



**Chicago Title Insurance Company**  
Indianapolis Metro Offices  
Telephone (317) 684-3800



## **COVENANTS AND RESTRICTIONS**

# **Kingswood Sec 2**

**(Hamilton County, IN)**

***The materials made available here are for general information only and should NOT be relied upon for making any major or final decisions with respect to any of the properties referenced.***

***The most current and up-to-date copies of Covenants, Restrictions or other Data relative to any property should be obtained from the current governing body of the Subdivision (generally the Home Owner's Association) if applicable. Chicago Title makes NO representations or warranties with respect to any of the materials contained herein.***

**DOS=9-11-09**

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RECEIVED  
FOR RECORD

SEP 24 2 21 PM '87

SHARON K. CHERRY  
RECORDER

HAMILTON CO. IN.

# KINGSWOOD SUBDIVISION SECTION 2

SECONDARY PLAT *PA 192-104*

PART 5.W.1/4

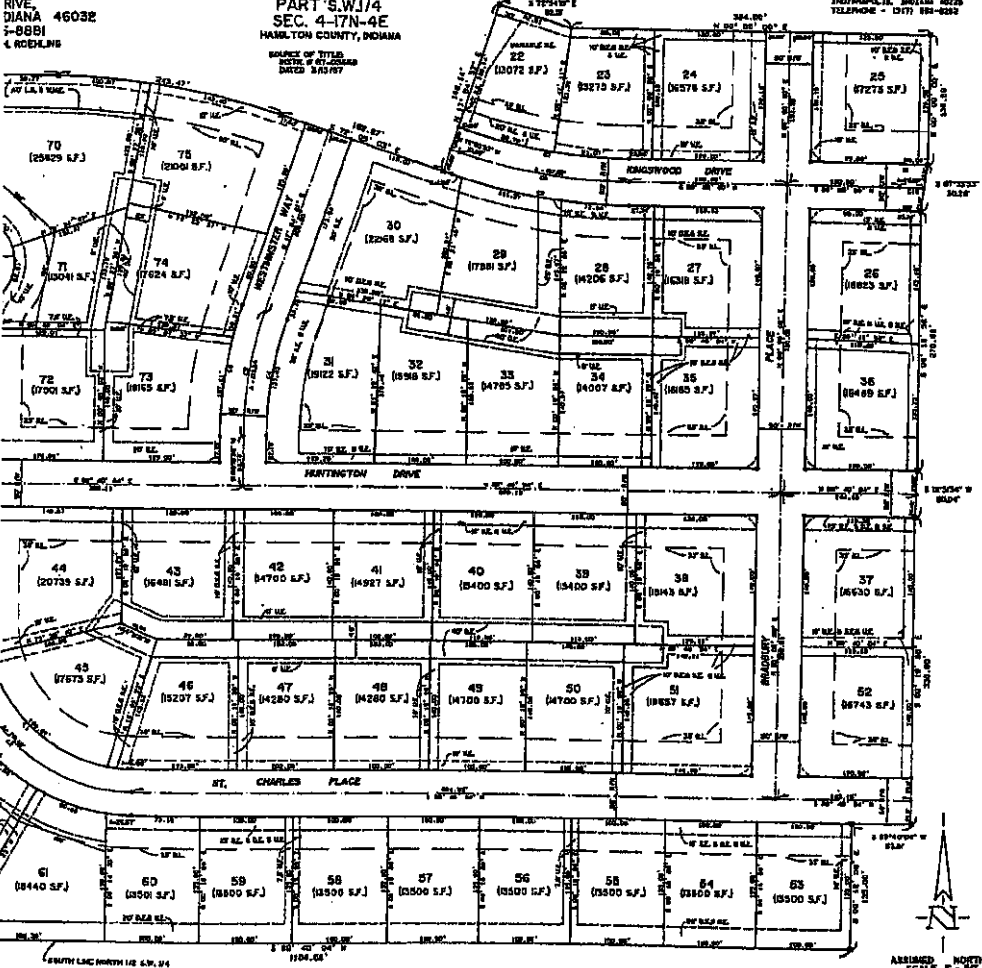
SEC. 4-17N-4E

HAMILTON COUNTY, INDIANA

SOURCE OF TITLE  
NOTE: W & E LINES  
DATED 8/20/87

THIS INSTRUMENT WAS PREPARED  
BY EDWARD G. BRADLEY,  
REGISTERED LAND SURVEYOR, INDIANA,  
SPECIALIZED ENGINEERING CORP.,  
2002 NORTH POSEY ROAD  
JEFFERSONVILLE, INDIANA 47130  
TELEPHONE - (317) 881-8252

