

Plat Book
32 page 196
Inst. #50434
May 23, 1962
Recorded
June 7, 1962

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DEVONSHIRE EIGHTH, SECTION B Plat

I, the undersigned, Dale G. Gard, a Registered Engineer in the State of Indiana do hereby certify this plat of Devonshire Eighth, Section "B", is true and correct and represents a Subdivision of a part of the North half of the N. E. 1/4 of Sec. 34, T-17-N, R-4-E, in Marion County, Indiana, more particularly described as follows:

Beginning at a point on the North line of said N. E. 1/4, said point being 1350.00 feet East of the N.W. Corner of same, thence South with a deflection angle of 90 degrees 00' Right a distance of 811.5 feet to a point, thence East a distance of 10.00 feet to a point, thence South a distance of 150.00 feet to a point, thence West a distance of 29.5 feet to a point, thence South a distance of 150.00 feet to a point, thence West a distance of 40.6 feet to a point, thence South a distance of 210.0 feet to a point, on the South line of said North Half (all deflection angles are 90 degrees 00'), thence East along said South line a distance of 1356.1 feet to the S.E. corner of the North Half of the N.E. 1/4 of said Section 34, T-17 N, R-4-E, thence North along the East line of said N.E. 1/4 a distance of 1057.5 feet to a point, thence West with a deflection angle of 90 degrees 36' Left and parallel to the North line of said N.E. 1/4 a distance of 212.2 feet to a point, thence N.W. with a deflection angle 10 degrees 09' Right a distance of 193.0 feet to a point, thence North with a deflection angle of 79 degrees 51' Right a distance of 230.0 feet to a point in the North line of said N.E. 1/4, said point being 405.0 feet West of the N.E. corner of same, thence West along said North line a distance of 905.2 feet to the place of beginning, containing in all 37.46 acres, more or less.

Subject, however to any and all legal highways, rights of way or easements of record.

This Subdivision contains 62 lots numbered 1025 to 1086 inclusive.

WITNESS my hand and seal this 28th day of June, 1961.

Dale G. Gard (Seal)
Reg. Eng. #3035
State of Indiana

COVENANTS OF THE LAND - DEVONSHIRE EIGHTH, SECTION B

The undersigned, THE INDIANA NATIONAL BANK OF INDIANAPOLIS, as TRUSTEE under Deed recorded in Town Lot Record 1571 page 397, does hereby certify that it has laid-off, platted and subdivided and hereby lays-off, plats and Subdivides into lots and streets in the

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attached certified plat the real estate described in the attached Engineer's Certificate. This Subdivision shall be known and designated as "DEVONSHIRE EIGHTH, SECTION B", an Addition in Marion County, Indiana.

The streets not heretofore dedicated hereby dedicated to the public.

The undersigned hereby establishes front and side building lines as shown on the attached plat, between which lines and the property lines of the several streets there shall be erected and maintained no permanent or other structures, or part thereof, except as to the side yard lines under the conditions herein-after referred to.

There are strips of ground marked "Utility Easements" shown on the plat that are hereby reserved for public utilities, not including, however, transportation companies, for the installation and maintenance of poles, mains, sewers, drains, ducts, lines and wires. Purchasers of lots in this addition shall take title subject to the easement hereby created and subject at all times to the rights of proper authorities to service such utilities in the easements hereby created for said corporation strips, and no permanent structures of any kind, and no part thereof except fences, shall be built, erected or maintained on said corporation strips. Purchasers of lots in this Addition shall not grant, sell or convey any easement utility or roadway purpose upon and/or across any lot or lots in this Addition without the prior written approval of the Building Committee hereinafter mentioned.

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 laundry tub or sink or basement drain water may be tiled into any open ditch, downspout water may be tiled to the street or any open natural line of drainage; tiles around the exterior of basement walls and footings may likewise be tiled into any natural drainage available so long as there is no connection with the sewage system of the property involved.

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All lots in this Addition shall be designated as residence lots. Only one single-family dwelling with accessory buildings and not exceeding two and one-half stories in height, may be erected or maintained on any platted lot in this addition.

No residence shall be erected or maintained on any lot in this Addition having a ground floor area of less than 1200 square feet in case of a one-story residence or less than 800 square feet in the case of a one and one-half or two or two and one-half story residence. The side yard on each side of the residence must be equal in width to 15% of the width of the lot at the set-back line or 20 feet, whichever is the lesser, except that in the case where the same person or persons own two adjoining lots not separated by an easement for utilities as shown on said plat, such owner may build to coincide with or be nearer than 15 feet to such dividing line, but no residence or building of any character shall be built in such a manner as to be on any strip covered by such utility easement and provided further that in no case shall any residence or building be erected nearer to any other residence or building than thirty feet. A minimum back yard depth must be maintained of at least 40 feet.

