

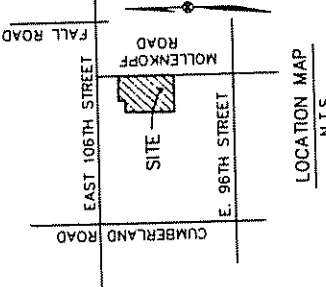
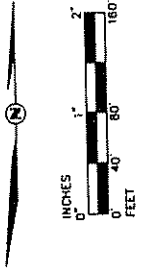


from 1-94 NE 8-17-5  
 cut 5-19  
 see ATT M/B print cut

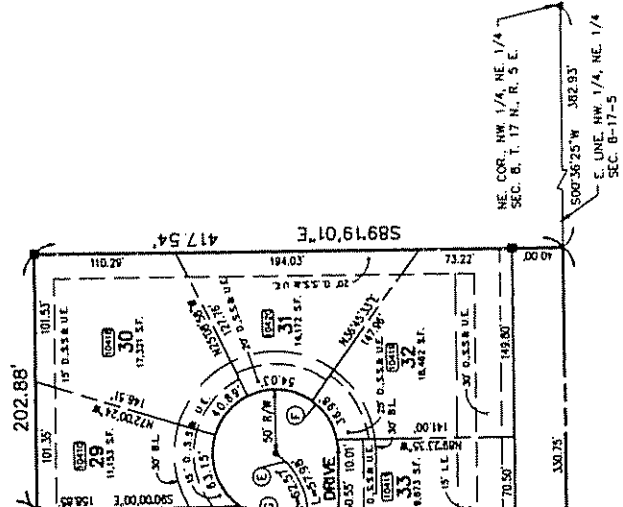
**LAND DESCRIPTION**

A part of the Northwest Quarter of the Northeast Quarter of Section Township 17 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Commencing at the Northeast corner of said Northwest Quarter Quarter Section; thence South 00°36'25" West along the East line of said Quarter Quarter Section a distance of 382.93 feet to the POINT OF BEGINNING; thence continuing South 00°36'25" West along the East line of said Northwest Quarter Quarter Section a distance of 935.75 feet, more or less, to the Southeast corner of said Northwest Quarter Quarter Section; thence South 09°36'34" West along said South line a distance of 792.57 feet; thence North 00°36'25" East parallel with the East line of said Northwest Quarter Quarter Section a distance of 738.64 feet to the Southwest corner of real estate as described in a warranty deed to Thomas M. Brogan and Maura M. Brogan and recorded by instrument No. 9230754 in the Office of the Recorder of Hamilton County, Indiana; thence North 90°00'00" East parallel with the North line of said Northwest Quarter Quarter Section and a distance of 375.00 feet to the Southeast corner of said real estate; thence North 00°36'25" East parallel with the East line of said real estate a distance of 202.88 feet; thence South 89°19'01" East a distance of 417.54 feet to the Point of Beginning. Containing 15.17 Acres (660,813 Square Feet), more or less.



THOMAS M. & MAURA M. BROGAN  
 INST. NO. 9230754

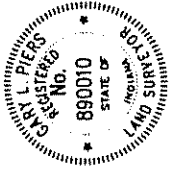


This subdivision consists of 47 Lots numbered 1 through 47 inclusive. Blocks "A", "B", "C", "D", "E", "F" and "G" (common area). The locations and dimensions of the Lots, Streets and Easements are shown on the Plat. All dimensions are shown in feet and decimal parts thereof.

I further certify that the within described real estate is the real estate described by the Land Title Surveys prepared by Melton-Packard & Associates, Inc., and certified by Gary L. Piers, R.L.S. No. 890010 on July 15th 1993 and August 6th 1993. These surveys were subsequently recorded as Instrument Nos. 93-57806 and 93-60501 respectively in the Office of the Recorder of Hamilton County, Indiana.

I further certify that all monuments shown actually exist or will be installed in their positions as correctly shown and that all dimensions and geodetic data is correct.

