

JAMES PLACE

RECORD PLAT

The undersigned, James E. Coffey and Dolores J. Coffey, of Hamilton County, in the State of Indiana, being the owners of record of all of the within described real estate, do hereby lay off, plot and subdivide into lots and streets such tracts and do hereby dedicate for public use any of such streets not previously dedicated. In accordance with the within plat, the following restrictions, limitations, and covenants are hereby imposed and shall run with the land contained in such plat.

The within subdivision shall be known and designated as JAMES PLACE, a subdivision in Madisonville Township, Hamilton County, Indiana.

All lots in this subdivision are reserved for residential use.

No trailer, tent shack, attached shed, basement, garage, or temporary building shall be used for temporary or permanent residence on any lot in this subdivision. An attached garage, tool shed, or detached storage building erected or used as an accessory to a residence in this subdivision shall be of a permanent type of construction and conform to the general architecture and appearance of such residence.

No fences shall be erected in this subdivision between building lines and the right-of-way lines of the streets as shown on the within plat, except with approval of the Architectural Control Committee, which fences shall not exceed 42 inches in height and shall be of a decorative nature.

No building, structure or accessory building shall be erected closer to the sidelines of any lot than six (6) feet. Where buildings are erected on more than one single lot, this restriction shall apply to the sidewalks at the extreme boundaries of the multiple lots.

No structure in this subdivision shall exceed 2 and 1/2 stories or twenty-five (25) feet in height measured from finish grade to the upper side of the eave line, and no structure other than an open porch shall be erected between the building lines and the right-of-way lines of the street as designated on the within plat.

A new building is a permissible use under the current zoning of "R-3" at the date of the recording of this plat. Construction of said structure in this subdivision is subject to the approval of the undersigned owners of the within described real estate, or by their authorized representatives with like authority.

No building shall be erected, placed or situated on any building plot in this subdivision until the building plans, specifications and the plot plan showing the location of such building has been approved as to the conformity and harmony of external design with existing structures herein and as to the building with respect to consistency and finished ground elevation by the Architectural Control Committee composed of the undersigned owners of the within described real estate, or by their duly authorized representatives. In the event of the death or resignation of any member of said committee, the remaining member or members shall have full authority to approve or disapprove such design and location, or to designate a representative with like authority. If the committee fails to act upon any plans submitted to it for its approval within a period of fifteen (15) days from the submission date of the same, the owner may then proceed with the building according to the plans if approved, neither the committee members nor the designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.

The utility easements shown on the within plat are reserved as an easement for use by the city or county in which this subdivision is located, namely in this subdivision, and public utility companies for the installation, use, maintenance, repair, and removal of sewers, water mains, utility poles, wires and other facilities and utilities necessary or incidental to the common welfare and use and occupancy for residential purposes of the houses to be erected in this subdivision. No building or other structure, except walks or driveways, shall be erected on, or across any such utility easement, or across any such utility easement as set forth herein. The owners in this subdivision shall take their title to the land contained in such utility easement subject to the perpetual easement herein reserved.

The Cable Television Easements shown on the within plat reserve for the approved franchised "Company" and its successors and assigns, forever, the easement and right from time to time hereafter to erect, install, lay, use, maintain, replace, increase or decrease the size of and remove central cable and other facilities and equipment for the purpose of transmitting and distributing radio and television signals by way of said central cable, on over, under, and across said easement. This also includes the right of ingress and egress for all purposes incident to such easement, and the "Company" is hereby granted the express right to make clearances of brush and debris from said easement, within the boundaries hereof, to the land contained in such cable television easement subject to the perpetual easement herein reserved.

The drainage easements shown on the within plat are reserved for the drainage of storm water, whether by canal, ditch, or storm sewer. No structure other than storm water drainage structures, retaining walls, or elevated walks and driveways shall be erected in, on, over, under, or across any such easement; except that a drainage easement may also be used as a utility easement, and structures permitted in a utility easement may be erected thereon, provided that they do not interfere with the flow of water. The owners in this subdivision shall take their title to the land contained in such drainage easements subject to the perpetual easement herein reserved.

In the event storm water drainages from any lot or lots flow across another lot, provision shall be made to permit such drainage to continue without restriction or reduction, across the downstream lot and into the natural drainage channel or stream, even though no specific drainage easement for such flow of water is provided on the within plat.

Easement Maintenance: On drainage easements, the City of Madisonville shall be responsible for the care, maintenance, repair and/or replacement of actual structures in place, such as storm pipes, manholes, catchings, etc., and each property owner as it pertains to his lot or lots shall maintain surface drainage systems and open ditches. The City shall have access rights over and across said easements.

No lot in this subdivision shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste, and such items shall not be kept, except in sanitary containers.

No campers, trailers, boats, or similar vehicles shall be parked on any lot in this subdivision unless the same shall be parked in such a manner that it is not visible to the occupants of other lots in this subdivision or the users of any streets in this subdivision.

All lot owners will be required to install, or have installed, at least one gas or electric "buck to bum" yard light in the front yard.