No trailer, tent, shack, basement, garage or temporary structure of any kind shall be used for temporary or permanent residential purposes on any lot. 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 be neighborhood.

In the event the owner of any portion of said real estate included in this addition shall offer said real estate for sale, lease or rent, only one "For Sale", "For Lease" or "For Rent" sign may be erected on said premises and any such sign shall be erected within the boundary lines of such premises and no such sign so erected shall contain any reference to the sales price of said real estate or to the terms of lease or rental; no such sign shall be erected upon the right of way of any street or road in said addition nor shall any such signs be placed elsewhere in said addition directing the attention of the public to said premises.

No lot or lots in this Subdivision shall be resubdivided into a greater number of lots than presently platted.

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.

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No building shall be erected, placed or altered on any of these lots in this addition until the building plans, plot plans and specification showing the location thereof have been approved in writing by a majority of a committee to be known as "The Devonshire Eighth, Section B, Building Committee" and composed of W. Linton Atkinson, Wilbur W. Atkinson and Warren M. Atkinson, or approved in writing by Warren M. Atkinson as Agent for said Committee, for conformity and harmony of external design with existing structures in this area, and also as to location of building with respect to property and building setback lines. In the event of the death of any member or members of this Committee the surviving member or members shall have the authority to approve or disapprove such design and location. If said committee shall fail to approve or disapprove such design or location within 10 days after said plans have been submitted or if no suit enjoin the erection of such building or the making of such alterations has been commenced prior to the completion thereof, such approval shall not be required. Said committee shall act and serve without compensation. Said Committee shall act and serve until May 15, 1987, at which time the then record owners of a majority of these lots in this Addition subject to the covenants herein set forth, may designate in writing, duly recorded among the land records, their authorized representatives, who thereafter shall have all the powers, subject to the above limitations, as were previously delegated herein to said committee.

The right to enforce these restrictions shall vest in the owners of the lots in this Addition, and the said right together with the right to cause removal of any structure or part thereof erected or maintained in violation of these restrictions, may be exercised by injunction or by appropriate action at law.

These restrictions constitute covenants running with the land and shall be in effect for periods of 25 years from this date, provided that at the expiration of said term owner or owners of a majority of lots in this addition shall execute and acknowledge a declaration in writing waiving renewals and said written declaration shall be recorded in the Office of the Recorder of Marion County, Indiana, in which event the provisions above set out for renewals shall be nullified.

IN WITNESS WHEREOF, THE INDIANA NATIONAL BANK OF INDIANAPOLIS, as TRUSTEE under Deed recorded in Town Lot Record 1571, page 397, has hereunto set its hand

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LAWYERS TITLE INSURANCE CORPORATION
L. M. BROWN TITLE DIVISION

and corporate seal this 23rd day of May, 1962.

THE INDIANA NATIONAL BANK OF
 INDIANAPOLIS, as TRUSTEE under
 Deed Recorded in Town Lot
 Record 1571, page 397, (Corp. Seal)
 By: L. J. Bowden, Vice President,
 Attest: R. B. Morris,
 Assistant Cashier.

STATE OF INDIANA

SS:

COUNTY OF MARION

Personally appeared before me, the undersigned, a Notary Public in and for said State and County, L.J. Bowden and R. B. Morris, to me known and known to me to be, respectively, a Vice-President and an Assistant Cashier of The Indiana National Bank of Indianapolis, as Trustee under Deed recorded in Town Lot Record 1571 page 397, and acknowledged the execution of the foregoing certificate as such Trustee, and first being duly sworn upon their oath they did say that they are duly authorized to sign and deliver said instrument for and on behalf of said corporation as such Trustee for the purposes therein set forth and the seal affixed to said instrument is the seal of said corporation and its affixing was duly authorized.

Witness my hand and Notarial Seal this 23rd day of May, 1962.

Virginia Hamilton (LS)
 Notary Public

My Commission expires:
 October 26, 1964.

Final Approval:

Flat Committee of Metropolitan
 Plan Commission, Marion County
 Indiana.

June 6, 1962, Proper Public Notice of the hearing has been published.

Paul R. Young, Chairman
 Stephen W. Burris, Member
 Warren G. Davis, Member
 Approved this 7th day of June, 1962.
 Auditor of Marion County
 Wm. McNally, Draftsman

(Instrument discloses name of person preparing same.)