



This subdivision shall be subject to the same rules and regulations as proposed elsewhere in this subdivision.

1. **Drainage Swales.** (1) Any drainage swale shall be constructed in accordance with the following: (a) The swale shall be located within the right-of-way of the street, and shall be constructed in accordance with the standards set forth in the Handbook of Drainage Swales, published by the American Society of Civil Engineers, Inc., 1980, and shall be subject to the approval of the Hancock County Drainage Board (Commissioner) before construction. (b) The swale shall be constructed in accordance with the standards set forth in the Handbook of Drainage Swales, published by the American Society of Civil Engineers, Inc., 1980, and shall be subject to the approval of the Hancock County Drainage Board (Commissioner) before construction. (c) The swale shall be constructed in accordance with the standards set forth in the Handbook of Drainage Swales, published by the American Society of Civil Engineers, Inc., 1980, and shall be subject to the approval of the Hancock County Drainage Board (Commissioner) before construction. (d) The swale shall be constructed in accordance with the standards set forth in the Handbook of Drainage Swales, published by the American Society of Civil Engineers, Inc., 1980, and shall be subject to the approval of the Hancock County Drainage Board (Commissioner) before construction. (e) The swale shall be constructed in accordance with the standards set forth in the Handbook of Drainage Swales, published by the American Society of Civil Engineers, Inc., 1980, and shall be subject to the approval of the Hancock County Drainage Board (Commissioner) before construction. 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2. **Altering Drainage Swales.** Any property owner calling, changing or damaging the drainage swales or ditches will be held responsible for such action and will be given ten (10) days notice by registered mail to repair said damage, after which time, if no action is taken, the Hancock County Drainage Board (Commissioner) will cause such repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.

3. **Corner Lots.** No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between 2.5 and 3 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 42 feet from the intersection of said street lines (40 feet for minor streets and 75 feet for arterial streets) or in the case of a rounded property corner from the intersection of the street right-of-way lines extended. The same sight line abatements shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveway pavement or alley line. No driveway shall be located within 70 feet of the intersection of two (2) street center lines.

4. **Drains.** No sump pump drains or other drains shall outlet onto the street. No drainage structures shall be located within driveway limits.

5. **No trees in Right-of-Ways and easements.** No trees or landscaping shall be planted in the Hancock County road right-of-way or in the drainage easements created and shown on the plat.

6. **Driveways.** All driveways shall be paved with concrete, asphalt, or other all-weather surface materials as provided by the owner or its assignee. No gravel or stone driveways will be permitted.

9. **Architectural Design.** No building, fence, walls or screened, placed or altered on any building lot, the building plans, specifications and photographs showing structures have been approved as to the color, material, external design with existing structures, finish and apposed to the topography and finished ground elevations shall be permitted. Only wood, masonry, brick or stone shall be permitted. Vinyl siding shall not be permitted. Ventless fireplaces shall utilize flues with structure. No log homes, modular or concrete homes. No wood foundations or wood basements shall be permitted.

10. **Building Location.** No building shall be located on front line or nearer to the side street line than the setback lines shown on the plat. No accessory building closer to any front or side lot line than the required side yard distance for the primary dwelling.

11. **Residential Use Only.** All lots in this subdivision shall be used for residential purposes except for residences used as the sale and development of this subdivision. No tent, shack, barn, garage, basement, or other outdoor temporary or permanent residential purposes or subdivisions. No commercial business of any kind or subdivision. Only one single family dwelling with an attached garage shall be permitted on one lot.

12. **Limitation on Time.** All residential construction on a lot shall be completed within one (1) year after the starting date of grading and hard-surfaced driveway.

13. **Parking Limitations.** No inoperative or unlicensed vehicle shall be parked on any lot or on the driveway thereof, mobile home, boat, truck, school bus or other vehicle parked in the subdivision unless such vehicle is kept for personal automobiles, vans and pick-up trucks.

14. **Architectural Control Committee.** The Architectural Control Committee shall be composed initially of the Developer, and after development, by a committee of three (3) homeowner Developers for the term of one (1) year and serving as successors are elected by a majority vote of the homeowner development. The purpose of the Committee shall be to protect the value, desirability, and attractiveness of the subdivision and to ensure that all buildings, fences, walls and structures within the overall architectural character of the subdivision shall be in accordance with the standards set forth in the Handbook of Architectural Control, published by the American Society of Civil Engineers, Inc., 1980, and shall be subject to the approval of the Hancock County Drainage Board (Commissioner) before construction.

DAILY ENTERED FOR TITRATION  
DEC 13 1986  
Hank Gibson  
Director of Hancock County

# CHICAGO TITLE





# FOX COVE SECTION ONE COVENANTS

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CHICAGO TITLE

- 15. **Water Systems.** All water systems and methods of sewage treatment and disposal in this subdivision are to be in conformity with the regulations or procedures of the State Board of Health or other state authority having jurisdiction.
- 16. **Fuel Tanks.** No fuel storage tanks, above or below ground, storage allowed in this subdivision.
- 17. **Lot Maintenance.** All lots on which construction has not begun must be mowed and maintained by the lot owner. After construction, the structure, grounds and recreational equipment shall be maintained in a neat and attractive manner.
- 18. **Nuisances.** No noxious or offensive trade shall be permitted upon any lot in this subdivision nor shall anything be done thereon which may be a nuisance or annoyance to the neighborhood. No refuse will be maintained on any lot. Garbage and trash will be kept in approved containers which are not visible from the street, except on collection day.
- 19. **Outbuildings.** Outbuildings or accessory buildings shall be permitted on any lot only if approved by the Architectural Control Committee. The approval for such structures shall be in the same manner as is required for a primary residence. The maximum size of any outbuilding or accessory structure shall not exceed 600 square feet. All outbuildings and accessory structures shall be required to have exterior finishes in appearance to the primary residence. No metal outbuildings shall be approved or constructed.
- 20. **Antennas.** Only digital satellite systems not exceeding 18" in diameter shall be permitted in the development. Such systems shall be allowed only if located on the rear of the primary residence.
- 21. **Satellite Technology.** No devices for solar technology of any kind shall be allowed in this subdivision.
- 22. **Swimming Pools.** Swimming pools shall be placed behind the residence. Above ground pools will not be permitted.

