

FOX COVE SECTION THREE COVENANTS

9810587

98 AUG 17 PM 2

James H. ...
HARCOCK COUNTY, ILL.

We, GFR Design and Development, Inc., by Harold Gibson, President, owner of the real estate shown and described herein, do hereby, for, of, and in behalf of said real estate, make the following covenants, conditions and restrictions:

This subdivision shall be known and designated as Fox Cove, Section Three. All streets shown and not heretofore dedicated, are hereby dedicated to the public.

Front building setback lines are hereby established as shown on this plat. Front building setback lines of the streets there shall be erected or maintained on buildings or structures. The strips of ground shown on this plat and marked drainage and utility easement (D. & U.E.) or drainage easement (D.E.) are reserved for the use of the public utilities for the installation of water and sewer mains, poles, ducts, line and wires, and drainage facilities. The strips of ground are subject of all times to the proper authorities and to the assessment herein reserved. No permanent or other structures are to be erected or maintained on said strips of land, but owners of lots in this subdivision shall have their files subject to the rights of the public utilities, and to the rights of the owners of the other lots in this subdivision. Particular drains around or through fields are permitted within the easements labeled D. & U. E. or U. E. The easements labeled Landscape Easements are hereby granted to the Developer and Homeowners Association and are reserved for landscaping, trees, shrubs, flowers, signs and other incidents associated with these items, and one to be maintained, repaired or replaced by the Homeowners Association. The lot owners in this addition shall take title to their lots subject to the rights of the Homeowners Association.

This subdivision shall be subject to the following restrictions which shall operate as perpetual covenants:

1. Drainage Swales. (Ditches) along dedicated easements and within the right-of-way, or on dedicated drainage easements, are not to be altered, dug out, filled in, filled, or otherwise changed without the written permission of the Harcock County Drainage Board (Commissioner). Property owners must maintain these swales as sodded grassways or other non-eroding surfaces. Water from roof or parking drains must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Divergers may be constructed over these swales or ditches only when appropriate steel culverts are installed as set out in 7.1-47 of the Harcock County Subdivision Control Ordinance.

2. Altering Drainage Swales. Any property owner altering, changing or damaging the drainage swales or ditches will be held responsible for such action and shall be given ten (10) days notice by registered mail to repair said damage, other which then, if no notice is taken, the Harcock County Drainage Board (Commissioner) will cause said 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, row, or barrier running across corners shall be erected or alterations between 2.5 and 4 feet above the street shall be placed or permitted on any lot or corner lot, unless the same are approved by the Harcock County Drainage Board.

CHICAGO TITLE

8. Minimum Living Space Areas. The minimum square foot space of dwellings constructed on the residential lots in this subdivision shall be as follows: Development exclusive of porches, terraces, garages, finishing area above garages which otherwise would be car-able space, supports, accessory buildings or basements on ground level, shall be no less than 1500 square feet of floor living area for a one-story structure or 1200 square feet of floor living area if higher than one-story, provided higher than one-story structures shall have a minimum square feet of total floor living area and each dwelling a two or three car attached garage.

9. Architectural Design. No building, fence, walls or other shall be erected, placed or altered on any building lot in this subdivision until the building plans, specifications and the location of such structures have been approved as to conformity and harmony of external design with existing structures herein and as to the building with respect to topography and finished ground elevations by the Architectural Control Committee. Only wood, masonry, brick or stone shall be permitted. Vinyl siding shall not be permitted on the exterior of the structure. Only masonry, brick or stone chimneys shall be permitted. Venetian flagpoles shall utilize flags which are permitted. No log homes, modular or concrete homes shall be permitted. No wood foundations or wood basements shall be permitted.

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

11. Residential Use Only. All lots in this subdivision shall be used for residential purposes except for residences used as day care, home, trailer, tent, shack, boat, garage, basement, or other outbuildings shall be used for temporary or permanent purposes on any lot in the subdivision. No commercial or any kind will be permitted in this subdivision. Only one family dwelling with attached garage shall be permitted on any lot.

12. Limitation on Time. All residential construction on any lot in this subdivision shall be completed within one (1) year after the starting date of the platting and hard-surface driveway.

