Miscellaneous Record 128 pages 105-107 Recorded October 15, 1971

Entry No.

Page No.

BUILDING REGULATIONS, RESTRICTIONS AND COVENANTS MORGAN WOODS - SECTION I

An unrecorded Metes and Bounds Subdivision of a Part of the Northwest Quarter of Section 30, Township 19 North, Range 4 East in Hamilton County, Indiana.

- l. All lots in this subdivision are reserved for residential use, and no buildings other than a one family residence or structure or facility accessory in use thereto shall be erected thereon.
- 2. Only one single family residence may be erected on any lot in this subdivision, not more than two stories in height. No residence shall be constructed on any lot in this subdivision, not more than two stories in height. No residence shall be constructed on any lot in this subdivision having less than 1536 square feet of living area on the ground floor in the case of a one story house nor less than 1200 square feet of living area on the ground floor in the case of a one and one half or two story residence.
- 3. Garages erected in this subdivision shall be for not more than three cars and may be detached or attached to the residence dwelling. Garage doors shall not face the frontage street.
- 4. All building and residence plans shall be approved by Paul E. Steffen and Julia T. Steffen, their heirs or assigns, and/or a committee of three persons appointed by said persons, their heirs or assigns. In the event of death, incapacity or resignation of said persons, their heirs or assigns and/or committee members, said remaining persons or members may approve or disapprove said plans. Such persons or members are not entitled to compensation for services performed pursuant to this covenant. If building and residence plans have not been approved or disapproved within thirty (30) days of submittal thereof, such approval shall not be required. Powers and duties of the committee shall cease twenty (20) years from the recording date of this instrument or upon the erection of a residence on every lot in this subdivision, whichever occurs first.
- 5. All residences shall have a minimum exterior coverage of brick or stone construction of not less than one third (1/3) of the amount of the total exposes wall area. The balance may be of wood frame or other approved building materials except that no concrete block may be used for an exterior finish.
- 6. No fence shall be constructed along side lot lines of any lots in this subdivision between the front line of the building and the street right-of-way line.
- 7. In the event storm water drainage from any lot or lots flows across another lot, provisions shall be made to permit such drainage to continue, without restriction or reduction, across the downstream lot and into the downstream lot and into the natural drainage channel or course, even though no specific drainage easement for such flow of water is provided on said plat.
- 8. All culvert pipes under driveways leading from frontage streets shall be a minimum twelve (12) inches in diamter of new corrugated metal pipe (not less than sixteen (16) gauge) or

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reinforce concrete pipe, and shall be placed so as not to impede water flow from upgrade. Concrete headwalls shall be constructed at each end of said culvert pipes a minimum distance of four (4) feet from edge of driveway. Drives shall be a minimum of ten (10) feet in width.

- 9. Any residence, and attached or detached garage, shall be completely finished on the exterior on or before one hundred eighty (180) days after start of construction.
- 10. No house trailer, trailers, tents, shacks, garages, barns or temporary structures of any kind shall be used for temporary or permanent residential purposes on any lot in this subdivision.
- ll. No trucks of larger than one ton capacity, commercial vehicles or unlicensed cars shall be parked or stored on the premises longer than thirty days.
- 12. The parking of camper trucks or trailers, trucks, commercial vehicles, sporting equipment and/or machinery of any kind shall not be permitted in front drives for periods longer than five (5) days. Parking in frontage street of premises of any of the above mentioned and/or unlicensed cars is structly prohibited.
- the above mentioned and/or unlicensed cars is structly prohibited.
 13. No animals, livestock, or poultry of any description
 shall be raised, bred or kept on any lot, except that no more
 than two adult dogs (past six months of age), cats, or other
 household pets may be kept, provided that they are not kept, bred,
 or maintained for commercial purposes.
- 14. No hotel, boarding house, mercantile building, factory building, or buildings of any kind for commercial use shall be erected or maintained and no businessof any nature may be maintained in any residence or garage on any lot in this subdivision.
- 15. No noxious trade or activity shall be carried on upon any lot in this subdivision nor shall anything be done herein which may become an annoyance or nuisance to the neighborhood at large.
- binding on all parties and all persons claiming under them for a period of twenty (20) years from the date these covenants are recorded. The right to enforce the within restrictions, limitations, and covenants by injunction is hereby dedicated and reserved to owners of lots in this subdivision, their heirs and assigns who shall be entitled to such relief without being required to show any damage of any kind to any such owner or owners by or through any such violation or attempted violation. Said provisions shall be and continue 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 then owners of a two-thirds majority of the total lots in this subdivision it is agreed to change the covenants in whole or in part.

