

# HILLVALLEY ESTATE

## SEVENTH SECTION-PART "C" REPLAT

MELVIN L. HENSELMEIER AND SHIRLEY MAE HENSELMEIER, THE DESCRIBED REAL ESTATE DESCRIBED ON THE SEVENTH SECTION-PART "C" REPLAT, OFF, PLAT AND SUBDIVIDE SAID REAL PLAT AND CERTIFICATE.

AS HILLVALLEY ESTATES, SEVENTH SECTION DEDICATED, ARE HEREBY DEDICATED TO

WORKED UTILITY STRIPS SHOWN ON THIS PLAT PUBLIC UTILITIES, NOT INCLUDING THE INSTALLATION AND MAINTENANCE OF DUCTS, LINES AND WIRES, PURCHASERS ALL TAKE TITLE SUBJECT TO THE EASEMENT AT ALL TIMES TO THE RIGHTS OF THE UTILITIES AND THE EASEMENTS HEREBY FUTURE OF ANY KIND AND NO PART THEREOF, ERECTED OR MAINTAINED ON SAID

AND THE USE OF THE LOTS IN THIS SUB-- OWNERS OR OCCUPANTS SHALL BE SUBJECT TO RESTRICTIONS, WHICH SHALL RUN WITH

BE HEREBY ESTABLISHED AS SHOWN ON THE THE PROPERTY LINES OF THE SEVERAL MAINTAINED NO PERMANENT OR OTHER EXCEPT FENCES.

VISION SHALL BE DESIGNATED AS RESID- DWELLING SHALL BE PLACED ON ANY LOT LESS THAN 1800 SQUARE FEET. NO TWO GROUND FLOOR AREA OF LESS THAN 1200 THAT A DWELLING OTHER THAN A TWO LEVELS, SHALL HAVE NO LESS THAN A FEET, EXCLUSIVE OF OPEN PORCHES,

BASEMENT, GARAGE OR TEMPORARY USED FOR TEMPORARY OR PERMANENT

5. THE RIGHT TO ENFORCE EACH AND ALL OF AND RESTRICTIONS SET FORTH HEREIN, TOGETHER REMOVAL OF ANY BUILDING ERECTED OR ALTERED INJUNCTION OR OTHER LEGAL PROCESS IS HEREBY EVERY OWNER OF THE SEVERAL LOTS IN THIS SE AND ASSIGNS, WHO SHALL BE ENTITLED TO SUCH BEING REQUIRED TO SHOW ANY DAMAGES, TOGETHER FEES. THE METROPOLITAN DEVELOPMENT COMMISSION ENFORCEMENT OF ALL THE FOREGOING COVENANT

6. THESE RESTRICTIONS CONSTITUTE COVENANTS AND SHALL BE IN EFFECT FOR A PERIOD OF 25 YEARS THAT AT THE EXPIRATION OF SUCH TERM THESE RESTRICTIONS SHALL AUTOMATICALLY RENEWED THEREAFTER FOR PERIODS OF AT LEAST ONE YEAR PRIOR TO THE EXPIRATION OF SUCH TERM THE OWNER OR OWNERS OF A MAJORITY OF THE LOTS SHALL EXECUTE AND ACKNOWLEDGE A DECLARATION IN WRITING SAID WRITTEN DECLARATION SHALL BE RECORDED IN THE PUBLIC RECORDS OF MARION COUNTY, INDIANA, IN WHICH EVENT THE PROVISIONS OF THIS COVENANT SHALL BE NULL AND VOID.

7. INVALIDATION OF ANY ONE OF THESE COVENANTS SHALL IN NO WISE AFFECT ANY OF THE OTHERS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

WITNESS OUR SIGNATURES THIS 19TH DAY OF

Melvin L. Henselmeier  
MELVIN L. HENSELMEIER

STATE OF INDIANA:  
NOTARY PUBLIC  
COUNTY OF MARION:

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC AND STATE, APPEARED MELVIN L. HENSELMEIER AND SHIRLEY MAE HENSELMEIER, HIS WIFE, WHO ACKNOWLEDGED THE EXECUTION OF THIS INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE PURPOSES AND EFFECTS HEREIN SET FORTH.