13. Parking Limitations. No impervious or unimproved walkway, driveway, or parking area on any lot or on the driveway thereof, shall be placed or permitted on any lot or corner lot or other lot in this subdivision, unless approved by the Harcock County Drainage Board.

1. Altering Drainage System. Any property owner altering, changing or damaging the drainage system or ditches will be held responsible for such action and will be given ten (10) days notice by registered mail to "Public Works, Chicago, Illinois" or other address as shown on the Unified Easement Drainage Record. (Commissioners) will cause said repairs to be accomplished, and the bill for such repairs will be sent to the affected property owner for immediate payment.
2. Corner Lots. No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between 25 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 40 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 limitations shall apply to any lot within 10 feet of the intersection of a street right-of-way line with the edge of the driveway government or alley line. No driveway shall be located within 70 feet of the intersection of two (2) street center lines.
3. Drains. No sump pump drains or other drains shall outlet onto the street. No drainage structures shall be located within driveway limits.
4. No trees in Right-of-way 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.
5. Driveways. All driveways shall be paved with concrete, asphalt, or other all-weather surface materials as provided by the owner or its assigns. No gravel or stone driveways will be permitted.
6. Utility Easements. There are stripes of property as shown on the record plat which are hereby designated and reserved for use of the public utilities for the installation and maintenance of utilities and drainage facilities (hereinafter referred to as Utility Easement). No permanent or other structure or obstruction except for perimeter drains for absorption fields shall be erected or maintained on such Utility Easement; but each owner shall take title to that part of the Utility Easement comprising a part of his lot, subject to the rights of such public utility for ingress and egress in and along, across, through, and over the Utility Easement.

DUEY ENTERED
 FOR TAXATION
 AUG 17 1996
 [Signature]
 DEPUTY CLERK OF HANCOCK COUNTY

CHICAGO TITLE

10. Building Location. No building shall be located on a lot to the front line or nearer to the side street line than the building setback lines shown on the plat. No case shall be located closer to any street or side lot line than required minimum front and side yard distance for dwelling.
11. Residential Use Only. All lots in this subdivision shall be used for residential purposes except for residences used during the sale and development of this subdivision. Home, trailer, tent, shack, boat, garage, basement, or other outbuildings shall be used for temporary or permanent purposes on any lot in this subdivision. No commercial or other use of any kind will be permitted in this subdivision. Only family dwelling with attached garage shall be permitted.
12. Limitation on Term. All residential construction on any lot shall be completed within one (1) year after the starting of final grading and hard-surfaced driveway.
13. Parking Limitations. No horsepower or unlicensed motor vehicle shall be parked on any lot or on the driveway thereon, except as provided in the Unified Easement Drainage Record. Any kind may be parked in the subdivision unless a sign is posted in the garage, except for personal automobiles, pick-up trucks.
14. Architectural Control Committee. The Architectural Control Committee shall be composed jointly of the Developer, and other persons designated by the Developer for the term of one (1) year, and shall have the authority to review and approve or disapprove any plans or specifications for the development of the subdivision until their successors are elected by vote of the homeowners in the development. The purpose of the Architectural Control Committee shall be to enhance and protect the value and attractiveness of the development as a whole and to coordinate all buildings, fences, walls or other structures or improvements with the overall architectural character of the development.
15. Water Systems. All water systems and methods of sewer disposal shall be approved by the Hancock County Board of Health and approved by the Board of Health and approved by the Board of Health and approved by the Board of Health.
16. Fuel Tanks. No fuel storage tanks, above or below ground, shall be allowed in this subdivision.
17. Lot Maintenance. All lots on which construction has been started shall be maintained by the lot owner. After construction, grounds and recreational equipment shall be maintained in a neat and attractive manner.
18. Nuisances. No nuisance or offensive trade shall be permitted in this subdivision nor shall anything be done thereon which is a nuisance or annoyance to the neighborhood. No garbage or other refuse shall be placed or stored on any lot. Garbage and trash will be collected on collection days.

to the following restrictions which shall operate

10. Along dedicated roadways and within the street drainage easements are not to be altered, otherwise changed without the written approval of the County Drainage Board (Commissioner). Property owners as sodded grassways or otherwise from roof or parking areas must be contained on driveway may be constructed over these streets portable sized culverts are installed as set out in 7.1- Subdivision Control Ordinance.