Invalidation of any one of these covenants by judgment or Court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

Paul E. Steffen Julia T. Steffen

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Entry No.

Subscribed and sworn to before me this 15 day of October 1971.

Lowena Tate Notary Public (Seal)

My commission expires 6-13-74

This instrument prepared by Jerry M. Barr.

MORGAN WOODS, SECTION ONE Plat Book 4 pages 93-94 Recorded June 14, 1972

Entry No. Page No.
This Subdivision consists of 17 lots, numbered #1 through #17, both inclusive. Sizes of the lots and widths of the streets as shown on the within plat are in feet and decimal parts thereof. This Subdivision shall be known and designated as MORGAN WOODS - SECTION ONE, an Addition to the Town of Westfield, Indiana, as per Section, Township and Range named herein.

WITNESS, my hand and seal this 18th day of April, 1972.

ELVAN F. SCOTTEN, Registered Land Surveyor Indiana #4905

The undersigned, PAUL E. STEFFEN and JULIA T. STEFFEN, husband and wife, and DAN G. CARRINGTON and JOAN M. CARRINGTON, husband and wife (owners of Lot #10 in this Subdivision), do hereby layoff, plat and subdivide into streets and lots in accordance with the with in plat, the above described real estate. The within plat shall be known and designated as MORGAN WOODS - SECTION ONE, an Addition to the Town of Westfield, Hamilton County, Indiana.

- 1. The streets shown and not heretofore dedicated are hereby dedicated to the public.
- 2. All lots in this subdivision are reserved for residential use, and no buildings other than a one family residence or structure or facility accessory in use thereto shall be erected thereon.
- 3. Only one single family residence may be erected on any lot in this subdivision, not more than two stories in heighth. No residence shall be constructed on any lot in this subdivision having less than 1536 square feet of living area on the ground floor in the case of a one story house nor less than 1200 square feet of area on the ground floor in the case of a one and one half or two story residence.
- 4. Garages erected in this subdivision shall be for not more than three cars and may be detached or attached to the residence dwelling. Garage doors shall not face the frontage street.
- 5. All building and residence plans shall be approved by Paul E. Steffen and Julian T. Steffen, their heirs or assigns, and/or a committee of three persons appointed by said persons, their heirs or assigns. In the event of death, incapacity or resignation of said persons, their heirs or assigns and/or committee members, said remaining persons or members may approve or disapprove said plans. Such persons or members are not entitled to compenation for services performed pursuant to this covenant. If building and residence plans have not been approved or disapproved with thirty (30) days of submittal thereof, such approval shall not be required. Powers and duties of the committee shall cease twenty (20) years from the recording date of this instrument or upon the erection of a residence on every lot in this subdivision, whichever occurs first.

