

9052671

MURFIELD SUBDIVISION - SECTION THREE

LEGAL DESCRIPTION

1, THE UNDERSIGNED, HEREBY CERTIFY THE WITHIN PLAT TO BE TRUE AND CORRECT, REPRESENTING A SUBDIVISION OF A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 4 EAST, MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING ON THE EAST LINE OF SAID QUARTER SECTION, SOUTH 01 DEGREES 06 MINUTES 35 SECONDS WEST 1345.91 FEET, FROM THE NORTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 01 DEGREES 06 MINUTES 35 SECONDS WEST 1033.79 FEET ALONG SAID EAST LINE; THENCE NORTH 89 DEGREES 01 MINUTES 05 SECONDS WEST 685.07 FEET; THENCE SOUTH 01 DEGREES 06 MINUTES 35 SECONDS WEST 336.70 FEET TO THE SOUTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 89 DEGREES 35 MINUTES 09 SECONDS WEST 662.26 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID EAST HALF; THENCE NORTH 01 DEGREES 09 MINUTES 50 SECONDS EAST 1341.41 FEET ALONG SAID WEST LINE; THENCE NORTH 60 DEGREES 34 MINUTES 36 SECONDS EAST 46.98 FEET; THENCE SOUTH 29 DEGREES 25 MINUTES 24 SECONDS EAST 42.73 FEET; THENCE NORTH 60 DEGREES 34 MINUTES 36 SECONDS EAST 240.00 FEET; THENCE NORTH 29 DEGREES 25 MINUTES 24 SECONDS WEST 12.27 FEET; THENCE NORTH 60 DEGREES 34 MINUTES 36 SECONDS EAST 220.00 FEET; THENCE NORTH 29 DEGREES 25 MINUTES 24 SECONDS WEST 5.87 FEET; THENCE NORTH 60 DEGREES 34 MINUTES 36 SECONDS EAST 125.00 FEET; THENCE SOUTH 29 DEGREES 25 MINUTES 24 SECONDS EAST 240.00 FEET; THENCE SOUTH 80 DEGREES 12 MINUTES 33 SECONDS EAST 90.35 FEET; THENCE SOUTH 88 DEGREES 52 MINUTES 14 SECONDS EAST 253.52 FEET; THENCE SOUTH 01 DEGREES 07 MINUTES 46 SECONDS WEST 31.22 FEET; THENCE SOUTH 88 DEGREES 52 MINUTES 14 SECONDS EAST 324.24 FEET TO THE POINT OF BEGINNING AND CONTAINING 38.931 ACRES, MORE OR LESS.

SUBJECT TO ALL LEGAL HIGHWAYS, RIGHTS OF WAY AND EASEMENTS OF RECORD.

THIS SUBDIVISION CONSISTS OF 114 LOTS NUMBERED FROM 207 TO 320 BOTH INCLUSIVE, WITH STREETS AS SHOWN HEREON. THE SIZE OF THE LOTS AND WIDTHS OF THE STREETS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

WITNESS MY SEAL AND SIGNATURE THIS DAY OF JULY 22, 1976

ARTHUR E. WILCOX #10413
PLATTEAU
Rev. 9/23/77
2100



13944
FILED
AUG 9 1976
MARION COUNTY CLERK
J. B. K...
CLERK

RECEIVED FOR RECORD
AUG 11 1976
MARION COUNTY CLERK

APPROVED BY: RICHARD D. NOIR, CLARENCE E. WALTERS, CO-TRUSTEES OF MUIRFIELD DEVELOPMENT CO. APPROVED THIS 24th DAY OF August 19 78

BEING OWNERS OF RECORD OF ALL THE INCLUDED TRACT, AGREE: AS REQUIRED UNDER THE DRAFTING

Martin Langbe

1. TO BUILD RESIDENTIAL HOMES WHICH WILL CONTAIN AT LEAST 1200 SQUARE FEET OF LIVING SPACE AND NO MOBILE HOMES WILL BE PLACED IN SAID ADDITION OR ALLOWED TO REMAIN IN SAID ADDITION.

2. THAT EACH RESIDENTIAL HOME WILL HAVE AT LEAST A SINGLE CAR ATTACHED GARAGE AND NO CARPORTS. THAT DRIVEWAYS WILL BE CONSTRUCTED TO SAID RESIDENCES AND WILL BE PAVED WITH A HARD SURFACE, SUCH CONSTRUCTION TO BE COMPLETED NO LATER THAN ONE (1) YEAR AFTER THE CONVEYANCE OF ANY LOT OR PARCEL IN THIS PROPOSED ADDITION, AND NO DRIVEWAY WILL BE CONSTRUCTED OVER A STORM WATER DRAIN INLET.

3. THAT NO FENCES WILL BE ERRECTED IN FRONT OF THE SETBACK LINES UNLESS THAT POLICY IS CHANGED BY PROPER AMENDMENT OF THE APPLICABLE ZONING ORDINANCE.

4. THAT NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO (2) AND SIX (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 TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF SAID STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN TEN (10) FEET FROM THE INTERSECTION OF A STREET LINE WITH THE EDGE OF A DRIVEWAY PAVEMENT. NO TREES SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTION UNLESS FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SIGHT LINE.

5. ALL RESIDENCES WILL BE SINGLE FAMILY USE, NO DOUBLES EVEN ON CORNER LOTS AS OTHERWISE PERMITTED BY THE D-3 ORDINANCE.

6. THAT THE DRAINAGE EASEMENT INURES TO THE BENEFIT OF EVERYONE WITHIN THE FEATHER RUN WATERSHED, NOT MERELY TO INDIVIDUAL PROPERTY OWNERS, AND THAT NO FENCE, SHRUBBERY, PLANTING, OR STRUCTURE WILL BE PLACED OR PERMITTED TO REMAIN WITHIN THE EASEMENT WHICH WILL IMPEDE THE FLOW OF WATER.

THE ABOVE COVENANTS SHALL BIND NOT ONLY THE PARTIES TO THE AGREEMENT, (BETWEEN FORTRESS SERVICE CORPORATION, FRANKLIN OWNERSHIP CIVIC ASSOCIATION, AND BUNKER HILL NE GBORHOOD ASSOCIATION) EXECUTED SEPTEMBER 5, 1975, BUT ALSO RICHARD D. NOIR, CLARENCE E. WALTERS, CO-TRUSTEES OF MUIRFIELD DEVELOPMENT CO., AS ASSIGNEES OF FORTRESS SERVICE CORPORATION AND ARE INCLUDED IN THE PLAT OF THIS ADDITION AND SHALL BIND THE SUBJECT PREMISES AND RUN WITH THE LAND. IT IS FURTHER AGREED BY AND BETWEEN THE PARTIES, THAT THE AGREEMENT AND COVENANTS THEREIN AND THE RIGHT TO ENFORCE THE SAME SHALL EXTEND TO THE PARTIES TO SAID AGREEMENT, THEIR HEIRS AND ASSIGNS, AND THE METROPOLITAN DEVELOPMENT COMMISSION, THEIR SUCCESSORS OR 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, AND THAT ANY CHANGES, MODIFICATIONS OR TERMINATION OF SAID AGREEMENT MAY BE EXECUTED BY THE HEIR OWNERS OF THE REAL ESTATE AND THE PARTIES HERETO, THEIR HEIRS OR ASSIGNS.

THIS AGREEMENT AND CORPORATE SEAL THIS _____ DAY OF _____, 19__.

Richard D. Noir

BY: *Clarence E. Walters*

Martin Langbe

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