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# HILLVALLEY ESTATES

23RD SECTION

YEAGER CONTRACTING CO., INC., BY ITS DULY AUTHORIZED OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, SECRETARY AND TREASURER, OWNERS OF THE DESCRIBED REAL ESTATE OF HILLVALLEY ESTATES, 23RD SECTION, HEREBY SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE

7. THE RIGHT TO ENFORCE EACH AND ALL OF THE LIMITATIONS AND RESTRICTIONS SET FORTH HEREIN, TOGETHER WITH THE REMOVAL OF ANY BUILDING ERECTED OR ALTERED IN VIOLATION THEREOF BY INJUNCTION OR OTHER LEGAL PROCESS IS HEREBY RESERVED TO EVERY OWNER OF THE SEVERAL LOTS IN THIS SUBDIVISION, THEIR HEIRS AND ASSIGNS, WHO SHALL BE ENTITLED TO SUCH INJUNCTIVE PROCESS WITHOUT BEING REQUIRED TO SHOW ANY DAMAGES, TOGETHER WITH REASONABLE ATTORNEY'S FEES. THE METROPOLITAN DEVELOPMENT COMMISSION SHALL HAVE THE RIGHT OF ENFORCEMENT OF ALL THE FOREGOING COVENANTS AND RESTRICTIONS.

ALL BE KNOWN AND DESIGNATED AS HILLVALLEY ESTATES, 23RD SECTION. THE LOTS HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO

8. THESE RESTRICTIONS CONSTITUTE COVENANTS RUNNING WITH THE LAND AND SHALL BE IN EFFECT FOR A PERIOD OF 25 YEARS FROM DATE OF THE EXPIRATION OF SUCH TERM THESE RESTRICTIONS SHALL AUTOMATICALLY RENEWED THEREAFTER FOR PERIODS OF 25 YEARS UNLESS AT LEAST ONE YEAR PRIOR TO THE EXPIRATION OF EACH PERIOD, THE OWNER OR OWNERS OF A MAJORITY OF THE LOTS IN THIS SUBDIVISION SHALL EXECUTE AND ACKNOWLEDGE A DECLARATION WAIVING RENEWALS AND SAID WRITTEN DECLARATION SHALL BE FILED IN THE LAND RECORDS OF MARION COUNTY, INDIANA, IN WHICH EVENT ABOVE SET FORTH FOR RENEWALS SHALL BE NULL AND VOID.

GROUND MARKED UTILITY STRIPS SHOWN ON THIS PLAT RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING SEWER LINES, FOR THE INSTALLATION AND MAINTENANCE OF DRAINS, DUCTS, LINES AND WIRES. PURCHASERS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS AND SUBJECT AT ALL TIMES TO THE RIGHTS OF PUBLIC UTILITIES TO SERVICE THE UTILITIES AND THE EASEMENTS AND NO PERMANENT STRUCTURE OF ANY KIND AND NO FENCES, SHALL BE BUILT, ERECTED OR MAINTAINED THEREON.

9. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDICIAL COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER COVENANTS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

THE EASEMENTS AND THE USE OF THE LOTS IN THIS SUBDIVISION AND FUTURE OWNERS OR OCCUPANTS SHALL BE SUBJECT TO THE EASEMENTS AND RESTRICTIONS, WHICH SHALL RUN WITH THE LAND.

WITNESS OUR SIGNATURES AND CORPORATE SEAL THIS 24 DAY OF APRIL 1958.

THE EASEMENT LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE PLAT AND THE PROPERTY LINES OF THE SEVERAL LOTS ARE TO BE MAINTAINED AND KEPT AS SHOWN THEREON, EXCEPT FENCES.

YEAGER CONTRACTING CO., INC.

THIS SUBDIVISION SHALL BE DESIGNATED AS RESIDENTIAL ZONING FOR ONE SINGLE FAMILY DWELLING NOT EXCEEDING TWO STORIES OR THIRTY-FIVE (35) FEET IN HEIGHT WITH BUILDINGS SHALL BE ERECTED OR MAINTAINED ON THE LOTS IN THIS SUBDIVISION.