Witness my hand and seal this 8<sup>th</sup> day of December 1993



*Gary L. Piers*  
 Gary L. Piers  
 Registered Land Surveyor No. 890010  
 State of Indiana

**COMMISSION CERTIFICATE:**

UNDER AUTHORITY PROVIDED BY TITLE 36, ACTS OF 1981, P.L. 309 ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO AND AN ORDINANCE ADOPTED BY THE TOWN OF FISHERS AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD, DECEMBER 8th, 1993

*Scott A. Hears*  
 SECRETARY

*John D. Zales*  
 PRESIDENT

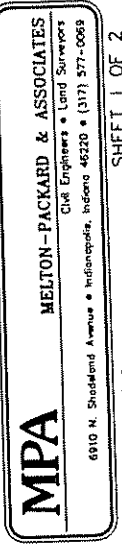
DULY ENTERED FOR TAXATION  
 Subject to final acceptance for transfer  
14 day of DEC 1993

*A. M. Gels*  
 Auditor  
 Hamilton County

Parcel # \_\_\_\_\_

**HILLSBOROUGH SUBDIVISION**  
 AN ADDITION TO HAMILTON COUNTY, INDIANA

THIS PLAT PREPARED BY:  
 GARY L. PIERS  
 REGISTERED LAND SURVEYOR  
 NO. 890010, STATE OF INDIANA



DRAWING: 9336PT1.DWG

SHEET 1 OF 2



... truck, tent, boat, basement, garage or  
... to be used at any time as a residence.  
... as a residence, except that used by a builder  
... of a residential building on the  
... temporary construction shall be promptly removed  
... No above-ground  
... shall be constructed on any lot  
... shall determine whether or not  
... shall be permitted.

This Subdivision shall be used solely for  
No business buildings shall be erected on  
No business may be conducted on any part thereof,  
No occupations permitted in the Zoning Ordinance  
No residence shall be erected, altered,  
... on any lot therein, other than that  
... shall permanently attached residential accessory  
... shed, storage building or  
... used as an accessory to a  
... of construction and shall  
... and appearance of such  
... shall be improved with a double or two-family

and equipment and shall be kept free of any  
... and in a clean and orderly  
... of Design and Environmental Control. No  
... or other structure shall be erected,  
... and shall be in accordance with the  
... and plan showing in which  
... have been approved as to the  
... of external design with existing structure  
... of building with respect to topography and  
... by an Architectural and Environmental  
... (hereinafter, the "Committee"). The destruction  
... and any other such matter shall directly  
... of the Committee. The Committee  
... of the undersigned authorized  
... or by their duly authorized  
... Committee's approval, or disapproval, as  
... shall be in writing. In the event that  
... from the date of submission, it shall be  
... (hereinafter, the "presented plan")  
... any compensation for services performed  
... ment.

wall, hedge or shrub planting which obstructs  
... between two (2) and six (6) feet above  
... or permitted to remain on any corner  
... shall be removed within (25) feet from the  
... (25) feet from the  
... lines, or in the case of a rounded  
... at the intersection of the street lines  
... light line limitations shall apply to any lot  
... from the intersection of a street line with  
... way pavement. No tree shall be permitted to  
... of such intersection unless the  
... sufficient height to prevent  
... light line.

any kind shall be displayed to the public  
... that one sign of not more than six (6)  
... displayed at any time for the purpose of  
... for sale or rent, except Developer may  
... the sale and development of this

2. livestock or poultry of any kind shall be  
... on any lot within the Subdivision, except  
... animals generally and customarily recognized  
... which may be kept if not for any commercial  
... be kept reasonably confined so as not to

in Property Owners Association, Inc.  
... eral

has been or will be created, under the laws  
... a not-for-profit corporation to be known  
... Property Owners Association, Inc., or an  
... shall be known as the  
... by owner of a residential lot in the  
... term including the Subdivision and all other  
... through subdivision platted and recorded prior  
... with or subsequent to the recording of the  
... within the boundaries of that certain parcel of  
... d in that certain warranty deed from Helen M.  
... inc. dated August 11, 1993 and recorded as  
... 39125 in the office of the Recorder of Hamilton  
... and from the date of the recording of the  
... d July 15, 1993, recorded instrument No.  
... of the Recorder of Hamilton County,  
... member of the Association and shall be  
... requirements and limitations imposed  
... and Restrictions on other owners of  
... in the Development and on members of the  
... g those provisions with respect to the  
... per assessment.

s of membership. The Association shall have two  
... membership.