- 6. All residences shall be of wood frame or other approved building materials except that no concrete block may be used for an exterior finish.
- 7. No fence shall be constructed along side lot lines of any lots in this subdivision between the front line of the building and the street right-of-way line.
- 8. In the event storm water drainage from any lot or lots flows across another lot, provisions shall be make to permit such drainage to continue, without restrictions or reduction, into and across the downstream lot and into the natural drainage channel or course, even though no specific drainage easement for such flow of water is provided on said plat.
- 9. All culvert pipes under driveways leading from frontage streets shall be a minimum twelve (12) inches in diameter of new corrugated metal pipe (not less than sixteen (16) gauge) or reinforced concrete pipe, and shall be palced so as not to impede water flow from upgrade. Concrete headwalls shall be constructed at each end of said culvert pipes a minimum distance of four (4) feet from edge of driveway. Drives shall be a minimum of ten (10) feet in width.
- 10. Any residence, and attached or detached garage, shall be completely finished on the exterior on or before one hundred eighty (180) days after start of construction.
- 11. No house trailers, trailers, tents, shacks, basements, garages, barns or temporary structures of any kind shall be used for temporary or permanent residential purposes on any lot in this subdivision.
- 12. No trucks of larger than one ton capacity, commercial vehicles or unlicensed cars shall be parked or stored on the premises longer than thirty days.
- 13. The parking of camper trucks or trailers, house trailers, commercial vehickles, sporting equipment and/or machinery of any kind shall not be permitted in front drives for periods longer than five (5) days. Parking in frontage street of premises of any of the above mentioned and/or unlicensed cars is strictly prohibited.
- 14. No animals, livestock, or poultry of any description shall be raised, bred or kept on any lot, except that no more than two adult dogs (past six months of age), cats, or other household pets may be kept, provided that they are not kept, bred, or maintained for commercial purposes.
- 15. No hotel, boarding house, mercantile building, factory building, or buildings of any kind for commercial use shall be erected or maintained and no business of any nature may be maintained in any residence or garage on any lot in this subdivision.

Noblesville Title and Abstract Company
Noblesville, Indiana

Entry No. Page No.

16. No noxious trade or activity shall be carried on upon any lot in this subdivision nor shall anything be done herein which may become an annoyance or nuisance to the neighborhood at large.

- 17. Front and side building lines are established as shown on this plat, between which lines and the property lines, there shall be erected and maintained no structure or part thereof.
- 18. All sanitary and toilet facilities for this Addition shall meet requirements of the Indiana State Health Board. Specifically, no outside toilets shall be permitted on any lots in this Addition.
- 19. There are strips 6 feet and 12 feet in width as shown on the within plat marked "Drainage and Utility Easements" which are hereby reserved for the use of the Public Utilities Companies, for the installation of mains, ducts, poles, lines, sewers, drains, and wires, subject at all times to the authority of the proper authorities and to the easement herein reserved. No permanent or other structures shall be erected or maintained on said strips. The owners of such lots in this Subdivision, however, shall take their title subject to the rights of the public utilities and to those of the owners of lots in this Subdivision.
- 20. These covenants are to run with the land and shall be binding on all persons claiming under them for a period of twenty (20) years from the date these covenants are recorded. The right to enforce the within restrictions, limitations, and covenants by injunction is hereby dedicated and reserved to owners of lots in this subdivision, their heirs and assigns, who shall be cntitled to such relief without being required to show any damage of any kind to any such owner or owners, by or through, any such violation or attempted violation. Said provisions shall be and continue 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 then owners of a two-thirds majority of the total lots in this subdivision, it is agreed to change the covenants in whole or in part. Invalidation of any one of these covenants by judgment or Court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, PAUL E. STEFFEN and JULIA T. STEFFEN, husband and wife, and DAN G. CARRINGTON and JOAN M. CARRINGTON, husband and wife, (Owners of Lot #10 in this Subdivision), have caused the execution hereof and set their hands this 8th day of June 1972.

Dr. Paul E. Steffen, Husband & Julia T. Steffen, Wife

Dan G. Carrington, Husband & Joan M. Carrington, Wife Owners of Lot #10

STATE OF INDIANA) SS:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, PAUL E. STEFFEN and JULIA T. STEFFEN, husband and wife, and DAN G. CARRINGTON and JOAN M. CARRINGTON, husband and wife, (Owners of Lot #10 in this Subdivision), and acknowledged the execution of the foregoing certificate as their voluntary act and deed for the uses and purposes therein expressed.