No animals, livestock or poultry of any description shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept, provided that they are not kept, bred or maintained for commercial purposes.

It shall be the duty of the owner of each lot in this subdivision to keep the grass on the lot properly cut and to keep the lot free from weeds and trash and otherwise neat and attractive in appearance. Should any owner fail to do so then the Developer may take such action as it seems appropriate in order to see the lot neat and attractive, and the owner shall upon demand reimburse the Developer for the expense incurred in so doing.

The right to enforce the within restrictions, limitations, and covenants by injunction is hereby dedicated and reserved to the owners of lots in this subdivision. Their heirs and assigns, who shall be entitled to such relief without being required to show any damage or any kind to any such owner or owners, by or through any such violation or attempted violation. Said provisions shall be in full force and effect for a period of twenty (20) years from the date of this plat, and thereafter unless and until by a vote of the three owners of a two-thirds majority of the total lots in this subdivision it is agreed to change to covenants in whole or in part. 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 signature this 22 day of June 1989
 James E. Coffey
 Dolores J. Coffey

STATE OF INDIANA)
 COUNTY OF HAMILTON) SS

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared James E. Coffey and Dolores J. Coffey, who acknowledged the execution to the foregoing instrument as their voluntary act and deed for the uses and purposes therein expressed.

Witness my hand and official Seal this 22 day of June 1989

Notary Public - Linda S. Snyder
 County of Residence: Hamilton County, Indiana
 My Commission Expires: 4-20-91



PLAN COMMISSION CERTIFICATE
 UNDER THE AUTHORITY PROVIDED BY I.C. 36-7-4 et seq., P.L. 309 SECTION 23 AS AMENDED BY ACTS OF 1982, P. L. 211, SECTION 4 OF THE GENERAL ASSEMBLY, STATE OF INDIANA, THIS PLAT HAS GIVEN APPROVAL BY THE PLAN COMMISSION OF THE CITY OF MADISONVILLE, INDIANA AT A MEETING HELD ON THE 17th DAY OF October 1988

ADOPTED BY THE TECHNICAL COMMITTEE AT A MEETING HELD 10/6/88

MADISONVILLE CITY PLAN COMMISSION
 Karen Goldstein, President
 Steven R. Mantley, Secretary



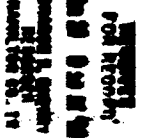
BOARD OF PUBLIC WORKS AND SAFETY'S CERTIFICATE
 THIS PLAT HAS GIVEN APPROVAL BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF MADISONVILLE, INDIANA, AT A MEETING HELD ON THE 26th DAY OF June 1989

Mayor Dan Rowland, Mayor
 Martha Conner, Clerk-Treasurer

I, Steven R. Mantley, DIRECTOR OF PLANNING AND ZONING FOR THE CITY OF MADISONVILLE, INDIANA, HEREBY CERTIFY THAT THE APPLICATION FOR APPROVAL OF THIS PLAT MEETS ALL OF THE MINIMUM REQUIREMENTS SET FORTH IN THE MASTER PLAN OF MADISONVILLE, INDIANA, AND SUCH OTHER APPLICABLE REQUIREMENTS CONTAINED IN THE CODE OF ORDINANCES OF THE CITY OF MADISONVILLE - DECEMBER 11, 1981.

Steven R. Mantley, Director of Planning and Development
 Certified June 26, 1989

Record No. 8913529 -
 PL No. 1 Sub No. 36



Requested By: james place 04/08/2002

1900
⑥

Instrument
9909925996

April 16, 1999

RECORDING OF JAMES PLACE ASSOCIATION BY-LAWS

To: Hamilton County Recorder's Office
Noblesville, IN 46060

It is desired that the James Place Association By-laws as unanimously approved at the association meeting of March 28, 1994 (meeting minutes attached) be recorded with the Office of the Recorder of Hamilton County, Indiana; and to record the James Place Association By-laws Addendum of September 26, 1994.

James Place is an addition to the City of Noblesville, in Hamilton County, Indiana, as per plat thereof, recorded by Instrument No. 8913529, Plat Cabinet No.1, Slide No. 36, in the office of the Recorder of Hamilton County, Indiana, June 29, 1989.

John R. Ehman
John R. Ehman
Chairman, Board of Directors
James Place Association

9909925996
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L CLARK
On 04-30-1999 At 10:23:49 am.
MISC 19.00

M. Isabel McKinney
M. Isabel McKinney
Secretary/Treasurer
James Place Association

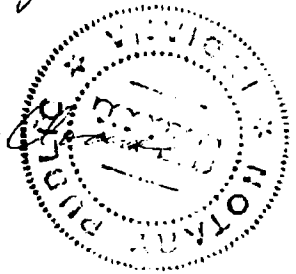
STATE OF INDIANA
COUNTY OF HAMILTON

Suscribed and sworn before me on April 27, 1999, appeared John R. Ehman
and M. Isabel McKinney.

My commission expires 07-17-01
County of Residence Madison

NOTARY PUBLIC

Mary Jane Clouse
Mary Jane Clouse



This instrument prepared by John R Ehman.