Class A members shall be all owners with  
... of the Developer and shall be entitled to one vote  
... or amended when made from one person to two or  
... when made from two or more persons to one. The  
... on any lot of the subdivision. The vote for each  
... lot shall be exercised as they among themselves determine, but in  
... no event shall more than one vote be cast with respect to any  
... lot.

Class B members shall be all owners with  
... of the Developer and shall be entitled to one vote  
... or amended when made from one person to two or  
... when made from two or more persons to one. The  
... on any lot of the subdivision. The vote for each  
... lot shall be exercised as they among themselves determine, but in  
... no event shall more than one vote be cast with respect to any  
... lot.

Class C members shall be all owners with  
... of the Developer and shall be entitled to one vote  
... or amended when made from one person to two or  
... when made from two or more persons to one. The  
... on any lot of the subdivision. The vote for each  
... lot shall be exercised as they among themselves determine, but in  
... no event shall more than one vote be cast with respect to any  
... lot.

On the date the Developer sells the last lot that  
... it owns in the Development, and the Developer no longer owns any  
... lots or land in the Development; or

On January 1, 1998

The members shall elect a Board

of Directors of the Association as prescribed by the

Association's By-Laws. The Board of Directors shall manage the

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9416124

**MPA**

**MELTON-PACKARD & ASSOCIATES**

Civil Engineers • Land Surveyors  
6910 N. Shadeland Avenue • Indianapolis, Indiana 46220 • (317) 577-0069

PROJ 9335  
9336SC.DWG

**INST. # 94 16124**

**SURVEYOR'S CORRECTION**

I, the undersigned Registered Land Surveyor, certify that the plat of Hillaborough Subdivision, recorded as Instrument No. 9361845, P.C. No. 1, Slide No. 381 in the Office of the Recorder of Hamilton County, Indiana, contains an error on one easement, six (6) missing Drainage, Sanitary Sewer and Utility easements and an error in Item No. 1 and Item No. 6 of the Declaration of Covenants and Restrictions. The incorrect information is shown above and crossed out on the top half with the correct information shown on the bottom half of Sheet 2 of 6 of this instrument. The missing easements are shown and highlighted on Sheets 3, 4 and 5 of this instrument. There is an error in Item No. 1 and Item No. 6 of the Declaration of Covenants and Restrictions.

The first error shows that the Drainage, Sanitary Sewer and Utility Easement located across the West side of Lot 32 should have been 30' in width as shown on Sheet 2 of 6.

The first missing Drainage, Sanitary Sewer and Utility Easement is a 20' easement required along the Lot line of Lots 23 and 24 as shown on Sheet 3 of 6.

The second and third missing Drainage, Sanitary Sewer and Utility Easement is within the Common Area of Block "A" and Block "B" as shown also on Sheet 3 of 6.

The fourth and fifth missing Drainage, Sanitary Sewer and Utility Easements is within the Common Areas of Block "D" and Block "E" as shown on Sheet 4 of 6.

The sixth missing Drainage, Sanitary Sewer and Utility Easement is within the Common Area of Block "F" as shown on Sheet 5 of 6.

The correction of Item No. 1 (line 4): "The Utility easements are hereby created and reserved for the use of all public (and private) utility companies....." As shown and highlighted on Sheet 6 of 6.

The correction of Item No. 6 (line 4): "Sanitary Sewer manholes shall not be placed under or within one foot horizontal distance of pavement or concrete driveways or sidewalks."

Witness my signature this 4<sup>th</sup> day of April, 1994.

RECEIVED FOR RECORD  
APR -5 PM 2:14  
SHARON K. CHERRY  
RECORDER  
HAMILTON CO IN

*Gary L. Piers*  
Gary L. Piers  
Registered Land Surveyor  
No. 890010

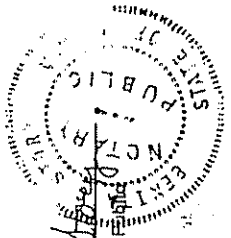
State of Indiana ) SS  
County of Marion

This Instrument Recorded APR 06 1994  
Sharon K. Cherry, Recorder, Hamilton County, IN

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared Gary L. Piers, Melton-Packard & Associates, Inc., and acknowledge the execution of this instrument as his voluntary act and deed and affixed his signature thereto.

