

COOL CREEK NORTH - SECTION SEVEN  
Plat Book 5 Page 180  
Recorded March 19, 1976

Entry No.

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This subdivision consists of 25 lots, numbered consecutively from 188 thru 212, both inclusive, and streets as shown hereon. The size of lots and widths of rights-of-way are shown on this plat by figures denoting feet and decimal parts thereof.

Certified this 3rd day of October, 1975.

MID-STATES ENGINEERING CO., INC.

Sol C. Miller  
Registered Land Surveyor No. 9788-Indiana

The undersigned, owners' of the above described real estate hereby certify that they do lay off, plat and subdivide the same in accordance with this plat and certificate.

This subdivision shall be known and designated as "Cool Creek North - Section Seven," an addition in Hamilton County, Indiana.

The streets, if not heretofore dedicated, are hereby dedicated to the public.

There are strips of ground as shown on this plat and marked "U & D Easement" which are hereby reserved for the use of public utilities, not including transportation companies, for the installation and maintenance of poles, mains, ducts, drains, lines and wires, subject at all times to the proper authorities and to the easements herein granted and reserved. No permanent structures are to be erected or maintained upon said utility easements. Owners of lots in this subdivision shall take title subject to the rights of the public utilities, said rights also including the right of ingress and egress, in, along, across and through said utility easements, and to the rights of owners of the other lots in this addition.

Building set-back lines are hereby established on this plat, between which lines and the property lines of the streets, shall be erected or maintained no building or structure.

No building, structure or accessory building shall be erected closer to the side of any lot than 10 feet. However, any proposed construction closer than 15 feet to the side of any lot must be approved by the Building Committee. Where buildings are erected on more than one single lot this restriction shall apply to the side lines of the extreme boundaries of the multiple lots.

All lots in this subdivision shall be known and designated as residential lots. No structure shall be erected, altered, placed or permitted to remain on any residential lot herein, other than one detached single-family dwelling not to exceed two and one-half stories in height and a private garage for not more than 3 cars and residential accessory buildings.

The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1500 square feet in the case of a one-story structure nor less than 900 square feet in the case of a multiple story structure provided no structure of more than one story shall have less than an aggregate of 1800 square feet of finished and liveable floor area.

No hotel building, boarding house, mercantile or factory building or buildings of any kind for commercial use shall be erected or maintained on any lot in this subdivision. No trailers, trucks, campers, shacks or outhouses shall be erected or situated on any lot herein, except that for use by the builder during the construction of a proper structure.

No farm animals, fowls, or domestic animals for commercial purposes shall be kept or permitted on any lot or lots in this subdivision.

No noxious, unlawful, or otherwise offensive activity shall be carried out on any lot in this subdivision, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

No fence shall be erected on or along any lot line, nor on any lot, the purpose or result of which will be to obstruct reasonable vision, light or air, and all fences shall be kept in good repair and erected reasonably so as to enclose the property and decorate the same without hinderance or obstruction to any other property. No fence shall be erected between the front property lines and the building setback line other than a fence of a decorative nature not exceeding three (3) feet six (6) inches in height.

No private or semi-private water supply and/or sewage disposal system may be located upon any lot in this subdivision, which is not in compliance with regulations or procedure as provided by the Indiana State Board of Health, or other civil authority having jurisdiction. No septic tank, absorption field, or any other method of sewage disposal shall be located or constructed on any lot or lots herein except as approved by said health authority.

No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and plot plan showing the location of such building have been approved as to the conformity and harmony of external design with existing structures herein and as to the building with respect to topography and finished ground elevation, by a committee composed of the undersigned owners of the herein described real estate, or by their duly authorized representatives. In the event of the death or resignation of any member of said committee the remaining member or members shall have full authority to approve or disapprove such design and location, or to designated representative with like authority. If the committee fails to act upon any plans submitted to it for its approval within a period of fifteen (15) days from the submission date of the same, the owner may pro-

ceed then with the building according to the plans as approved. Neither the committee members nor the designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

If the parties hereto, or any of them, or their heirs or assigns shall violate any of these covenants, restrictions, provisions or conditions herein, it shall be lawful for any other person owning any real property situated in this subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from doing so, or to recover damage or other dues for such violation.

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 sightline limitations 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 intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

No driveway serving any lot herein shall enter or exit directly onto State Road 234.

