

COUNTRYTME MINOR PLAT 03JA-7M-850

HEADPOST
NE CORNER, SE 1/4,
SEC. 32, T18N, R2W,
JACKSON TOWNSHIP,
BOONE COUNTY, INDIANA

S 89°34'10" W
2633.58'

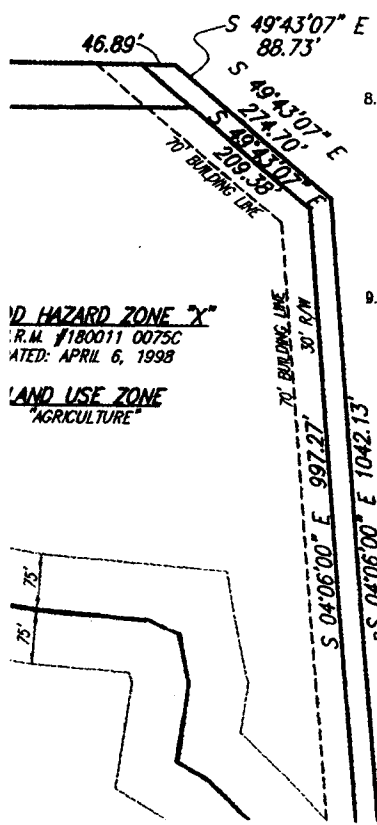
(AND)
SW 1/4,
9N, R2W,
T18N, R2W,
JACKSON TOWNSHIP,
BOONE COUNTY,
INDIANA

The undersigned, the owner of record of all of the real estate described herein, does hereby lay off, plat and subdivide said real estate in accordance with the within plat:

This subdivision shall be known and designated as COUNTRYTME MINOR PLAT 03JA-7M-850, an Addition to Jackson Township in Boone County, Indiana ("Subdivision").

In order to afford adequate protection to all present and future owners of lots in this Subdivision, the undersigned hereby adopts and establishes the following subdivision restrictions ("Subdivision Restrictions"), consisting of protective covenants, each and all of which shall run with the land and inure to the benefit of and be binding upon the persons, firms, corporations and other legal entities from time to time in ownership of lots in this Subdivision and all persons claiming under or through them:

1. **NAME.** This Subdivision shall be known and designated as COUNTRYTME MINOR PLAT 03JA-7M-850, a subdivision located in Boone County, Indiana.
2. **STREET DEDICATION.** The right of way for County Road 800 South and 1050 West shown and not heretofore dedicated are hereby dedicated to the public.
3. **SUBDIVISION OF LOTS.** No lot in this Subdivision shall be further subdivided to create additional lots, nor shall more than one single-family dwelling house be erected, altered, placed or permitted to remain on any lot within this Subdivision.
4. **TYPE, SIZE AND NATURE OF CONSTRUCTION PERMITTED AND APPROVALS REQUIRED.** No single family dwelling house, garage, accessory building or recreational facility shall be erected, altered, placed or permitted to remain on any lot within this Subdivision except in compliance with the minimum standards and other conditions and restrictions applicable to lot development per applicable zoning ordinances. The ground floor living area of a dwelling, exclusive of garage and open porches, shall contain not less than 1,800 square feet for a single story dwelling, nor less than 1,200 square feet (with a total of 1,800 square feet) for a dwelling with more than one story. All structures erected on any lot shall be of new construction and materials.
5. **BUILDING SETBACK REQUIREMENTS.** Every single-family dwelling house, garage, accessory or recreational facility erected, placed or permitted to remain on a lot in this Subdivision shall be set back so as to comply with the building setback lines shown on the plat of this Subdivision, or to the extent more restrictive, so as to comply with the setback (side, rear and front) requirements of applicable zoning regulations and development standards included in zoning ordinances of Boone County, as from time to time amended or changed.
6. **EASEMENTS.** The strips of ground shown on the plat of this Subdivision and marked "D.E.", meaning Drainage Easements, "U.E.", meaning Utility Easements, and "S.E.", meaning Sewer Easements, are created for the use of public utility companies, governmental agencies and the owners of lots within this Subdivision, as follows:
 "Drainage Easements": (D.E.) are created to provide paths and courses for area and local storm drainage, either overland or in adequate underground conduit, to serve the needs of this and adjoining ground and/or the public drainage system. No structures, including fences, shall be built on a Drainage Easement which will obstruct flow from the area being served, nor shall any changes be made in the finished grade elevations of any lot within this Subdivision, whether in connection with the construction of improvements thereon or otherwise, so as to modify, alter or change the location or depth of any drainage swales, ditches or creeks located within any such Drainage Easement without the approval of all Federal, State, County or Municipal authorities from whom approvals are required, or which modifications, alterations or changes impede, restrict or alter the natural flow of surface water drainage. "Utility Easements": (U.E.) are created for the use of public utility companies, not including transportation companies, for the installation, operation and maintenance of mains, ducts, poles, lines and wires necessary to provide utility service to a lot or lots within this Subdivision, subject to the condition that following any installation or maintenance, the effected area within such Utility Easement shall be returned to the condition existing prior thereto at the cost and expense of the party responsible for having any such work performed. "Sewer Easements": (S.E.) are created for the use of the local governmental agency having jurisdiction over any storm and sanitary waste disposal system which may be designed to serve this Subdivision for the purpose of installation and maintenance of sewers that are a part of said system. The owner of any lot in this Subdivision shall take title to such lot subject to the rights of easements created hereby for the purposes herein above stated, which easement rights shall include the right of reasonable ingress and egress over, under, along and through such easement areas to effectuate such purposes.



HAZARD ZONE "X"
R.M. #180011 0075C
DATED: APRIL 6, 1998

LAND USE ZONE
AGRICULTURE

7. **RIGHTS OF ENFORCEMENT.** In the event of the violation, or threatened violation, of any of the Subdivision Restrictions herein enumerated, the persons in ownership from time to time of any lot or lots in this Subdivision and all parties under them shall have the right, individually, jointly or severally, to enforce these Subdivision Restrictions and pursue any and all remedies, in law or equity, available under applicable Indiana law, with or without proving any actual damages, including the right to secure injunctive relief or secure removal by due process of any building, structure, improvement or facility not in compliance with these Subdivision Restrictions, and shall be entitled to recover reasonable attorney's fees and other legal costs and expenses incurred as a result thereof.
8. **GENERAL.** These Subdivision Restrictions may be amended or changed, but only to the extent that such amendments or changes do not affect any easements reserved or granted hereby, upon the express written approval of the fee simple owners of the lot in this Subdivision, which amendments or changes shall become effective five (5) days following the date of recordation of the same in the Office of the Recorder of Boone County, Indiana. These Subdivision Restrictions shall run with the land and shall be binding on all parties claiming under them for a period of twenty-five (25) years from the date of recordation, and shall automatically extend for successive periods of ten (10) years each unless prior to the expiration of any ten (10) year period they are amended or changed as provided herein. Invalidation of any portion of these Subdivision Restrictions by judgment or decree shall in no way effect any of the other provisions hereof, the remainder of which shall remain in full force and effect.
9. **OPEN SPACE.** In addition to any area shown on this plat as a buffer yard required by the Boone County Zoning Ordinance, 50% (percent) of each Lot in this subdivision shall be maintained as undeveloped open space. Open space may include turf areas, decorative plantings, walkways, active and passive recreation areas, playgrounds, and wooded areas. The owner of each Lot shall hold title to the open space and shall also be responsible for the maintenance of the open space.

SECTION LINE N 07°58'14" W 2633.39'