DIVIDER:  
INC.  
RIVE,  
DIANA 46032  
7-8881  
& ROEHLING



REMITTED MAY 28, 1987  
RECORDED JUNE 1, 1987  
JUNE 24, 1987

EDWARD G. BRADLEY  
REGISTERED LAND SURVEYOR  
SPECIALIZED ENGINEERING CORPORATION  
2002 NORTH POSEY ROAD  
JEFFERSONVILLE, INDIANA 47130  
TELEPHONE - (317) 881-8252

SECTION 2  
KINGSWOOD SUBDIVISION  
SECONDARY PLAT

FILED HEREIN FOR TAXATION

*Sharon K. Cherry*  
**Sharon K. Cherry**  
Auditor  
Hamilton Co.

...and upon it after that the property is...  
...of record in any state, county or city...

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(4) January 1, 1992.

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Sheet 3 of 3



This instrument prepared by Raymond H. Hays

RECEIVED FOR RECORD  
JAN 21 2 21 PM '92  
CITY CLERK  
CITY OF PORTLAND  
LAND DEPARTMENT

...the Board of Directors...  
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...the Board of Directors...







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FIRST AMENDMENT TO THE DECLARATIONS OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
KINGSWOOD - SECTIONS 1 THRU 4

This First Amendment to the Declarations of Covenants, Conditions and Restrictions of Kingswood - Sections 1 thru 4, made on this 20<sup>TH</sup> day of November 1995, by the Kingswood Homeowners Association, Inc., an Indiana Corporation (herein referred to as "Declarant"), to the Declarations of Covenants, Conditions and Restrictions dated July 21, 1987 and recorded as Instrument Number 8743223, PB 14, Pages 99-101; Instrument Number 8743224, PB 14, Pages 102-104; Instrument Number 8813146, PB 16, Pages 1-4; and Instrument Number 8907974, PC 1, Slide #14 in the Office of the Recorder of Hamilton County, Indiana:

WITNESSETH:

WHEREAS, Declarant is an Indiana not-for-profit corporation and its membership consist of lot owners in Sections 1 thru 4;

WHEREAS, Declarant is desirous of amending the Declarations of Covenants, Conditions and Restrictions of Kingswood - Sections 1 thru 4;

WHEREAS, A RESOLUTION TO AMEND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF KINGSWOOD has been approved and signed by at least seventy five per cent (75%) of the then Owners and are on file in the records of the Declarant and are made a part hereof and incorporated by reference herein;

NOW, THEREFORE, Declarant thereby declares that the Declaration of Covenants, Conditions and Restrictions of Kingswood be amended by adding the following:

ARTICLE III

USE RESTRICTIONS AND ARCHITECTURAL CONTROL

Section 3.10 "Trash Removal" Beginning January 1, 1996, trash and garbage removal shall be arranged by the Association for the entire Association membership. Trash and garbage containers shall not be permitted to remain in public view prior to 6:00pm the day prior to pickup.

Annual Assessments under Section 8.3 will be made for the purposes of trash collection.

ARTICLE VIII

COVENANT FOR MAINTENANCE ASSESSMENTS

Section 8.1

(4) Regular Annual Assessments for Trash Removal

95 NOV 22 PM 2: 03  
RECORDED  
Hamilton Co., IN





8901743

AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS OF  
KINGSWOOD - SECTIONS I - IV

This Amendment made on this 14<sup>th</sup> day of December, 1988, by  
Kingswood, Inc., an Indiana corporation, hereinafter referred to  
as Declarant.

1. Kingswood, Inc., pursuant to Section 10.3 of the  
Declaration of Covenants, Conditions and Restrictions of  
Kingswood, executed on the 16th day of June, 1988 and recorded in  
the Office of the Recorder of Hamilton County, Indiana on the 5th  
day of July, 1988 in Book 16, Pages 1-4 inclusive and identified  
as Instrument No. 88-13146, having an ownership interest in the  
real estate described on Exhibit A hereto, hereby declares that  
the front building setback line for Lot 111 in Section 3 of  
Kingswood shall be amended to be 25 feet.

IN WITNESS WHEREOF, Kingswood, Inc., an Indiana Corporation  
has caused this Amendment to the Declaration of Covenants,  
Conditions and Restrictions of Kingswood - Sections I - IV, to be  
executed as of the date first written above.

KINGSWOOD, INC.