These covenants are to run with the land, and shall be binding on all parties and all persons claiming under them until 1 January 1994, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless by a vote of a majority of the then owners of the lots in this subdivision, it is agreed to change said covenant in whole or in part. Right of enforcement of these covenants is hereby granted to the Carmel Planning Department, its successors or assigns.

Invalidation of any of the foregoing covenants, provisions, restrictions or conditions by judgement or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

No owner of any lot shown herein shall have the right to remonstrate against annexation of that lot to the Town of Carmel, in witness whereof, the owners of the above described real estate have hereunto caused their names to be subscribed.

Owner and Subdivider  
Joseph S. Dawson  
1001 Broad Ripple Ave.  
Indianapolis, Indiana

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County of Marion )  
State of Indiana ) SS

Before me, the undersigned, a Notary Public in and for said County and State personally appeared the above and acknowledged the execution of this instrument as their voluntary act and deed and affixed their signaturers thereto.

Witness my signature and seal this 21st day of October, 1975.

Virginia A. Pyle, Notary Public  
My commission expires March 30, 1978

COMMISSION CERTIFICATE

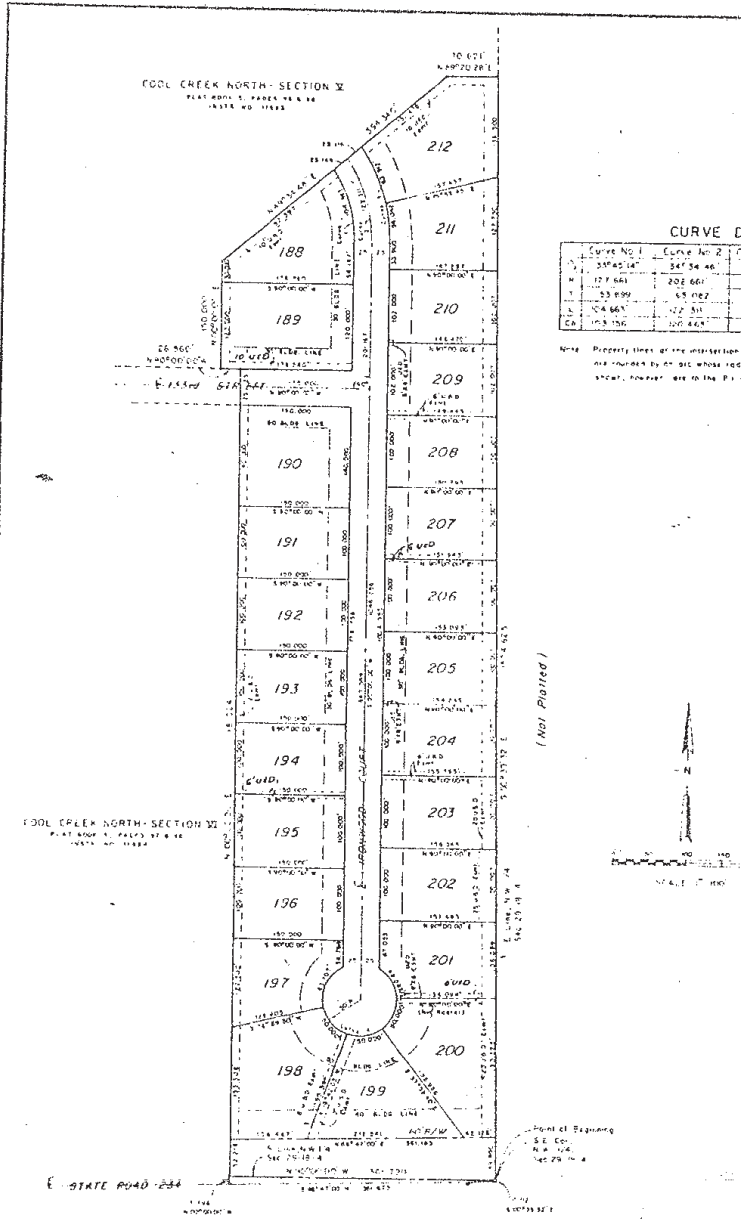
Under authority provided by Chapter 174 Acts of 1947 enacted by the General Assembly of the State of Indiana and all acts amendatory thereto and an ordinance adopted by the Town Board of Trustees of Carmel, Indiana.

Adopted by the Town Plan Commission at a meeting held Oct. 21, 1975.

James R. Litzsinger  
President

Frances Gaskins  
Secretary

This instrument is prepared by MID-STATES ENGINEERING CO. INC.  
Sol C. Miller  
Reg. Land Surveyor No. 9788-Indiana



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