Witness my signature this 4<sup>th</sup> day of April, 1994.

*Benita G. Story*  
Benita G. Story, Notary Public



County of Residence: Marion  
My commission expires: 8/7/96

REVIEWED BY HAMILTON  
COUNTY AUDITOR'S OFFICE

6 day of April 1994

*Prepared By: Gary L. Piers*

**MPA**

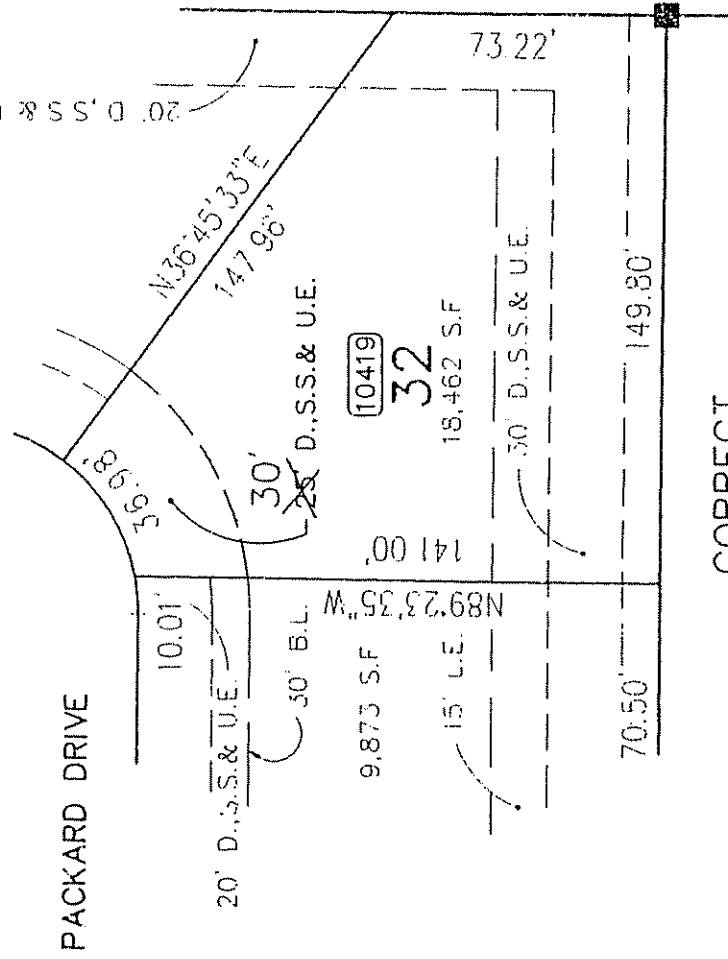
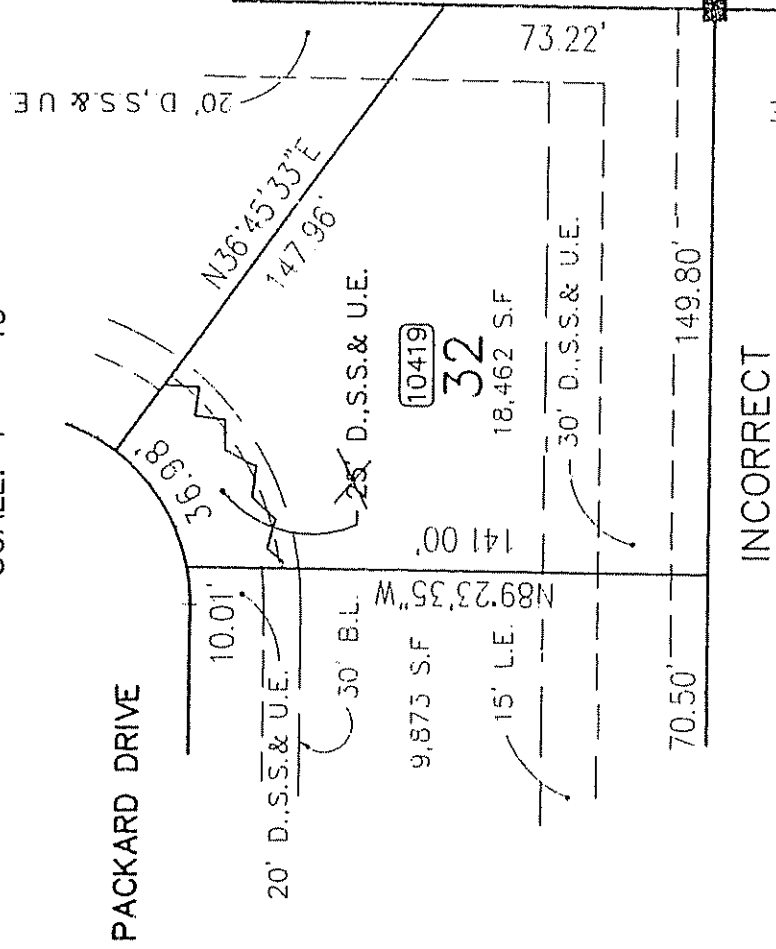
**MELTON-PACKARD & ASSOCIATES**