*Robert K. Yeager* President  
ROBERT K. YEAGER  
PRESIDENT

*Virginia M. Yeager*  
VIRGINIA M.  
ASSIST. SECRETARY

NO BUILDING SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION WHICH HAS A FLOOR AREA OF LESS THAN THAT REQUIRED BY THE ZONING ORDINANCE.

STATE OF INDIANA:  
NOTARY PUBLIC  
COUNTY OF MARION:

NO SHED, SHACK, BARN, GARAGE OR TEMPORARY STRUCTURE SHALL BE USED FOR TEMPORARY OR PERMANENT STORAGE OF ANY OF THESE LOTS, NO OBNOXIOUS OR UNPLEASANT ODORS SHALL BE CARRIED ON UPON ANY LOT OR LOTS IN THIS SUBDIVISION NOR SHALL ANYTHING BE DONE THEREON WHICH SHALL BE OR APPEAR TO BE A DISGRACE TO THE NEIGHBORHOOD.

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF INDIANA, APPEARED YEAGER CONTRACTING CO., INC. BY ITS OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, SECRETARY AND TREASURER, WHO ACKNOWLEDGED THE EXECUTION OF THIS INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES EXPRESSED, AND AFFIXED THEIR SIGNATURES THERETO.

NO TREES OR SHRUBS PLANTING WHICH OBSTRUCTS THE VIEW FROM THE STREET SHALL BE PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE DISTANCE FROM THE STREET PROPERTY LINE AND A LINE DRAWN FROM THE INTERSECTION OF SAID STREET TO A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF SAID LINES EXTENDED. THE SAME RIGHT LINE LINE SHALL BE MAINTAINED FROM ALL LOTS WITHIN 10 FEET FROM THE INTERSECTION OF THE EDGE OF A DRIVEWAY PAVEMENT OR ALLEY TO THE PROPERTY LINE UNLESS THE FOLIAGE LINE IS MAINTAINED AT ALL TIMES TO PREVENT OBSTRUCTION OF SUCH RIGHT LINES.

WITNESS MY HAND AND SEAL THIS 24 DAY OF APRIL 1958.

NOTARY PUBLIC *Anderson Newton Rebert*

MY COMMISSION EXPIRES \_\_\_\_\_  
By Commission Expires Oct. 12, 1961

NO BUILDING SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS, SPECIFICATIONS AND BLUEPRINTS SHOWING THE LOCATION OF SUCH BUILDING HAVE BEEN APPROVED BY THE BOARD OF HEALTH AND THE BOARD OF ZONING AS TO THE CONFORMITY AND HARMONY OF SUCH BUILDING WITH RESPECT TO THE TOPOGRAPHY AND EXISTING STRUCTURES IN THIS SUBDIVISION AND WITHIN THE DISTANCE FROM ALL LOTS WITHIN 10 FEET FROM THE INTERSECTION OF THE EDGE OF A DRIVEWAY PAVEMENT OR ALLEY TO THE PROPERTY LINE UNLESS THE FOLIAGE LINE IS MAINTAINED AT ALL TIMES TO PREVENT OBSTRUCTION OF SUCH RIGHT LINES.

THE UNDERSIGNED, YEAGER CONTRACTING CO., INC., BY ITS DULY AUTHORIZED OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT SECRETARY AND TREASURER, OWNERS OF THE DESCRIBED REAL ESTATE DESCRIBED ON THE PLAT OF HILLVALLEY ESTATES, 23RD SECTION, HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT AND CERTIFICATE.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS HILLVALLEY ESTATES, 23RD SECTION.

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

THERE ARE STRIPS OF GROUND MARKED UTILITY STRIPS SHOWN ON THIS PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, MAINS, SEWERS, DRAINS, DUCTS, LINES AND WIRES. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED AND SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES TO SERVICE THE UTILITIES AND THE EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND AND NO PART THEREOF, EXCEPT FENCES, SHALL BE BUILT, ERECTED OR MAINTAINED ON SAID "UTILITY STRIPS".

