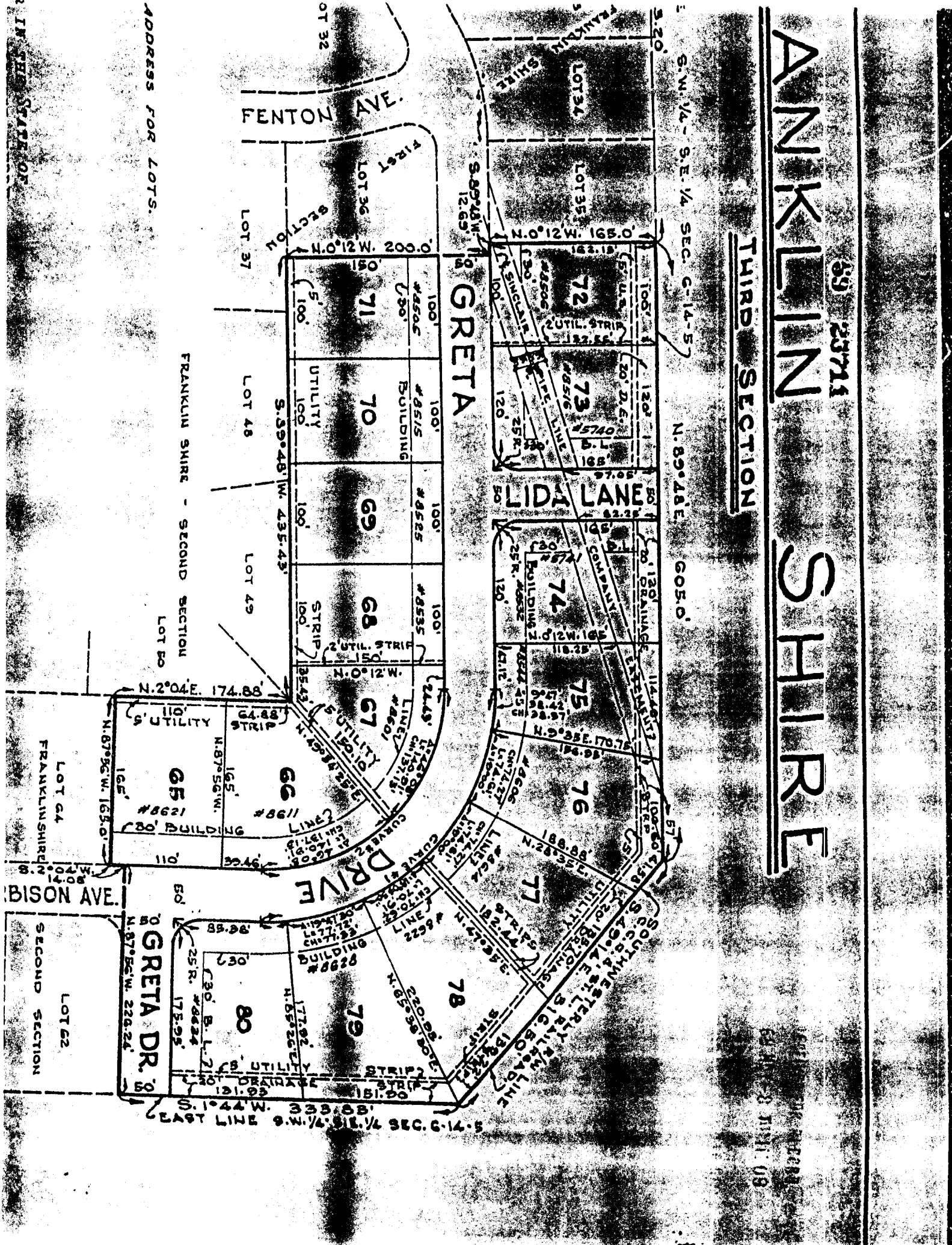


# ANKLIN SHIRE

## THIRD SECTION

89 23711



IN THE STATE OF

ADDRESS FOR LOTS.

FRANKLIN SHIRE - SECOND SECTION

BISON AVE.

GRETA DR. SECOND SECTION

SECTION

89 23711

WE, THE UNDERSIGNED, FALCON REALTY, INC., BY ITS DULY AUTHORIZED OFFICERS, PAUL C. KOEHRING, PRESIDENT, AND RICHARD T. HUNTER, SECRETARY AND TREASURER, OWNERS OF THE ABOVE DESCRIBED REAL ESTATE, HEREBY CERTIFY THAT WE DO HEREBY LAY OUT, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THIS PLAT AND CERTIFICATE. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS FRANKLINSHIRE, THIRD SECTION.

THE STREETS, IF NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

THERE ARE STRIPS OF GROUND OF WIDTHS AS SHOWN ON THIS PLAT, WHICH ARE HEREBY RESERVED FOR USE OF PUBLIC UTILITIES, FOR INSTALLATION AND MAINTENANCE OF POLES, WIRES, MAINS, DUCTS, DRAINS AND SEWERS, SUBJECT AT ALL TIMES TO THE AUTHORITY OF THE PROPER CIVIL OFFICERS AND TO THE EASEMENTS HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURE SHALL BE ERECTED OR MAINTAINED UPON SAID STRIPS, BUT SUCH OWNERS SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF SUCH PUBLIC UTILITIES AND TO THE RIGHTS OF OWNERS OF OTHER LOTS IN THIS SUBDIVISION FOR INGRESS AND EGRESS, IN, ALONG, ACROSS, AND THROUGH THE SEVERAL STRIPS SO RESERVED. FENCES MAY BE ERECTED ON SAID STRIPS.