Katherine R. Scotten Notary Public

My commission expires: Nov. 7th, 1972

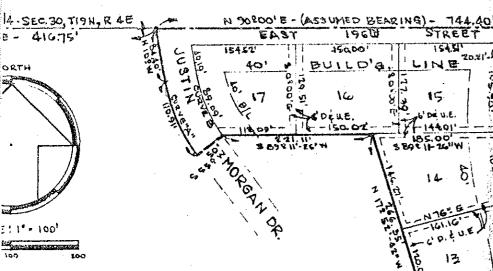
COMMISSION CERTIFICATE:

Under authority provided by Chapter 174 - Acts of 1947, enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto, and an Ordinance adopted by the Town Board of Trustees of the Town of Westfield as follows:

Approved by the Westfield Plan Commission at a meeting held June 6, 1972.

WESTFIELD TOWN PLAN COMMISSION

Jack E. Ehman, President Mary Lou Thatcher, Secretary



TEAST

1960

15000

50.07

STREET

LINE

119.05

40' B/L

WTOO FOR #

H 205 M

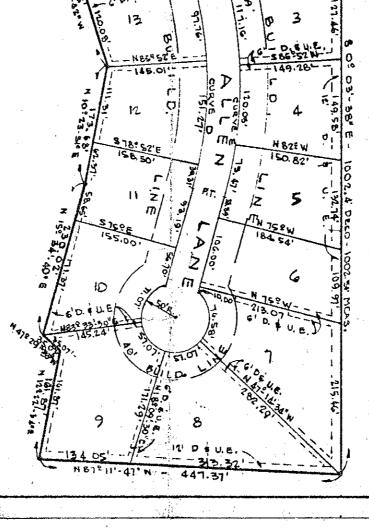
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50' 54.02'

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EV.	28,06306 ⁶	11.403890	10.09 509	9.27628	17.664100
1	89.09	210,454	181.115	311.651	189.5121
1,	45.2661	106.501	146.821	159.752'	96.173
5 '	85.587	208.954	\$\$7.78U.	309.527	186.145

MORGAN



I, ELVAH F. SCOTTEN, a Registered Land Starva do hereby certify that the within plat is true and cor of the following described real estate:

A part of the Northwest Quarter of Section 3 East in Hamilton County, Indiana, being more particula

Beginning at a point in the North line of a North 90 degrees East (assumed bearing), 416.75 feet f and running thence North 90 degrees East (assumed bear O degrees, 03 minutes, 38 seconds Bast, 1002.51 feet; 47 amconds West, 447.37 feet; thence Worth 12 degrees, 161.87 feets thence North 47 degrees, 29 minutes, 33 s North 15 degrees, Mainutes, 40 seconds East, 230.02 f 23 minutes, 51 seconds East, 173.68 feet; thence North West, 266.35 feet; thence South 89 degrees, 11 minutes thence South 55 degrees, 00 minutes West, 50 feet to thaving a delta angle of 25 degrees, 80 minutes and a r Northerly and Westerly along said curve, 110.91 feet t thence North 10 degrees, 00 minutes West, 84,40 feat t taining in all, 10,216 sores, more or less, being subj rights-of-way.

This Subdivision consists of 17 lots, numbers sive. Sizes of the lots and widths of the streets as feet and decimal parts thereof. This Subdivision shall MCRGAN WOODS - SECTION ONF, an Addition to the fown of Section, Township and Range named herein.

WITHESS, my hand and seal this

ELVAN F. SCOTTEN, Register

MORGAN WOODS - SECTION TWO Plat Book 5 Pages 185-186 Recorded May 13, 1976

Entry No.

Page No.