THE LOTS IN THIS SUBDIVISION AND THE USE OF THE LOTS IN THIS SUBDIVISION BY PRESENT AND FUTURE OWNERS OR OCCUPANTS SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS, WHICH SHALL RUN WITH THE LAND.

1. FRONT BUILDING LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE PLAT, BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE SEVERAL STREETS SHALL BE ERECTED AND MAINTAINED NO PERMANENT OR OTHER STRUCTURES, OR PARTS THEREOF, EXCEPT FENCES.
2. ALL LOTS IN THIS SUBDIVISION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. ONLY ONE SINGLE FAMILY DWELLING NOT EXCEEDING TWO AND ONE-HALF (2½) STORIES OR THIRTY-FIVE (35) FEET IN HEIGHT WITH THE USUAL ACCESSORY BUILDINGS SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION.
3. NO RESIDENCE SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS ADDITION HAVING A FLOOR AREA OF LESS THAN THAT REQUIRED BY THE MARION COUNTY ORDINANCE.
4. NO TRAILER, TENT, SHACK, BASEMENT, GARAGE OR TEMPORARY STRUCTURE OF ANY KIND SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENTIAL PURPOSES ON ANY OF THESE LOTS, NO OBNOXIOUS OR OFFENSIVE TRADES SHALL BE CARRIED ON UPON ANY LOT OR LOTS IN THIS ADDITION, NOR SHALL ANYTHING BE DONE THEREON WHICH SHALL BE OR BECOME A NUISANCE TO THE NEIGHBORHOOD.
5. 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 20 FEET FROM THE INTERSECTION OF SAID STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF SAID STREET LINES EXTENDED. THE SAME RIGHT LINE LIMITATIONS SHALL APPLY TO ALL LOTS 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.
6. 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 ROBERT K. YEAGER, OR BY A REPRESENTATIVE OR REPRESENTATIVES DESIGNATED BY HIM. IF SAID COMMITTEE SHALL FAIL TO ACT UPON ANY PLANS SUBMITTED FOR ITS APPROVAL WITHIN 30 DAYS, THEN THE OWNER MAY PROCEED WITH THE BUILDING PLANS SUBMITTED, PROVIDED SUCH PLANS ARE NOT CONTRARY TO THESE COVENANTS. NEITHER THE MEMBER OF SUCH COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT.

7. THE RIGHT OF REMOVAL OF ANY BUILDING BY INJUNCTION OR OTHERWISE BY EVERY OWNER OF THE ESTATE AND ASSIGNS, WHO IS BEING REQUIRED TO PAY FEES. THE METROPOLITAN GOVERNMENT SHALL HAVE THE RIGHT OF

8. THESE RESTRICTIONS AND SHALL BE IN FULL FORCE THAT AT THE EXPIRATION OF THE PERIOD, THE OWNER OF THE SUBDIVISION SHALL WAIVING RENEWALS, LAND RECORDS OF MARION COUNTY ABOVE SET FORTH FOR

9. INVALIDATION BY COURT ORDER SHALL REMAIN WHICH SHALL REMAIN

WITNESS OUR SIGNATURE

YEAGER CONTRACTING CO.

*Robert K. Yeager*  
ROBERT K. YEAGER  
PRESIDENT

STATE OF INDIANA  
COUNTY OF MARION

BEFORE ME, THE UNDERSIGNED AND STATE, APPEARED OFFICERS, ROBERT K. YEAGER, ASSISTANT SECRETARY AND TREASURER, INSTRUMENT AS THEY EXPRESSLY, AND AFFIRMED

WITNESS MY HAND AND

NOTARY PUBLIC

MY COMMISSION EXPIRES

# ALLEY ESTATES

## 23RD SECTION

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7. THE RIGHT TO ENFORCE EACH AND ALL OF THE LIMITATIONS, CONDITIONS AND RESTRICTIONS SET FORTH HEREIN, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL OF ANY BUILDING ERECTED OR ALTERED IN VIOLATION THEREOF BY INJUNCTION OR OTHER LEGAL PROCESS IS HEREBY RESERVED TO EACH AND EVERY OWNER OF THE SEVERAL LOTS IN THIS SUBDIVISION, THEIR GRANTEEES AND ASSIGNS, WHO SHALL BE ENTITLED TO SUCH INJUNCTIVE RELIEF WITHOUT BEING REQUIRED TO SHOW ANY DAMAGES, TOGETHER WITH REASONABLE ATTORNEY'S FEES. THE METROPOLITAN DEVELOPMENT COMMISSION SHALL HAVE THE RIGHT OF ENFORCEMENT OF ALL THE FOREGOING COVENANTS.