Requested By: james place 04\08\2002

Spring Meeting
James Place Association Meeting
Stoney Creek Elementary School
March 28, 1994

Meeting was called to order by John Ehman with 26 lots represented in person and four (4) by proxy vote for a total of 30 of 33 possible votes.

John welcomed everyone and thanked them for the wonderful and interested turn out. Introductions of all attending were made.

The By-laws were presented and two recommended additions were read and discussed as each section of the By-laws was reviewed. After a brief discussion and some clarifying questions the By-laws were approved by an unanimous yes vote.

Elections of the First Board of Directors was next on the agenda. There was a brief explanation of how the five nominees were selected and placed on the ballot. Each lot representative was given a ballot at the start of the meeting to mark and sign for the election's vote. The question of how some current board members would be kept in the following year was discussed and clarified to everyone's satisfaction. The election was completed with all ballots marked yes for all candidates nominated.

Volunteers for various activities were encouraged to sign sheets available for that purpose ie: flowers at front gate, garage sales, seasonal decorations.

The meeting was closed after thank you's to the steering committee.

Respectfully submitted

Requested By: james place 04/08/2002

BY - LAWS

JAMES PLACE ASSOCIATION



NOBLESVILLE, IN
MARCH 28, 1994
Approved March 28, 1994

Requested By: James place 04/08/2002

BY-LAWS JAMES PLACE ASSOCIATION

In order to provide for the common good of all property owners in the James Place Development of Noblesville, Indiana; we, the members, have formed a property owners association to provide for the management of the affairs of the James Place Association and we adopt the following rules and By-Laws:

I. MEMBERSHIP

A. Each lot owner is entitled to membership in the James Place Association upon payment of annual Association dues.

B. **EACH** lot is allowed **ONE** vote in election and voting on Association business matters. (33 total votes).

C. Only members in good standing may attend Association meetings, be officers of the Association, and vote on Association business and elections.

D. Only one individual per membership may serve as an elected Board Member.

II. BOARD OF DIRECTORS

A. The James Place Association will be governed by a five member Board of Directors elected by the members of the Association at an annual meeting.

B. There will be a Board Chairman, Vice-Chairman, Secretary-Treasurer, and two Members-at-Large.

C. The Board Members will determine by vote which position each will fulfill for their term of office.

D. At least three Board Members will be retained from the existing Board at election: the other members would be elected from new nominations and/or from the remaining Board Members.

E. The James Place Board of Directors may meet at any time they decide appropriate to handle the affairs of the association; but at least once per quarter.

F. The Board Members will accept responsibility for efforts to maintain and enforce the restrictions, limitations and covenants of James Place.

Requested By: james place 04/08/2002

III. MEETINGS OF THE JAMES PLACE ASSOCIATION MEMBERSHIP

A. There will be two semi-annual meetings; one in the early spring and one in early fall of the year. Additional meetings may be scheduled if deemed necessary by the Board of Directors.

B. The annual election of the James Place Association Board Members will occur at the spring meeting.

C. The annual budget review and approval will occur at the fall meeting.

D. Other business may be conducted at the semi-annual meeting as determined by the Board Members and the other Association Members.

IV. BUDGET AND FEES OF THE ASSOCIATION

A. An annual budget will be prepared to cover the needs of the James Place Association. This will be primarily the cost of the James Place entrance gaslights and seasonal decorations, and plantings of that area plus other minor expenses.

B. The annual fee will be determined by the budget needs and will be approved by the membership.

C. The annual fee will be due for payment by the end of the first week in November each year.

V. Voting Rules

A. Approval of these by-laws will require a three-fourths majority of all lot owners (25 of 33).

B. These by-laws may be amended by approval of three-fourths of all lot owners (25 of 33).

C. The annual budget must be approved by two-thirds majority of all lot owners (22 of 33).

D. All other voting will require only a simple majority for approval: providing at least one-half of the lot owners are represented (17 of 33).

E. Lot owners may vote by proxy.

Approved March 28, 1994.

Requested By: james place 04/08/2002

BY-LAWS ADDENDUM

No sheds or outbuildings are permitted in James Place.

A James Place Board of Directors' Meeting was held on September 19, 1994. The Board of Directors unanimously voted to not permit any further sheds or outbuildings in James Place. The board felt it should be opened for a complete neighborhood vote at the James Place Association Fall General Meeting. The Fall General Meeting followed the action of the Board Meeting.

The James Place Association Fall General Meeting was held on September 26, 1994. A motion was duly made and unanimously carried to not permit any further sheds or outbuildings in James Place.

Approved September 26, 1994

John R. Ehman
John R. Ehman
Chairman, Board of Directors
James Place Association

M. Isabel McKinney
M. Isabel McKinney
Secretary/Treasurer
James Place Association

STATE of INDIANA
COUNTY OF HAMILTON

Subscribed and sworn before me on April 27, 1999 appeared
John R. Ehman and M. Isabel McKinney.

My Commission expires: 02-17-01
County of Residence Hamilton

NOTARY PUBLIC
Mary Jane Clouse
Mary Jane Clouse