BY: Raymond H. Roehling  
Raymond H. Roehling  
President

RECEIVED  
FOR RECORD  
JAN 25 12 50 PM '89  
SHARON K. CHERRY  
RECORDER  
HAMILTON CO., IN

This Instrument Recorded Jan 25 1989  
Sharon K. Cherry Recorder, Hamilton County, IN

STATE OF INDIANA     )  
                          ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said county and states, personally appeared Raymond H. Roehling, known to me as the President of Kingswood, Inc., an Indiana corporation, who having been first duly sworn, acknowledged the execution of the foregoing Amendment for and on behalf of said corporation.

Witness my hand and seal this 14th day of December, 1988.

Karen E. Roehling  
Notary Public

Karen E. Roehling  
Printed Name

My Commission Expires:  
3-16-92

Residing in Hamilton County.

Prepared by:

James J. Nelson  
NELSON & FRANKENBERGER  
3021 East 98th Street, #220  
Indianapolis, IN 46280  
317/844-0106



8901743

Certificate of Survey

I, the undersigned, hereby certify that the within plat is true and correct and represents part of the Southwest Quarter of Section 4, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter; thence South 00 degrees 08 minutes 47 seconds East along the west line of said Southwest Quarter 1326.89 feet to the Southwest corner of Kingswood Subdivision, Section 2; thence North 89 degrees 40 minutes 04 seconds East along the South line of said subdivision 1164.88 feet to the Southeast corner of said Section 2 and the Beginning Point; thence along the east line of said Section 2, the following seven (7) courses; (1) thence North 00 degrees 19 minutes 56 seconds West, 133.00 feet; (2) thence North 89 degrees 40 minutes 04 seconds East, 67.91 feet; (3) thence North 00 degrees 19 minutes 56 seconds West, 330.00 feet; (4) thence North 01 degrees 51 minutes 34 seconds East, 30.04 feet; (5) thence North 00 degrees 19 minutes 56 seconds West, 278.38 feet; (6) thence North 07 degrees 33 minutes 53 seconds East, 30.28 feet; (7) thence North 00 degrees 00 minutes 00 seconds West, 138.59 feet to the Northeast corner of said Section 2; thence North 83 degrees 28 minutes 00 seconds East, 101.59 feet to the Southwesterly corner of Wood Creek Section III, a subdivision in Hamilton County, Indiana, the plat of which is recorded in Plat Book 11, Page 75 in the Office of the Recorder of Hamilton County, Indiana, the next 12 courses being along the south and southeasterly lines of said Wood Creek Section III; (1) thence North 89 degrees 31 minutes 08 seconds East, 137.19 feet; (2) thence South 00 degrees 08 minutes 52 seconds East, 6.79 feet; (3) thence North 89 degrees 51 minutes 08 seconds East, 195.00 feet; (4) thence South 60 degrees 08 minutes 52 seconds East, 26.25 feet; (5) thence North 89 degrees 51 minutes 08 seconds East, 145.00 feet; (6) thence South 00 degrees 08 minutes 52 seconds East, 25.16 feet; (7) thence North 89 degrees 51 minutes 08 seconds East, 175.00 feet; (8) thence North 00 degrees 08 minutes 52 seconds West, 9.86 feet; (9) thence North 73 degrees 00 minutes 00 seconds East, 320.98 feet; (10) thence North 29 degrees 00 minutes 00 seconds West, 22.48 feet; (11) thence North 59 degrees 39 minutes 33 seconds East, 376.11 feet; (12) thence North 89 degrees 39 minutes 33 seconds East, 108.07 feet to the Southeasterly corner of said Wood Creek Section III, thence South 90 degrees 20 minutes 37 seconds East along the East line of said Southwest Quarter 1233.68 feet; thence South 89 degrees 40 minutes 04 seconds West a distance of 1503.00 feet to the Beginning Point, containing 34.052 acres, more or less.

This Instrument Recorded *Jan 25* 1989  
Sharon K. Chery, Recorder Hamilton County, IN

8901743

8901742

AMENDMENT TO THE DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS OF  
KINGSWOOD - SECTIONS I - IV

This Amendment made on this 14<sup>th</sup> day of December, 1988, by Kingswood, Inc., an Indiana corporation, hereinafter referred to as Declarant.

1. Kingswood, Inc., pursuant to Section 10.3 of the Declaration of Covenants, Conditions and Restrictions of Kingswood, executed on the 16th day of June, 1988 and recorded in the Office of the Recorder of Hamilton County, Indiana on the 5th day of July, 1988 in Book 16, Pages 1-4 inclusive and identified as Instrument No. 88-13146, having an ownership interest in the real estate described on Exhibit A hereto, hereby declares that the front building setback line for Lot 110 in Section 3 of Kingswood shall be amended to be 25 feet.