Any property owner altering, changing or adding or ditches will be held responsible for such within (10) days notice by registered mail to report same, if no action is taken, the Hancock County (Commissioner) will cause said reports to be accomplished, and will be sent to the affected property owner for

mail, hedges, trees or shrubs planting which obstructs between 2.5 and 8 feet above the street and to remain on any corner lot within 10 feet from the street right-of-way lines and 6 feet from the intersection of solid street streets and 75 feet for arterial streets) or property corner from the intersection of streets extended. The same sight line any lot within 10 feet of the intersection line with the edge of the driveway. No driveway shall be located within 70 feet of two (2) street center lines.

drains or other drains shall outlet onto the surface shall be located within driveway and easements. No trees or landscaping Hancock County road right-of-way or in paved and shown on the plat.

shall be paved with concrete, asphalt, or other materials as provided by the owner or the County. No driveways will be permitted.

one strip of property as shown on the plat and reserved for use of the subdivision and maintenance of utilities and other related to its Utility Easement), structure or obstruction except for portion fields shall be erected or Utility Easement) but each owner shall take of such public utility for ingress and egress, through, and over the Utility

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

11. Residential Use Only. All lots in this subdivision shall be used solely for residential purposes except for residences used as model homes during the sale and development of this subdivision. No motor home, trailer, tent, shock, boat, garage, basement, or other outbuildings shall be used for temporary or permanent residential purposes on any lot in the subdivision. No commercial business of any kind will be permitted in this subdivision. Only one single family dwelling with attached garage shall be permitted on one lot.

12. Limitation on Time. All residential construction on any lot must be completed within one (1) year after the starting date, including final grading and hard-surfaced driveway.

13. Parking Limitations. No impervious or unimproved vehicle shall be parked on or reported on any lot or on the driveway thereof. No camper, trailer, mobile home, boat, truck, school bus or other vehicle of any kind may be parked in the subdivision unless such vehicle is kept in the garage, except for personal automobiles, vans and pick-up trucks.

14. Architectural Control Committee. The Architectural Control Committee shall be composed initially of the Developer, and other members of the development, by a committee of three (3) homeowners designated by the Developer for the term of one (1) year and serving thereafter until their successors are elected by a majority vote of the homeowners in the development. The purpose of the Committee shall be to enhance and protect the color, desirability, and attractiveness of the development as a whole and to ensure that all buildings, fences, walls or other structures are harmonious with the overall architectural character of the development.

15. Water Systems. All water systems and methods of sewage treatment and disposal in this subdivision are to be in compliance with the regulations or procedures of the State Board of Health or other civil authority having jurisdiction.

16. Fuel Tanks. No fuel storage tanks, above or below ground, shall be 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. Miscellaneous. No mining or extensive trade shall be permitted upon any lot in this subdivision (rock shall remain to be done, however, which may be a nuisance or annoyance to the neighborhood. No refuse shall be maintained on any lot, storage and trash will be kept in approved containers which are not visible from the street, except on collection day.

DULY ENTERED FOR TAXATION

AUG 17 1998

Paul D. ...
Treasurer of Hancock County

10507

FOX COVE SECTION THREE COVENANTS

9810587

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Dee Hobbs
LANCASHIRE COUNTY RESURDER

98-10587	B	365
INSTR. NO.	98-10587	

by Harold Gibson, President, owner of the
and herein, do hereby for aft, plat and subdivi
with the within plat.

and designated as Fox Cove, Section Three. All
dedicated are hereby dedicated to the public.

