. Moore Reg. No. 2373

We, the undersigned Mary Valinet Hereby Certify that they have laid off, platted and subdivided said Estate in accordance with the within plat.

The within Plat shall be known and designated as College Plaza.

The street shown and not heretofore dedicated are dedicated to the Public.

The residential area covenants in their entirety shall apply to Lots 1 to 44 inclusive, 45, 46, &, 47 shall be reserved for business purposes.

~~except~~ No Lot except those reserved for business purposes shall be used for residential purposes. No building shall be erected, altered, placed, or permitted to remain 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.

No dwelling shall be permitted on any Lot at a cost of less than 8,000.00 Dollars based upon cost levels prevailing on the date these covenants are recorded it being the intention and purposes of the covenant to assure that all dwellings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The Ground Floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 800 square feet for a One-story Dwelling, nor less than 800 square feet for a dwelling of more than one story.

No residence shall be erected nearer than 30 feet from the front lot line nor nearer than 5 feet to the side Lines of any lot in this Plat nor shall any accessory building, other than a one or two

car garage be erected and maintained nearer than 65 feet to the front line of any Lot in this Plat except that in any case when the same persons own two adjoining lots, such owners may build a residence or dwelling or appurtenant garage across the dividing line or to coincide therewith provided that in no case shall any residence be erected nearer to any residence than 10 feet. Any private garage on a corner lot shall be attached either directly or by means of a porch, breezeway, et. to the dwelling erected on the lot.

No building shall be located nearer than 5 feet to an interior lot Line, except that no side yard shall be required for a garage or other permitted accessory building located 65 feet or more from the minimum building set back line. For the purposes of this covenant eaves, steps, and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building, on a lot to encroach upon another lot, or be constructed over a filter bed.

No dwelling shall be erected or placed on any lot having a width of less than 40 feet at the minimum building setback line nor shall any dwelling be erected or placed on any lot having an area of less than 12,000 square feet.

Easements for installation and maintenance of utilities, not including bus or transportation lines, have been reserved as shown on the recorded plat, and shall be subject at all times to the proper civil authorities and to the easements herein reserved. No permanent or otherwise structure shall be erected or maintained upon said easements, but such owners shall take their title subject to the right of the Public Utilities and to the right of the owners of the other lots in this Addition, to said easement herein granted for the ingress and egress in, along, across and through the strips so reserved.

No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

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 temporary or permanently.

Area Reserved for business sites shall be subject to the approval of the Hamilton County Planning Board for zoning for business.

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 were not kept, bred, or maintained for any commercial purposes.

No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for storage or disposal of such material shall be kept in a clean and sanitary condition.

Until such a time as a sanitary sewer system is available for use in this addition, no sewerage disposal method may be installed, constructed or maintained except a sanitary septic tank, an adequate absorption bed of type and construction as approved by the Indiana State Board of Health in writing. Such approval to be maintained for any and all lots either separately or collective and no other sanitary provisions or device shall be employed or permitted to remain on any lot in this addition except that where a sanitary septic tank has been installed prior to the availability of a sanitary sewer system, said septic tank may be maintained and there is no obligation to connect to said sanitary sewer.

Until an approved water supply is available in this addition, individual wells will be permitted, providing such well is located, constructed and equipped in accordance with the approval of the Indiana State Board of Health.

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of Twenty-five (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

Enforcement shall be by proceedings at law or in Equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

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.

In Witness Whereof this 18th day of September 1950, Mary Valinet has hereunto set her hand and seal.

Mary Valinet

STATE OF INDIANA
COUNTY OF HAMILTON SS

Personally appeared before me, a Notary Public, in and for said County and State, Mary Valinet and acknowledged the execution of the foregoing certificate as there voluntary act and deed for the uses and purposes therein expressed.

Witness my hand and Notary Seal this 18th day of September 1950.

Maude I. Dale
Notary Public.

My Commission expires June 3, 1952.

Examined and approved by Hamilton County Planning Commission:
Profile Map Submitted.

Dated Oct. 2, 1950.

Examined and Approved by
O. V. Winks Chair.

Examined and Approved by Board of Commissioners subject to
Construction of Streets according to Profile Map submitted.

Dated Oct. 2, 1950.

Glenn E. Miller.
Perry H. McClintock

Board of Commissioners of
Hamilton County, Ind.

Attest: Harry C. Griffin
Auditor of Hamilton County,
Indiana.

The above is a true copy recorded October 2, 1950.

Deed Rec. 135, pages 360-2.

Carrie H. Roberts, R. H. C.

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