IN WITNESS WHEREOF, Kingswood, Inc., an Indiana Corporation has caused this Amendment to the Declaration of Covenants, Conditions and Restrictions of Kingswood - Sections I - IV, to be executed as of the date first written above.

KINGSWOOD, INC.

BY: Raymond H. Roehling  
Raymond H. Roehling  
President

RECEIVED  
FOR RECORD  
JAN 25 12 50 PM '89  
SHARON K. CHERRY  
RECORDER  
HAMILTON CO., IN

This Instrument Recorded Jan 25 1989  
Sharon K. Cherry, Recorder, Hamilton County, IN

STATE OF INDIANA )  
 ) SS:  
COUNTY OF HAMILTON )

Before me, a Notary Public in and for said county and states, personally appeared Raymond H. Roehling, known to me as the President of Kingswood, Inc., an Indiana corporation, who having been first duly sworn, acknowledged the execution of the foregoing Amendment for and on behalf of said corporation.

Witness my hand and seal this 14<sup>th</sup> day of December, 1988.

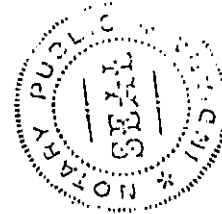
Karen E. Roehling  
Notary Public

Karen E. Roehling  
Printed Name

My Commission Expires: 3-16-92  
Residing in Hamilton County.

Prepared by:

James J. Nelson  
NELSON & FRANKENBERGER  
3021 East 98th Street, #220  
Indianapolis, IN 46280  
317/844-0106



This Instrument Recorded Jan. 25 1989  
Sharon K. Cherry, Recorder, Hamilton County, IN

891742

Certificate of Survey

I, the undersigned, hereby certify that the within plat is true and correct and represents part of the Southwest Quarter of Section 4, Township 17 North, Range 4 East in Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of said Southwest Quarter; thence South 00 degrees 08 minutes 42 seconds East along the west line of said Southwest Quarter 1326.89 feet to the Southwest corner of Kingswood Subdivision, Section 2, thence North 89 degrees 40 minutes 04 seconds East along the South line of said subdivision 1164.68 feet to the Southeast corner of said Section 2 and the Beginning Point; thence along the east line of said Section 2, the following seven (7) courses: (1) thence North 00 degrees 19 minutes 36 seconds West, 135.00 feet; (2) thence North 89 degrees 40 minutes 04 seconds East, 63.91 feet; (3) thence North 00 degrees 19 minutes 36 seconds West, 130.00 feet; (4) thence North 01 degrees 31 minutes 34 seconds East, 30.04 feet; (5) thence North 00 degrees 19 minutes 36 seconds West, 278.83 feet; (6) thence North 07 degrees 33 minutes 31 seconds East, 30.28 feet; (7) thence North 00 degrees 00 minutes 00 seconds West, 138.59 feet to the Northeast corner of said Section 2; thence North 83 degrees 28 minutes 00 seconds East, 101.59 feet to the Southwest corner of Wood Creek Section III, a subdivision in Hamilton County, Indiana, the plat of which is recorded in Plat Book 11, Page 73 in the Office of the Recorder of Hamilton County, Indiana, the next 12 courses being along the south and southeasterly lines of said Wood Creek Section III: (1) thence North 89 degrees 31 minutes 08 seconds East, 137.19 feet; (2) thence South 00 degrees 08 minutes 52 seconds East, 6.79 feet; (3) thence North 89 degrees 31 minutes 08 seconds East, 195.00 feet; (4) thence South 00 degrees 08 minutes 52 seconds East, 26.25 feet; (5) thence North 87 degrees 31 minutes 08 seconds East, 143.00 feet; (6) thence South 00 degrees 08 minutes 52 seconds East, 25.46 feet; (7) thence North 89 degrees 31 minutes 08 seconds East, 175.00 feet; (8) thence North 90 degrees 01 minutes 52 seconds West, 9.66 feet; (9) thence North 73 degrees 00 minutes 00 seconds East, 130.96 feet; (10) thence North 29 degrees 00 minutes 00 seconds West, 32.48 feet; (11) thence North 36 degrees 00 minutes 00 seconds East, 326.11 feet; (12) thence North 89 degrees 39 minutes 23 seconds East, 108.09 feet to the Southeast corner of said Wood Creek Section III, thence South 69 degrees 20 minutes 37 seconds East along the East line of said Southwest Quarter 1235.08 feet; thence South 39 degrees 40 minutes 04 seconds West a distance of 1503.00 feet to the Beginning Point, containing 34.052 acres, more or less.

This Instrument Recorded Jan. 25 1989  
Sharon K. Cherry, Recorder, Hamilton County, IN

8901742