herby established as shown on this plat,
by lines of the streets there shall be erected or
The strips of ground shown on this plat
assessment (D. & U.E.) or drainage assessment (D.E.)
public utilities for the installation of water and
and wires, and drainage facilities. The strips of
to the proper authorities and to the assessment
or other structures are to be erected or
rd, but owners of lots in this subdivision shall
rights of the public utilities, and to the rights
In this subdivision. Permitted structures around
in the assessments labeled D. & U. E. or D. E.
type easements" are hereby granted to the
within the assessments labeled D. & U. E. or D. E.
and are reserved for these items, and are
incidents associated with these items. The lot
provided by the Homeowners Association. The lot
to title to their lots subject to the rights of the

to the following restrictions which shall operate

along dedicated roadways and within the
drainage easements, are not to be altered,
otherwise changed without the written
County Planning Board (Commissioner), Property
County Planning Board (Commissioner), Property
e swales or sodded grassways or other non-
form roof or parking areas must be contained on
as that said drainage swales or ditches will not be
Driveways may be constructed over these swales
swales shall be installed as set out in 7-1-
Subdivision Control Ordinance.

Any property owner allowing, dropping or
or others will be held responsible for such
or others by registered mail to register
in (10) days notice is taken, the Lanchashire County
time if no action is taken, the Lanchashire County
owners) will cause said records to be accomplished.
This will be sent to the affected property owner if

8. Minimum Living Space Areas. The minimum square footage of living
space of dwellings constructed on the residential lots in the
Development exclusive of porches, terraces, garages, finished
living area above garages which otherwise would be considered
attic space, cupboards, accessory buildings or basements below
ground level, shall be no less than 1900 square feet of ground
ground floor living area for a one-story structure or 1200 square feet of
higher than one-story structures shall have a minimum of 2200
square feet of total floor living area and each dwelling shall have
a two or three car attached garage.

9. Architectural Design. No building, fence, walls or other structure
shall be erected, placed or altered on any building lot in this
subdivision until the building plans, specifications and plot plan showing
the location of such structures have been approved as to the
conformity and harmony of architectural design with existing
structures herein and as to the building with respect to the
topography and finished ground elevations by the Architectural
Control Committee. Only wood, masonry, brick or stone exteriors shall
be permitted. Vinyl siding shall not be permitted on the exterior
of the structure. Only masonry, brick or stone chimneys are
permitted. Ventless fireplaces shall allow flues which exit the roof of
the structure. No log homes, modular or concrete homes shall be
permitted. No wood foundations or wood basements shall be
permitted.

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

11. Residential Signage. Only the following signage shall be used solely
for residential purposes: (a) a sign for the name of the property
owner, (b) a sign for the name of the business or profession of the
owner, (c) a sign for the name of the business or profession of the
owner, (d) a sign for the name of the business or profession of the
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owner, (x) a sign for the name of the business or profession of the
owner, (y) a sign for the name of the business or profession of the
owner, (z) a sign for the name of the business or profession of the
owner.

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FOX COVE SECTION THREE COVENANTS

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James J. Carter
Hancock County Recorder