Civil Engineers • Land Surveyors  
6910 N. Shadeland Avenue • Indianapolis, Indiana 46220 • (317) 577-0089

PROJ 9336  
9336SC1.DWG



SCALE: 1" = 40'



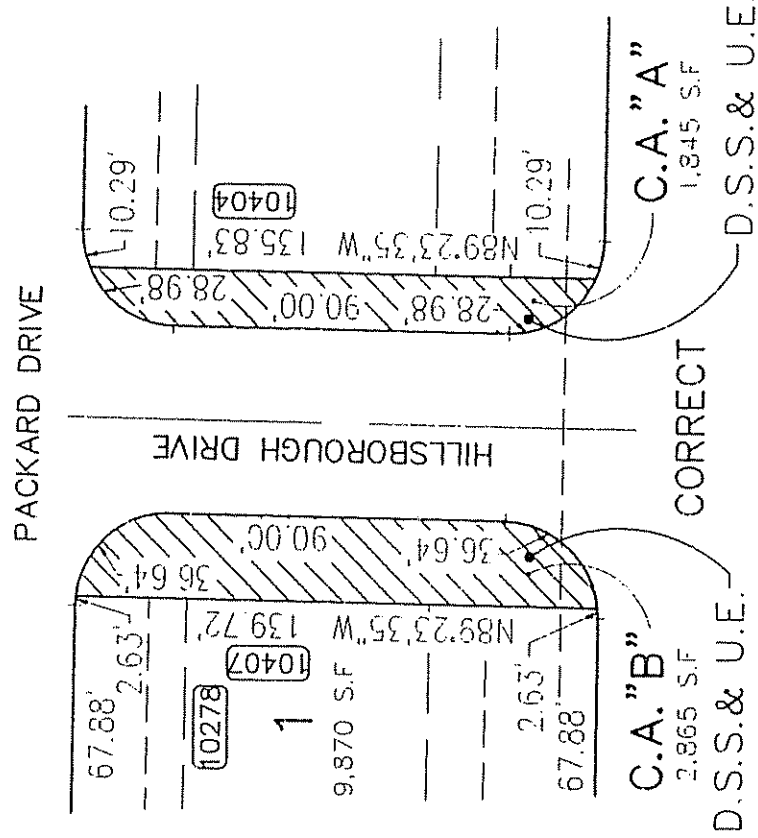
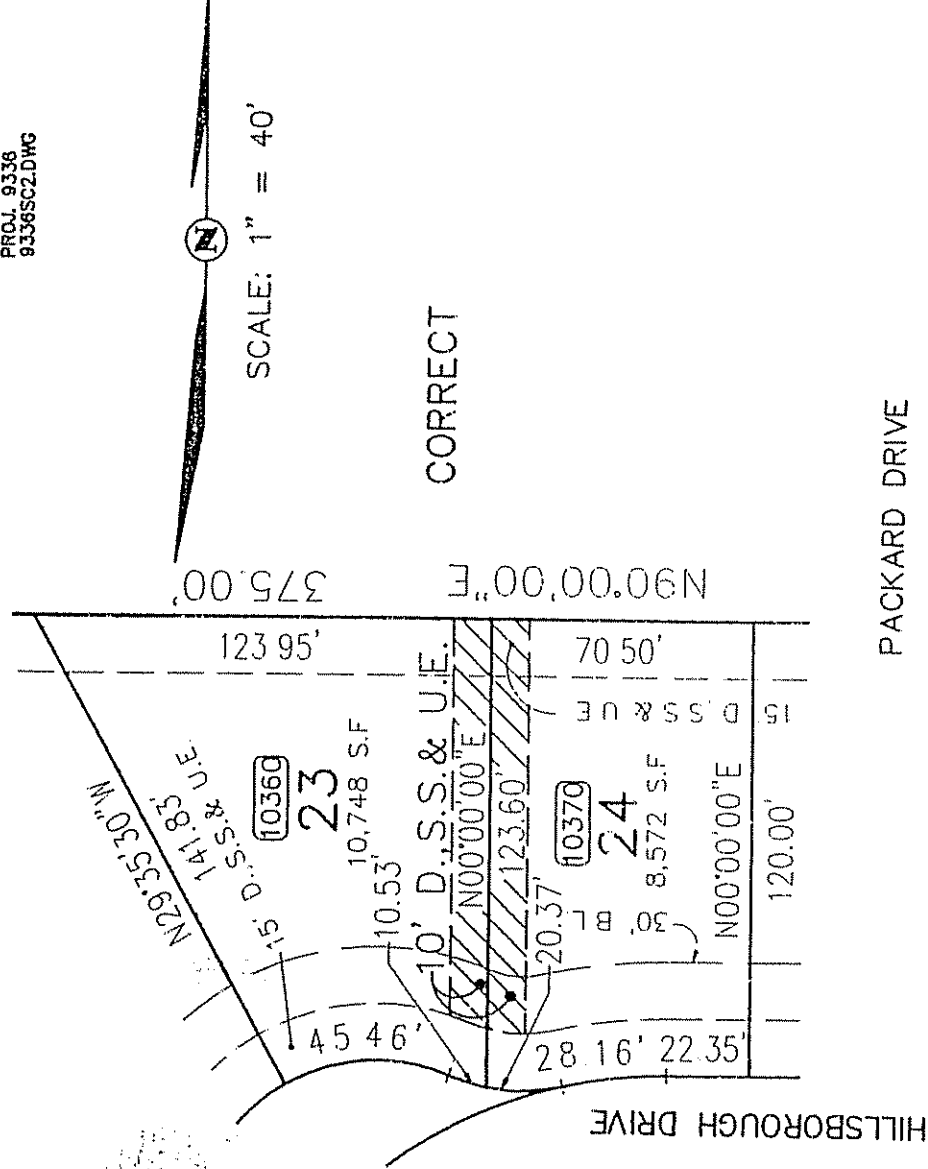
9416124