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 LOT HEREIN OTHER THAN ONE SINGLE FAMILY DWELLING, NOT TO EXCEED 2 1/2 STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN 2 CARS AND RESIDENTIAL ACCESSORY BUILDINGS, EXCEPT THAT TWO-WAY DOUBLES MAY BE PLACED ON CORNER LOTS.

NO HOTEL, BOARDING HOUSE, MERCANTILE BUILDING, FACTORY BUILDING OR BUILDINGS OF ANY KIND OR PART THEREOF FOR COMMERCIAL USE SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION.

NO BUILDING, STRUCTURE, OR APPURTENANCE THEREOF EXCEPT FENCES SHALL BE LOCATED WITHIN 5 FEET OF ANY SIDE LOT LINE, EXCEPT WHERE BUILDINGS ARE BUILT UPON MORE THAN ONE SINGLE LOT, THEN THIS RESTRICTION SHALL APPLY TO THE SIDE LOT LINES OF THE EXTREME BOUNDARIES OF SAID MULTIPLE LOTS. NO EVIDENCE BUILDINGS SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION NEARER TO ANY PROPERTY LINE THAN THE MINIMUM DISTANCE REQUIRED BY THE MARION COUNTY ZONING ORDINANCE.

NO TRAILERS, SHACKS OR OUT HOUSES OF A PERMANENT NATURE SHALL BE ERECTED OR SITUATED ON ANY LOT EXCEPT DURING THE PERIOD OF CONSTRUCTION OF A PROPER STRUCTURE AND FOR USE BY THE BUILDER FOR HIS MATERIALS AND TOOLS.

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 BOUNDED 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 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 FOLLAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

HOLLY MAINHOOD  
COUNTY CLERK  
9051951906

THIS INSTRUMENT

FOR TAXATION

BUILDING LINES AS SHOWN ON THIS PLAT IN FULL FROM THE STREET PROPERTY LINE AND HEREBY ESTABLISHED BETWEEN WHICH LINE AND THE STREET PROPERTY LINE, THERE SHALL BE ERECTED OR MAINTAINED NO STRUCTURE OF ANY KIND OR PART THEREOF.

NO RESIDENCE SHALL BE ERECTED OR MAINTAINED ON ANY LOT OR LOTS IN THIS SUBDIVISION HAVING A GROUND FLOOR AREA EXCLUSIVE OF OPEN PORCHES AND GARAGES, OF LESS THAN 1000 SQUARE FEET IN THE CASE OF A ONE STORY STRUCTURE, OR 660 SQUARE FEET IN THE CASE OF A HIGHER STRUCTURE.

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 IN WRITING AS TO THE CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES IN THIS SUBDIVISION, AND AS TO LOCATION OF THE BUILDING WITH RESPECT TO THE TOPOGRAPHY AND FINISHED GROUND ELEVATION BY PAUL C. KOEHRING, OR BY A REPRESENTATIVE DESIGNATED BY HIM.

NO NOXIOUS TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT IN THIS SUBDIVISION, NOR SHALL ANYTHING BE DONE HEREIN WHICH MAY BECOME AN ANNOYANCE OR A NUISANCE TO THE NEIGHBORHOOD AT LARGE.

IF THE PARTIES HERETO OR ANY OF THEM OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS, RESTRICTIONS, PROVISIONS OR CONDITIONS HEREIN, IT SHALL BE LAWFUL FOR ANY PERSON OWNING REAL ESTATE 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 TO PREVENT HIM OR THEM FROM DOING SO, OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION.

THE FOREGOING RESTRICTIONS, COVENANTS AND PROVISIONS SHALL RUN WITH THE LAND AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL JANUARY 1, 1960, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS BY VOTE OF THE MAJORITY OF THE OWNERS OF THE LOTS IN THIS SUBDIVISION, IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

INVALIDATION OF ANY OF THE FOREGOING COVENANTS, PROVISIONS, RESTRICTIONS OR CONDITIONS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THE METROPOLITAN PLAN COMMISSION OF MARION COUNTY, INDIANA, SHALL ALSO HAVE THE RIGHT OF ENFORCEMENT OF ALL THE FOREGOING COVENANTS.

WITNESS OUR SIGNATURES AND SEAL THIS 21<sup>st</sup> DAY OF April 1969

FALCON REALTY, INC.

BY: Paul C. Koehring  
PAUL C. KOEHRING, (PRESIDENT)

ATTEST: Richard T. Hunter  
RICHARD T. HUNTER  
(SECRETARY & TREASURER)

APPROVED THIS 8<sup>th</sup>  
DAY OF May 1969

STATE OF INDIANA: :SS  
COUNTY OF MARION: Rim. Oberlin DRAFTERMAN

PERSONALLY APPEARED BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, FALCON REALTY, INC., BY ITS DULY AUTHORIZED OFFICERS, PAUL C. KOEHRING, PRESIDENT, AND RICHARD T. HUNTER, SECRETARY AND TREASURER, WHO SEPARATELY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSES THEREIN SET FORTH AND AFFIXED THEIR SIGNATURES HERETO.