8. THESE RESTRICTIONS CONSTITUTE COVENANTS RUNNING WITH THE LAND AND SHALL BE IN EFFECT FOR A PERIOD OF 20 YEARS FROM DATE, PROVIDED THAT AT THE EXPIRATION OF SUCH TERM THESE RESTRICTIONS SHALL BE AUTOMATICALLY RENEWED THEREAFTER FOR PERIODS OF 25 YEARS EACH, UNLESS AT LEAST ONE YEAR PRIOR TO THE EXPIRATION OF EACH 25 YEAR PERIOD, THE OWNER OR OWNERS OF A MAJORITY OF THE LOTS IN THIS SUBDIVISION SHALL EXECUTE AND ACKNOWLEDGE A DECLARATION IN WRITING WAIVING RENEWALS AND SAID WRITTEN DECLARATION SHALL BE RECORDED IN LAND RECORDS OF MARION COUNTY, INDIANA, IN WHICH EVENT THE PROVISIONS ABOVE SET FORTH FOR RENEWALS SHALL BE NULL AND VOID.

9. 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.

WITNESS OUR SIGNATURES AND CORPORATE SEAL THIS 29 DAY OF APRIL

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YEAGER CONTRACTING CO., INC.

*Robert K. Yeager*  
ROBERT K. YEAGER  
PRESIDENT

*Virginia M. Yeager*  
VIRGINIA M. YEAGER  
ASSIST. SECRETARY & TREASURER

STATE OF INDIANA:  
COUNTY OF MARION:



BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPEARED YEAGER CONTRACTING CO., INC. BY ITS DULY AUTHORIZED OFFICERS, ROBERT K. YEAGER, PRESIDENT, AND VIRGINIA M. YEAGER, ASSISTANT SECRETARY AND TREASURER, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSE THEREIN EXPRESSED, AND AFFIXED THEIR SIGNATURES THERETO.

WITNESS MY HAND AND SEAL THIS 29 DAY OF April 1970.