**MPA**

MELTON-PACKARD & ASSOCIATES

Civil Engineers • Land Surveyors  
6910 N. Shadeland Avenue • Indianapolis, Indiana 46220 • (317) 577-0089

PROJ. 9336  
8336SC2.DWG



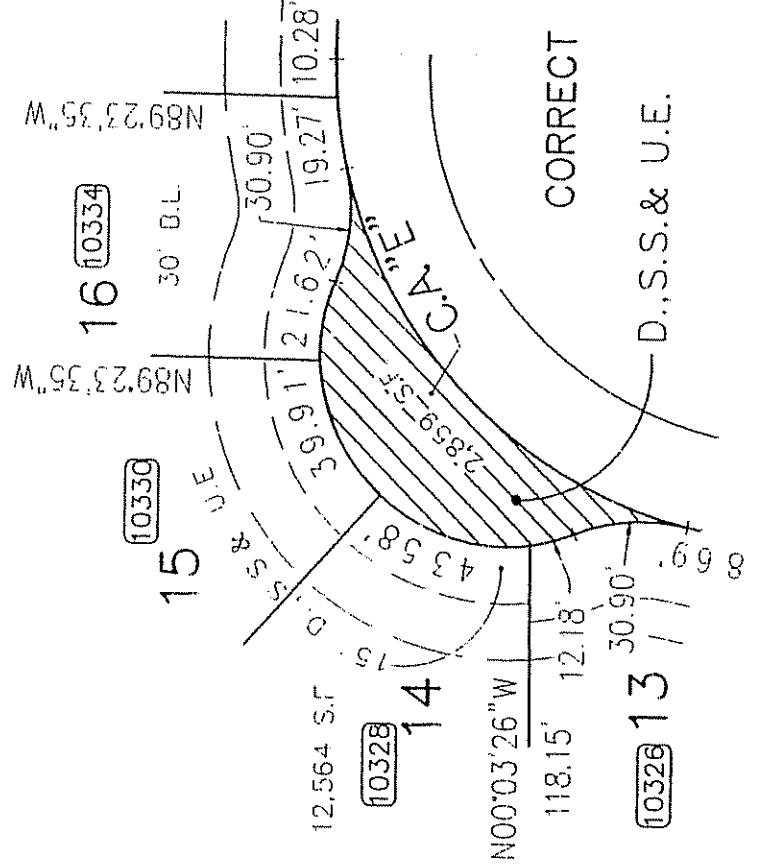
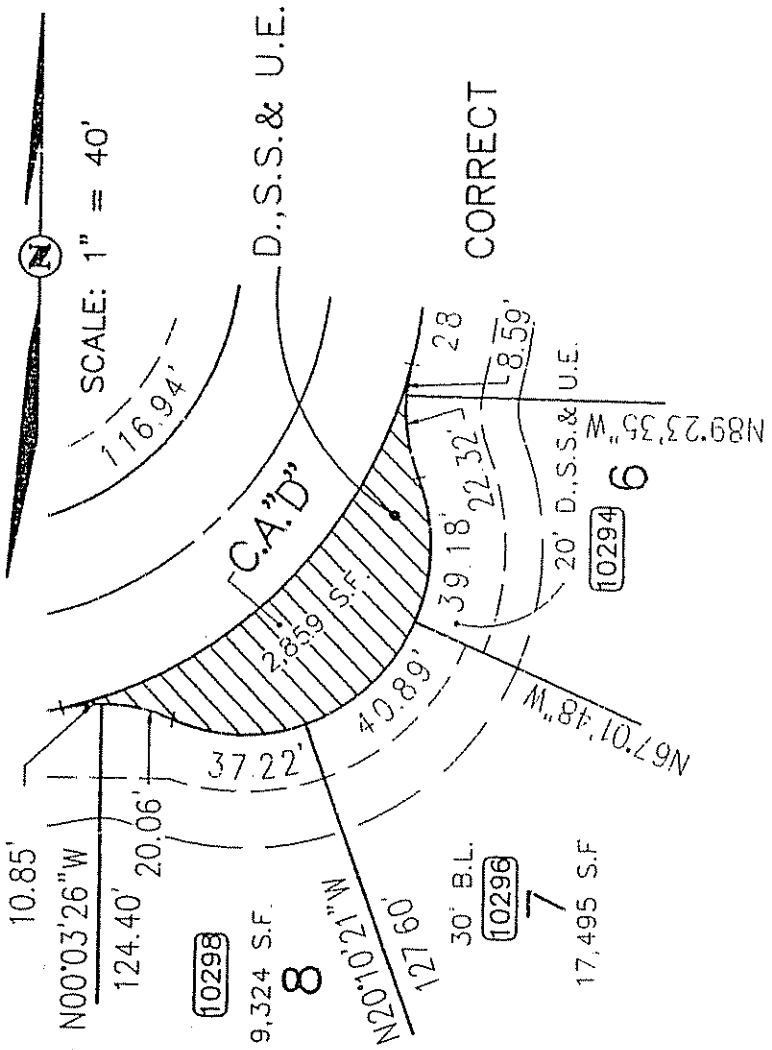
94/6/24

**MPA**

**MELTON-PACKARD & ASSOCIATES**

Civil Engineers • Land Surveyors  
6910 N. Shadeland Avenue • Indianapolis, Indiana 46220 • (317) 577-0069