I, ELVAN F. SCOTTEN, a Registered Land Surveyor in the State of Indiana, do hereby certify that the within plat is true and correct, representing a Subdivision of the following described real estate:

A part of the Northwest Quarter of Section 30, Township 19 North, Range 4 East, in Hamilton County, Indiana, more particularly described as follows:

"Beginning at the Northwest corner of said Quarter Section, and running thence North 90 degrees, 00 minutes East (assumed bearing) upon and along the North line thereof, 416.75 feet; thence South 10 degrees, 00 minutes East, 84.40 feet to the point of curvature of a curve to the left, said curve having a delta angle of 25 degrees, 00 minutes and a radius of 254.183 feet; thence Southerly and Easterly along said curve, 110.91 feet to the point of tangency thereof; thence North 55 degrees, 00 minutes East, 50.00 feet; thence North 89 degrees, 11 minutes, 26 seconds East, 221.11 feet; thence South 17 degrees, 52 minutes, 42 seconds East, 266.35 feet; thence South 10 degrees, 23 minutes, 51 seconds West, 173.68 feet; thence South 15 degrees, 34 minutes, 40 seconds West, 230.02 feet; thence South 47 degrees, 29 minutes, 33 seconds East, 35.07 feet; thence South 12 degrees, 22 minutes, 34 seconds West, 161.87 feet; thence North 87 degrees, 11 minutes, 47 seconds West, 716.23 feet to the West line of said Northwest Quarter Section; thence North 00 degrees, 00 minutes, 03 seconds West, upon and along said West line, 945.6 feet to the place of beginning; containing in all 15.75 acres, more or less, subject, however, to the East right-of-way of U.S. Highway #31 off the entire West line and the South half right-of-way of 196th Street off the entire North line of the within described real estate."

This Subdivision consists of 16 lots, numbered #18 through #33, both inclusive. Sizes of the lots and widths of the streets as shown on the within plat are in feet and decimal parts thereof. This Subdivision shall be known and designated as MORGAN WOODS - SECTION TWO, an Addition to the Town of Westfield, Indiana, as per Section, Township and Range named herein.

WITNESS my hand and seal this 6th day of March, 1976.

ELVAN F. SCOTTEN
Registered Land Surveyor
Indiana #4905

The undersigned, PAUL E. STEFFEN and JULIA T. STEFFEN, husband and wife, JAMES E. LANG and PATRICIA A. LANG, husband and wife, Owners of Lot #18, and CHARLES S. RILEY and NANCY E. RILEY, husband and wife, Owners of LOT #29, do hereby layoff, plat and subdivide into streets and lots in accordance with the within plat, the above described real estate. The within plat shall be known and designated as MORGAN WOODS - SECTION TWO, an Addition to the Town of Westfield, Hamilton County, Indiana.

- 1. The streets shown and not heretofore dedicated are hereby dedicated to the public.
- 2. All lots in this subdivision are reserved for residential use, and no buildings other than a one family residence or structure or facility accessory in use thereto shall be erected thereon.
- 3. Only one single family residence may be erected on any lot in this subdivision, not more than two stories in heighth. No residence shall be constructed on any lot in this subdivision having less than 1800 square feet of living area on the ground floor in the case of a one story house nor less than 1486 square feet of area on the ground floor in the case of a one and one half or two story residence.
- 4. Garages erected in this subdivision shall be for not more than three cars and may be detached or attached to the residence dwelling. Garage doors shall not face the frontage street.
- 5. All building and residence plans shall be approved by Paul E. Steffen and Julia T. Steffen, their heirs or assigns, and/or a committee of three persons appointed by said persons, their heirs or assigns. In the event of death, incapacity or resignation of said persons, their heirs or assigns and/or committee members, said remaining persons or members may approve or disapprove said plans. Such persons or members are not entitled to compensation for services performed pursuant to this covenant. If building and residence plans have not been approved or disapproved within thirty (30) days of submittal thereof, such approval shall not be required. Powers and duties of the committee shall cease twenty (20) years from the recording date of this instrument or upon the erection of a residence on every lot in this subdivision, whichever occurs first.
- 6. All residences shall be of wood frame or other approved building materials except that no concrete block may be used for an exterior finish.
- 7. No fence shall be constructed along side lot lines of any lots in this subdivision between the front line of the building and the street right-of way.
- 8. In the event storm water drainage from any lot or lots flows across another lot, provisions shall be made to permit such drainage to continue, without restriction or reduction, into and across the downstream lot and into the natural drainage channel or course, even though no specific drainage easement for such flow of water is provided on said plat.
- 9. All culvert pipes under driveways leading from frontage streets shall be a minimum twelve (12) inches in diameter of new corrugated metal pipe (not less than sixteen (16) gauge) or reinforced