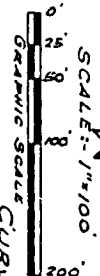
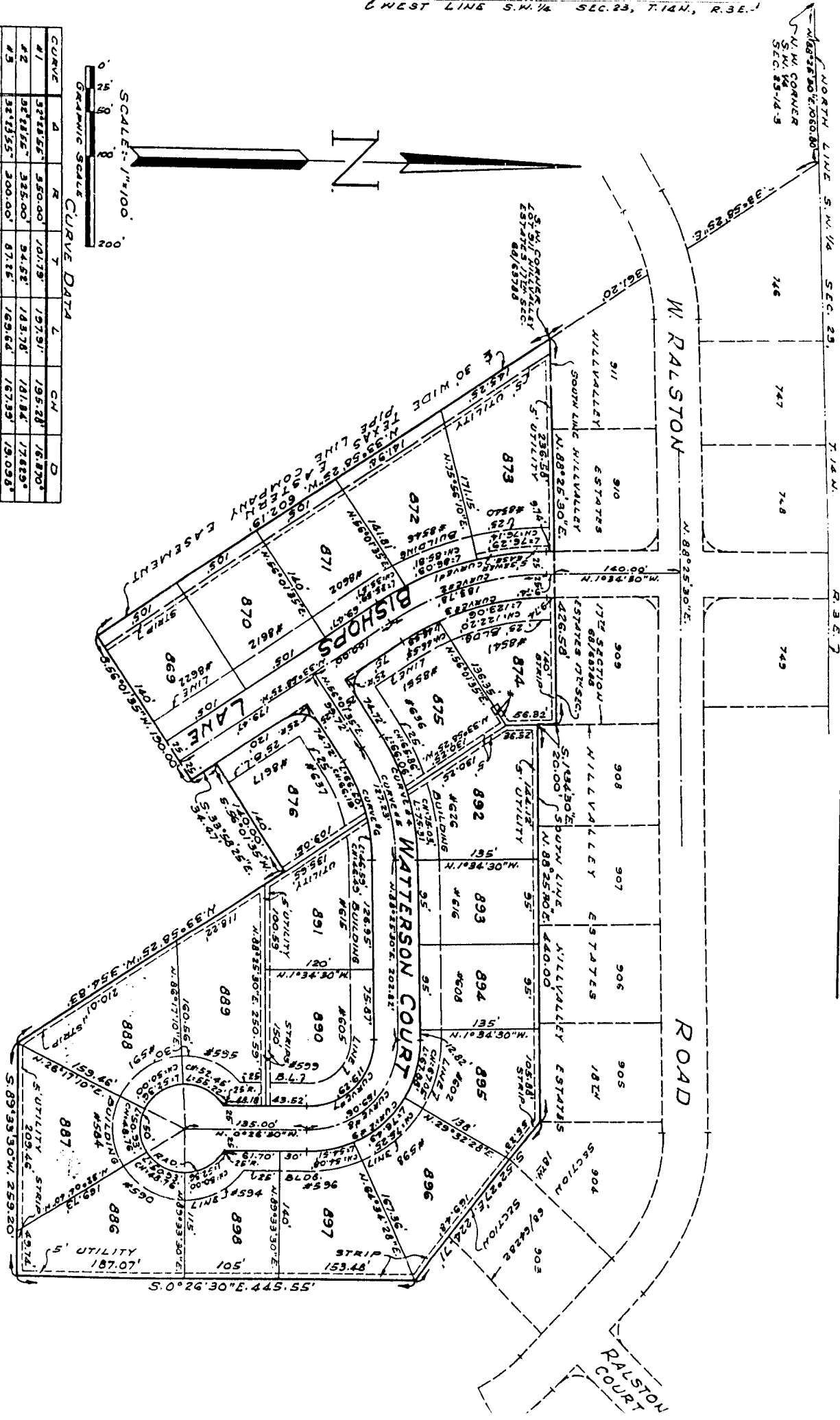
NOTARY PUBLIC *Andrew Davison*

MY COMMISSION EXPIRES \_\_\_\_\_  
By Commission Expires On: 10/1/11

# HILL VALLEY ESTATES

## 23RD SECTION

WEST LINE S.W. 1/4 SEC. 23, T.14N., R.3E.1



CURVE DATA

CURVE	A	R	T	CH	D
#1	32°13'55"	350.00'	101.79'	197.91'	195.28'
#2	32°13'55"	325.00'	94.52'	181.84'	178.89'
#3	32°13'55"	300.00'	87.25'	169.64'	170.93'
#4	32°13'55"	250.00'	72.71'	141.57'	139.49'
#5	32°13'55"	225.00'	65.44'	127.23'	125.91'
#6	32°13'55"	200.00'	58.17'	113.09'	111.59'
#7	31°08'00"	150.00'	42.80'	85.29'	84.64'
#8	31°08'00"	100.00'	28.53'	56.96'	56.39'
#9	31°08'00"	75.00'	21.40'	42.72'	42.29'

NOTE: \* INDICATES 4 1/2" UTILITY ANCHOR EASEMENTS.  
 #616 INDICATES STREET ADDRESS NUMBERS FOR LOTS.  
 #41 ADDRESS IN THIS SECTION.

THE WITHIN PLAT REPRESENTS A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 14 NORTH, RANGE 3 EAST, MARION COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; RUNNING THENCE NORTH 88°25'30" EAST AND ALONG THE NORTH LINE THEREOF 1060.80 FEET TO THE NORTHWEST CORNER OF LOT 746 IN HILL VALLEY ESTATES, 17TH SECTION, THE PLAT OF WHICH IS RECORDED IN THE MARION COUNTY RECORDER'S OFFICE; #68-687298; THENCE SOUTH 35°58'20" EAST 361.00 FEET