- 28. **Homeowner's Association.** Each lot owner shall be a member of the Homeowner's Association for the purposes set forth in the Association By-Laws.
- 29. **Duration of Covenants.** The foregoing covenants shall be binding on all parties and all parties. At any time, a covenant may be changed by the affirmative vote of eighty percent (80%) of the lot owners in the subdivision, and if with the consent of the lot owner who does not own one or more lots in the subdivision, the Developer shall not be required. Invalidated covenants by judgment or court order shall remain in full force and effect unless otherwise provided in the other provisions which shall remain in full force and effect.
- 30. **Enforcement of Covenants.** The right to enforce any covenant shall be held in common by all lot owners in the subdivision, together with the right to cause the enforcement of any covenant or part thereof created hereof is hereby reserved to any owner of a lot in the subdivision, including the Developer. However, the Developer no longer owns any property in the subdivision, the Developer no longer has any right to enforce any covenant. The cost of enforcement of any covenant contained herein, including any court costs, shall be charged to the property owner in violation of the covenant and fees shall be collectible in the amount of the assessments as provided herein.
- 31. **Severability.** Every one of the restrictions is independent of and severable from the rest of the restrictions and the combination of the restrictions. Therefore, if any restriction is held to be invalid or to be unenforceable, the validity, enforceability or running quality of any other restriction shall not be affected.

STATE OF ILLINOIS )  
COUNTY OF HANCOCK )  
SS: \_\_\_\_\_ )

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FILE RECORD NUMBER 1

- 20. **Architectural Control.** Any architectural, engineering, or landscape architectural design, plan, or specification for a building, structure, or improvement shall be approved by the Architectural Control Committee.
- 21. **Signage.** No signs or signs of any kind shall be placed on the exterior of any building, structure, or improvement without the approval of the Architectural Control Committee.
- 22. **Swimming Pools.** Swimming pools shall be placed behind the residence. Above ground pools will not be permitted.
- 23. **Pets.** No animals, regardless of quality or quantity of any kind shall be raised, bred or kept on any lot, except that dogs, cats and other household pets may be kept provided they are not kept on any premises maintained for any commercial purposes. Any animal so kept will not be permitted to roam at large within the subdivision and shall be confined to the owner's premises.
- 24. **Fencing.** Fencing shall not exceed six (6) feet in height and no fence shall be placed closer to the front lot line than the rear of the primary residence and approved by the Architectural Control Committee. Chain-link fencing must be of the dark vinyl-coated type. All fencing must be maintained in good condition. On corner lots an additional requirement is that fences may not be placed closer to the street than the building setbackline on the side of the residence.
- 25. **Mailboxes.** The Architectural Control Committee shall require a standardized mailbox for each residence and shall establish a design, material, and paint specification for the mailbox which shall be standard for all mailboxes in this subdivision.
- 26. **Sidewalks.** Each homeowner (lot owner) shall be responsible for constructing a four (4) foot wide concrete sidewalk of 4,050 strength plain cement four (4) inches thick, sloped 1/4 inch per foot toward the street with expansion joints each forty-eight (48) feet, along the entire street frontage of their respective lot. The sidewalk shall also have traverse joints each six (6) feet and be placed on an acceptable compacted subgrade. The sidewalk shall be located prior to completing final lot grading. The sidewalk shall be located one (1) foot inside the street right-of-way line (not on the lot) and parallel to the street right-of-way line. The Homeowners Association shall be responsible for maintenance and upkeep of the sidewalk after initial construction except for any damage done by the adjoining lot owner.
- 27. **Builders.** All homes in this subdivision shall be built by custom builders approved by the Architectural Control Committee.

CHICAGO TITLE

DECEMBER 13 1995  
 DAILY ENTERED FOR TAXATION  
 Notary of Hancock County

31. **Severability.** Every one of the covenants, conditions, and restrictions herein, including any shall be changed to the property owner in the event of any change in the law, and the covenants, conditions and restrictions shall be enforceable as provided herein.

32. **Severability.** Every one of the covenants, conditions, and restrictions herein, including any shall be independent of and severable from the rest of the covenants, conditions, and restrictions of the deed. If any one of the covenants, conditions, and restrictions herein shall be held to be invalid or to be unenforceable, the validity, enforceability or running of any other covenant, condition, or restriction shall not be affected.

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF HAWCOCK )

GRF DESIGN AND DEVELOPMENT, INC. BY: *[Signature]*  
 HAROLD G. GIBSON

I, Sharon D. Gibson, a Notary Public in and for said county of Hancock, do hereby certify that Harold Gibson is personally known to me, and that as such owner, we have caused this deed to be surveyed and subdivided as shown on the attached plat and voluntary act and deed of our own free and voluntary act and deed.

Green under my hand and notary seal this 12th day of December, 1995.

County of Pendleton, Indiana  
 My Commission Expires 12/25/93

*[Signature]*  
 Notary Public