THE UNDERSIGNED, MELVIN L. HENSELMEYER AND SHIRLEY MAE HENSELMEYER, HUSBAND AND WIFE, OWNERS OF THE DESCRIBED REAL ESTATE DESCRIBED ON THE PLAT OF HILLVALLEY ESTATES, SEVENTH SECTION-PART "C" REPLAT, HEREBY CERTIFY THAT THEY DO LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE PLAT AND CERTIFICATE.

THIS SUBDIVISION SHALL BE KNOWN AS HILLVALLEY ESTATES, SEVENTH SECTION PART "C" REPLAT.

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. NO SINGLE STORY DWELLING SHALL BE PLACED ON ANY LOT HAVING A GROUND FLOOR AREA OF LESS THAN 1800 SQUARE FEET. NO TWO STORY DWELLING SHALL HAVE A GROUND FLOOR AREA OF LESS THAN 1200 SQUARE FEET, PROVIDED HOWEVER, THAT A DWELLING OTHER THAN A TWO STORY, CONSISTING OF SEPARATE LEVELS, SHALL HAVE NO LESS THAN A TOTAL FLOOR AREA OF 1800 SQUARE FEET, EXCLUSIVE OF OPEN PORCHES AND GARAGES IN ALL CASES.

3. 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.

4. NO FENCE, WALL, HEDGE OF 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 SAID STREET LINES EXTENDED. THE SAME SIGHT 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.

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5. 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 GRANTEES 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.

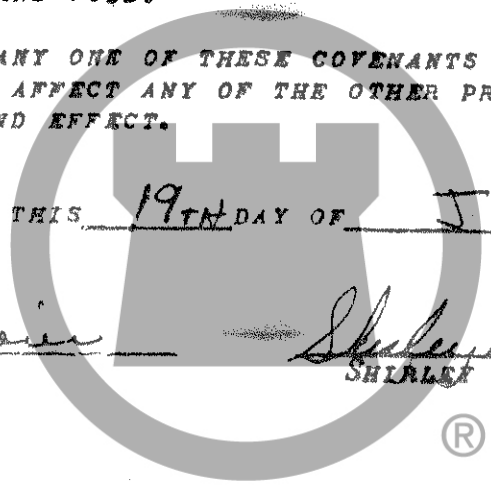
6. THESE RESTRICTIONS CONSTITUTE COVENANTS RUNNING WITH THE LAND AND SHALL BE IN EFFECT FOR A PERIOD OF 25 YEARS FROM DATE, PROVIDED THAT AT THE EXPIRATION OF SUCH TERM THESE RESTRICTIONS SHALL BE AUTOMATICALLY RENEWED THEREAFTER FOR PERIODS OF 25 YEARS EACH, UNLESS AT LEAST ONE YEAR PRIOR TO THE EXPIRATION 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 RENEWAL SHALL BE NULL AND VOID.

7. 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 THIS 19th DAY OF July 1971.

Melvin L. Henselmeier  
MELVIN L. HENSELMEIER

Shirley Mae Henselmeier  
SHIRLEY MAE HENSELMEIER



STATE OF INDIANA:

COUNTY OF MARION:

CHICAGO TITLE

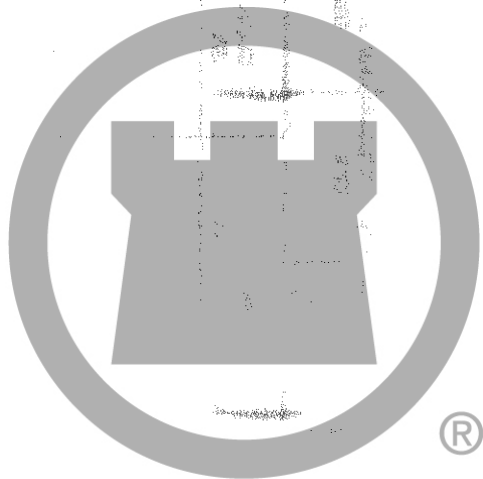
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPEARED MELVIN L. HENSELMEIER AND SHIRLEY MAE HENSELMEIER, HIS WIFE, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSE THEREIN EXPRESSED, AND AFFIXED THEIR SIGNATURES THERETO.

WITNESS MY SIGNATURE AND SEAL THIS 19th DAY OF July 1971.

NOTARY PUBLIC Richard J. Kura

MY COMMISSION EXPIRES July 12, 1975





CHICAGO TITLE