- 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 exteriors similar 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. Said system shall be allowed only if located on the rear of the primary residence.
- 21. Solar Technology. No devices for solar technology of any kind will be allowed in this subdivision.
- 22. Swimming Pools. Swimming pools must be placed behind the residence. Above ground pools will not be permitted.
- 23. Pets. No animals, livestock, or poultry 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, bred or 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. Chainlink 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 setback line 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 point specification for the mailbox which shall be standard for all mailboxes in this subdivision. All mailboxes AND POSTS SHALL MEET THE CONSTRUCTION STANDARDS OF THE HANCOCK COUNTY ENGINEER'S OFFICE. Each homeowner (lot owner) shall be responsible for constructing a four (4) foot wide concrete sidewalk 6'-6" from the strength plain cement four (4) inches thick, slope 1/4" 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 a concrete curb 6" high and 4" wide on the inside of the sidewalk. The sidewalk shall be constructed prior to completion of the driveway. The sidewalk shall be constructed prior to completion of the street front.
- 26. Sidewalks. Each homeowner (lot owner) shall be responsible for constructing a four (4) foot wide concrete sidewalk 6'-6" from the strength plain cement four (4) inches thick, slope 1/4" 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 a concrete curb 6" high and 4" wide on the inside of the sidewalk. The sidewalk shall be constructed prior to completion of the driveway. The sidewalk shall be constructed prior to completion of the street front.
- 31. Sewerability. Every one of the restrictions is hereby declared to be independent of and severable from the rest of the restrictions and of and from every other one of the restrictions, and of and from every combination of the restrictions. Therefore, if any of the restrictions shall be held to be invalid or to be unenforceable, or to lack the quality of running with the land that the heading shall be without effect on the validity, enforceability or running quality of any other one of the restrictions.
- 32. Open channel and tile drains within all drain easements shall be required drains subject to Indiana Code 36-9-27 and its amendments.
It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply at all times with the provisions of the drainage plan as approved for this plat by the Hancock County Drainage Board through its agents, the Hancock County Surveyor and the Hancock County Engineer, and the requirements of all drainage permits for this plat by said Hancock County Drainage Board.
The property shall be graded pursuant to the final construction plan and may not thereafter be changed without the written approval of the Hancock County Surveyor, whose decision may be appealed to the Hancock County Drainage Board.
No trees or shrubs shall be planted, nor any structure erected in any drainage easement, unless otherwise approved by the Hancock County Surveyor and the Hancock County Engineer.
- 33. Sump pumps installed to receive and discharge groundwater or other stormwaters shall be connected to the storm sewer where possible or discharged into a designated storm drainage channel. Sump pumps installed to receive and discharge floor drain flow or other sanitary sewage shall be connected to the sanitary sewers. A sump pump shall be used for one function only, either the discharge of stormwaters or the discharge of sanitary sewage.
Footing drains shall be connected to storm sewers where possible or designated storm drainage channels. No footing drains or drainage tile shall be connected to the sanitary sewer.
No roof downspouts, roof drains, nor roof drainage piping shall be connected to the storm drainage system. No down spouts or roof roof drains shall be connected to the sanitary sewers. Basement floor drains shall be connected to the sanitary sewers.

09-1-1987

24. ... fence shall be placed close to the front of the house ...

25. Walkways. The Architectural Control Committee shall require a standardized method for each residence and shall specify a design, material, and joint specification for the sidewalk which shall be standard for all buildings in the subdivision. All existing sidewalks shall be replaced with sidewalks constructed of concrete, 4 inches thick, set on a 4 inch per foot strength plain cement four (4) inch thick, slope 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 bronze joints and six (6) feet and be placed on an acceptable compacted, surfaced, and graded. The sidewalk shall be constructed prior to completing final lot grading. The sidewalk shall be located one (1) foot inside the street right-of-way line, (two (2) feet 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.

26. Sidewalk. Each Homeowner (lot owner) shall be responsible for constructing a four (4) inch wide concrete sidewalk of 4,000 psi concrete, 4 inches thick, set on a 4 inch per foot strength plain cement four (4) inch thick, slope 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 bronze joints and six (6) feet and be placed on an acceptable compacted, surfaced, and graded. The sidewalk shall be constructed prior to completing final lot grading. The sidewalk shall be located one (1) foot inside the street right-of-way line, (two (2) feet 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.

28. Homeowner's Association. Each lot owner shall be required to join the Homeowner's Association for the purposes outlined in the Homeowner's Association By-Laws.

29. Duration of Covenants. The foregoing covenants are to run with the land and shall be binding on all parties and all persons claiming under them. At any time, a covenant may be changed in whole or in part upon a majority vote of eighty percent (80%) of the then owners of lots in the subdivision, and if with the consent of the Developer. If the Developer does not own one or more lots in the subdivision, the consent of the Developer shall not be required. Invalidation of any of the foregoing Covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

30. Enforcement of Covenants. The right to enforce these covenants by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected, or maintained in violation hereof, is hereby reserved to any owner of any of the real estate in this subdivision, including the Developer. However, such time as the Developer no longer owns any property contained in this subdivision, the Developer no longer has any right, obligation or standing to enforce any covenant. The cost of enforcement of any violation of the covenants prohibited herein, including any expenses and attorney's fees, shall be charged to the property owner in violation, and such costs, expenses and fees shall be collectible in the same manner as assessments as provided herein.