Entry No. Page No. 3 concrete pipe, and shall be placed so as not to impede water flow from upgrade. Concrete headwalls shall be constructed at each end of said culvert pipes a minimum distance of four (4) feet from edge of driveway. Drives shall be a minimum of ten (10) feet in width. (N.B.) Metal and sections may be used in lieu of concrete headwalls.

- 10. Any residence, and attached or detached garage, shall be completely finished on the exterior on or before one hundred eighty (18) days after start of construction.
- 11. No house trailers, trailers, tents, shacks, basements, garages, barns or temporary structures of any kind shall be used for temporary or permanent residential purposes on any lot in this subdivision.
- 12. No trucks of larger than one ton capacity, commercial vehicles or unlicensed cars shall be parked or stored on the premises longer than thirty days.
- 13. The parking of camper trucks or trailers, house trailers, trucks, commercial vehickles, sporting equipment and/or machinery of any kind shall not be permitted in fraont droves for periods longer than five (5) days. Parking in frontage street of premises of any of the above mentioned and/or unlicensed cars is strictly prohibited.
- 14. No animals, livestock, or poultry of any description shall be raised, bred or kept on any lot, except that no more than two adult dogs (past six months of age), cats, or other household pets may be kept, provided that they are not kept, bred, or maintained for commercial purposes.
- 15. No hotel, boarding house, mercantile building, factory building, or buildings of any kind for commercial use shall be erected or maintained and no business of any nature may be maintained in any residence or garage on any lot in this subdivision.
- 16. No noxious trade or activity shall be carried on upon any lot in this subdivision nor shall anything be done herein which may beep, e an annoyance or nuisance to the neighborhood at large.
- 17. Front and side building lines are established as shown on this plat, between which lines and the property lines, there shall be erected and maintained no structure or part thereof.
- 18. All sanitary and toilet facilities for this Addition shall meet requirements of the Indiana State Health Board. Specifically, no outside toilets shall be permitted on any lots in this Addition.
- 19. There are strips 6 feet, 10 feet, and 20 feet in width as shown on the within plat marked "Drainage and Utility Easements" which are hereby reserved for the use of the Public Utilities Companies, for the installation of mains, ducts, drains, wires,

poles, lines. & sewers; also tapering easements across LOTS #31 and #33, as shown on the within plat, herein reserved for Drainage Easements only, subject at all times to the authority of the proper authorities and to the easement herein reserved. No permanent or other structures shall be erected or maintained on said strips. The owners of such lots in this Subdivision, however, shall take their title subject to the rights of the public utilities and to those of the owners of lots in this Subdivision.

20. - These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty (20) years from the date these covenants are recorded. The right to enforce the within restrictions, limitations, and covenants by injunction is hereby dedicated and reserved to owners of lots in this subdivision, their heirs and assigns, who shall be entitled to such relief without being required to show any damage of any kind to any such owner or owners, by or through, any such violation or attempted violation. Said provisions shall be and continue 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 then owners of a two-thirds majority of the total lots in this subdivision, it is agreed to change the covenants in whole Invalidation of any one of these covenants by judgor in part. ment or Court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, PAUL E. STEFFEN and JULIA T. STEFFEN, husband and wife, JAMES E. LANG and PATRICIA A. LANG, husband and wife, Owners of LOT #18, and CHARLES S. RILEY and NANCY C. RILEY, husband and wife, Owners of LOT #29, have caused the execution hereof and set their hands this 6th day of March 1976.