PROJ. 9336  
9336S03.DWG



9416124



**MPA**

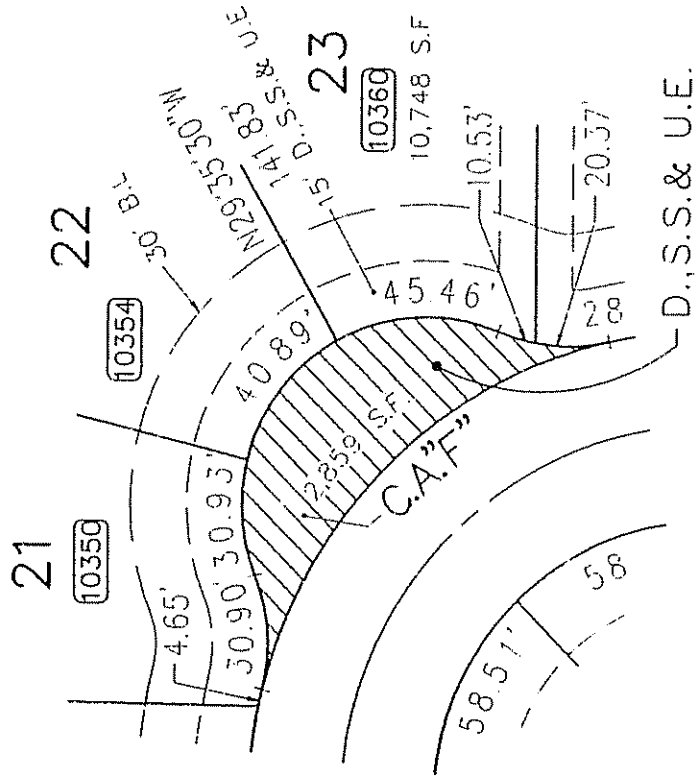
MELTON-PACKARD & ASSOCIATES

Civil Engineers • Land Surveyors  
6910 N. Shadeland Avenue • Indianapolis, Indiana 46220 • (317) 577-0089

PROJ. 9335  
9335SC4.DWG



SCALE: 1" = 40'



CORRECT

9416124

**MPA**

**MELTON-PACKARD & ASSOCIATES**

Civil Engineers • Land Surveyors  
6910 N. Shadeland Avenue • Indianapolis, Indiana 46220 • (317) 577-0069

PROJ. 9336  
9336SCS.DWG

1. There are areas of ground on this plat marked "Utility Easements," "Drainage Easements" and "Sanitary Sewer Easements," either separately or in combination. The Utility Easements are hereby created and reserved for the use of all public utility (and private) companies (not including transportation companies), and governmental agencies for access to and installation, maintenance, repair or removal of poles, masts, ducts, drains, lines, wire, cables and other equipment and facilities for the furnishing of utility services, including cable television services. The Drainage Easements are hereby created and reserved; (i) for the use of the Developer during the development of the Subdivision for access to and for the installation, repair and removal of a drainage system and, either by surface drainage or appropriate underground installations, for the Real Estate and adjoining property and (ii) for the Department of Public Works of the Town of Fishers and Hamilton Southeastern Utilities for access to maintenance, repair and replacement of such drainage system; provided, however, that the owner of any lot in this Subdivision subject to a Drainage Easement shall be required to keep the portion of said Drainage Easement on his lot free from obstructions so that the surface water drainage will be unimpeded. The Sanitary Sewer Easements are hereby created and reserved; (i) for the use of the Developer during the development of the Subdivision for access to and for the installation, repair and removal of a sanitary sewer system and for the Real Estate and adjoining property and (ii) for the Department of Public Works of the Town of Fishers and Hamilton Southeastern Utilities for access to maintenance, repair and replacement of such sanitary sewer system. The delineation of the Utility Easement, Drainage Easement and Sanitary Sewer Easement areas on this plat shall not be deemed a limitation on the rights of any entity for whose use any such easement is created and reserved to go on any lot subject to such easement temporarily to the extent reasonably necessary for the exercise of the rights granted to it by this paragraph. No permanent structure shall be erected or maintained upon said easements. The owners of lots in this Subdivision shall take and hold title to the lots subject to the Utility Easements, Drainage Easements and Sanitary Sewer Easements herein created and reserved.

5. Each driveway in this Subdivision shall be of concrete or asphalt material with no additional parking permitted on a lot other than the existing driveway. Sanitary Sewer manholes shall not be placed under or within one foot horizontal distance of pavement or concrete driveways or sidewalks.

CORRECT

This Instrument Recorded **APR 06 1994**  
Sharon X. Cherry, Recorder, Hamilton County, IN

9416124 PAGE 6 OF 6