No fence or structure shall be permitted, nor any structure erected in any drainage easement, unless otherwise approved by the Hancock County Surveyor and the Hancock County Engineer.

31. Sump pumps installed to receive and discharge groundwater or other stormwaters shall be connected to the storm sewer where possible or discharged into a designated storm drainage channel. Sump pumps installed to receive and discharge floor drain flow or other sanitary sewage shall be connected to the sanitary sewers. A sump pump shall be used for one function only, either the discharge of stormwaters or the discharge of sanitary sewage.

Footings drains shall be connected to storm sewers where possible or designated storm drainage channels. No footing drains or drains shall be connected to the sanitary sewer.

No roof downspouts, roof drains, nor roof drainage piping shall be connected to the storm drainage system. No down spouts or roof roof drains shall be connected to the sanitary sewers.

Basement floor drains shall be connected to the sanitary sewers. No sump pumps, footing drains, roof downspouts, or basement drain shall be connected to any street underground.

STATE OF INDIANA }
COUNTY OF HANCOCK } SS.

We, GPF Design and Development, Inc., by Harold Gibson, President, do hereby certify that we are the owners of the property described in the above caption and that as such owner, we have caused the said above described property to be surveyed and subdivided as shown on the herein drawn plat, as our own free and voluntary act and deed.

GPF DESIGN AND DEVELOPMENT, INC.
BY: *[Signature]*
HAROLD GIBSON, President

I, Sharon D. Gibson, a Notary Public in and for said County and State, do hereby certify that Harold Gibson is personally known to me and to be the same person whose name is subscribed to the above certificate, appeared before me this day in person and acknowledged that he signed the above certificate as his own free and voluntary act and deed for the purpose therein set forth.

Given under my hand and natural seal this 17th day of August 1988.

County of Residence: Hancock
My Commission Expires: 8-2-92
Sharon D. Gibson
Notary Public
Theresa S. Spiegel, Notary Public



any window or door will not be within the subdivision and shall be as follows:

32. The front lot line shall be no less than the Architectural Control Plan. The front yard setback shall be in good condition. On corner lots an fence may not be placed closer to setback line on the side of the

Control Committee shall require a in residence and shall establish a specification for the mailbox which will be in this subdivision. All

33. All water lines shall be installed in a trench with a minimum depth of 4,000 inches concrete sidewalk 1/4 inch per foot. The trench shall be covered with a metal grate each forty-eight (48) inches long and shall be set in concrete. The trench shall be set in concrete. The trench shall be set in concrete. The trench shall be set in concrete.

subdivision shall be built by the Architectural Control Committee. The owner shall be required to pay for the purposes outlined in the laws.

foregoing comments are to run with the deed and all persons claiming under the deed shall be bound by the same. The comments may be changed in whole or in part by a majority vote of eighty percent (80%) of the owners of the subdivision, and if the Developer does not own one or more lots in the subdivision, the Developer shall not be bound by the foregoing comments by a majority vote of the owners of the subdivision in no way effect any of the other provisions herein set forth.

The right to enforce these comments by the Architectural Control Committee shall be enforceable by the Architectural Control Committee or any other person or entity. The Developer shall be liable for the cost of enforcement of these comments. The Developer shall be liable for the cost of enforcement of these comments. The Developer shall be liable for the cost of enforcement of these comments.

33. Sump pumps installed to receive and discharge groundwater or other stormwater shall be connected to the storm sewer system or discharged into a designated storm drainage channel. Sump pumps installed to receive and discharge floor drain flow or other sanitary sewage shall be connected to the sanitary sewers. A sump pump shall be used for a function only, either the discharge of stormwater or the discharge of sanitary sewage.

Footing drains shall be connected to storm sewers where possible or designated storm drainage channels. No footing drains or drainage tile shall be connected to the sanitary sewer.

Roof downspouts, roof drains, and roof drainage piping shall be connected to the storm drainage system. No down spouts or roof drains shall be connected to the sanitary sewers.

Basement floor drains shall be connected to the sanitary sewers. No sump pump, footing drain, roof downspout, or basement drain shall be connected to any street underdrain.