Paul E. Steffen (Husband) Julia T. Steffen (Wife)

James E. Lang (Husband)
Patricia A. Lang (Wife)
(Owners of Lot #18)

Charles S. Riley (Husband)
Nancy E. Riley (Wife)
Owners of LOT #29

STATE OF Indiana) SS:

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, PAUL E. STEFFEN and JULIA T. STEFFEN, husband and wife, and JAMES E. LANG and PATRICIA A. LANG, husband and wife (Owners of Lot #18) and CHARLES S. RILEY and NANCY E. RILEY, husband and wife (Owners of Lot #29), and acknowledged the execution of the foregoing certificate as their voluntary act and deed for the uses and purposes therein expressed. Katherine Scotten, Notary Public

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My Commission expires: November 1976

COMMISSION CERTIFICATE:

Under authority provided by Chapter 176 - Acts of 1947, enacted by the General 1 Assembly of the State of Indiana, and all acts amendatory thereto, and an ordinance adopted by the Town Board of Trustees of the Town of Westfield as follows:

Approved by the Westfield Plan Commission at a meeting held March 22 1976

WESTFIELD TOWN PLAN COMMISSION

Robert F. Robey, President Mary Lou Thatcher, Secretary

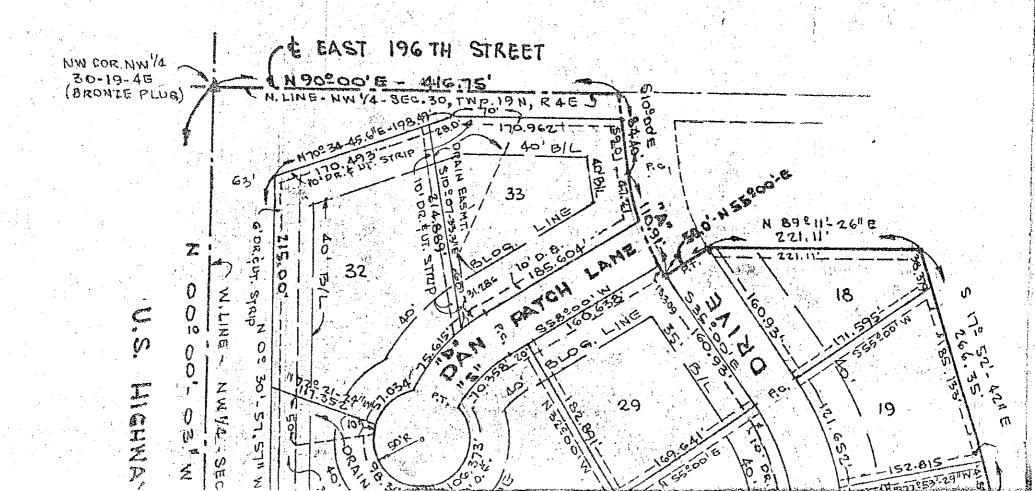
COUNTY COMMISSIONERS' CERTIFICATE:

Under authority provided by Chapter 47, Acts of 1951, of the Central Assembly, State of Indiana, this plat was given approval by the Board of County Commissioners of Hamilton County, Indiana at a meeting on the 5 day of April 1976.

Roy A. Davis, President Gerald W. Landes John Hartley Attest Barbara J. Jennings Ham. Co. Auditor

THIS DOCUMENT PREPARED BY: ELVAN F. SCOTTEN, P.E.-L.S. P.E.Ind.#6435 - L.S.Ind. #4905

MORGAN WOODS -- RECORD



NOTES:-

TAPERED EASEMENTS ACROSS LOTS #31 ! ARE RESERVED FOR STORM DRAINAGE AND/OR UTILITY EASEMENTS.

NOTE TO DRAINAGE EASEMENT ALONG FRONT PROPERTY LINES OF ALL LOTS FACING