STATE OF INDIANA }
COUNTY OF HAWCOCK }
SS: _____

We, GRT Design and Development, Inc., by Harold Gibson, President, do hereby certify that we are the owners of the property described in the above caption and that as such owners, we have caused this said above described property to be surveyed and subdivided as shown on the herein drawn plot, as our own free and voluntary act and deed.

GRT DESIGN AND DEVELOPMENT, INC.
Harold Gibson, President

I, Sharon D. Gibson, a Notary Public in and for said County and State, do hereby certify that Harold Gibson is personally known to me and to be the same person whose name is subscribed to the above certificate, appeared before me this day, in person and acknowledged that he signed the above certificate as his own free and voluntary act and deed for the purpose therein set forth.

Given under my hand and notarial seal this 17th day of August, 1988.

Sharon D. Gibson, Notary Public

County of Residence: Hancock
My Commission Expires: 12-2-90

DULY ENTERED
FOR TAXATION
AUG 17 1988

Harold Gibson, President

FOX COVE SECTION THREE COVENANTS

9810587

98 AUG 17 PM 2:48

Paul W. Carter
RECORDS DEPARTMENT SUPERVISOR

CD-2-21	B	SLIDE	365
INSTR. NO.	98-10587		

Accessory buildings shall be permitted by the Architectural Control Committee in the same manner as primary residences. The maximum size of accessory structures shall be similar in appearance to the primary buildings shall be approved or

systems not exceeding 15' in height in the development. Said system shall be on the rear of the primary residence.

as for solar technology of any kind or system.

Swimming pools must be placed behind the house and not be permitted. No pool or poultry of any kind shall be raised, bred or kept, cats and other household pets are not legal, bred or maintained for any animal so kept will not be within the subdivision and shall be removed.

at least six (6) feet in height and no less than the front lot line from the rear of the house as shown on the plat approved by the Architectural Control Committee. The height of the fence must be of the dark vinyl coated type. The fence may not be placed closer to the setback line on the side of the

Control Committee shall require a site plan and shall establish a set of specifications for the mailbox which shall be in this subdivision. The mailbox shall be responsible for the mailbox. The mailbox shall be made of wide concrete sidewalk of 4,000 (4) inches thick, sloped 1/4 inch per foot for a distance of forty feet. The mailbox shall be set back from the front of their respective lot. The mailbox shall be set back from the

31. **Severability.** Every one of the restrictions is hereby declared to be independent of any severable from the rest of the restrictions and of and from every other one of the restrictions, and of and from every combination of the restrictions. Therefore, if any of the restrictions shall be held to be invalid or to be unenforceable, or to lack the quality of running with the land that the holding shall be without effect on the validity, enforceability or running quality of any other one of the restrictions.

32. **Open channel and the drains within all drain easements shall be regulated drains subject to Indiana Code 36-9-27 and its amendments.**
It shall be the responsibility of the owner of any lot or parcel of land within the area of this plat to comply at all times with the provisions of the drainage plan as approved for this plat by the Hancock County Drainage Board through its agents, the Hancock County Surveyor and the Hancock County Engineer, and the requirements of all drainage permits for this plat by said Hancock County Drainage Board.
The property shall be graded pursuant to the final construction plan and may not thereafter be changed without the written approval of the Hancock County Surveyor, whose decision may be appealed to the Hancock County Drainage Board.

No fence or structure shall be placed, nor any structure erected in any drainage easement, unless otherwise approved by the Hancock County Surveyor and the Hancock County Engineer.

33. **Stump pumps installed to receive and discharge groundwater or other stormwater shall be connected to the storm sewer, where possible, or discharged into a designated storm drainage channel. Stump pumps installed to receive groundwater shall drain into or other sanitary sewerage system approved by the local authority.**
Sanitary sewers, sanitary pumps, and other structures shall be installed, and the design of stormwater collection and disposal shall be approved by the local authority. The design of any sanitary sewerage system shall be approved by the local authority. The design of any sanitary sewerage system shall be approved by the local authority. The design of any sanitary sewerage system shall be approved by the local authority.