

1000 LDT IN  
5000 ADDRE

# RECORD PLAT MUIRFIELD SUBDIVISION SECTION FOUR

CERTIFY

PLAT COUNTY  
DEPT. N.

D
18.07.87
11.836220
11.740446
11.647890
11.240446
11.444731

7801/5237

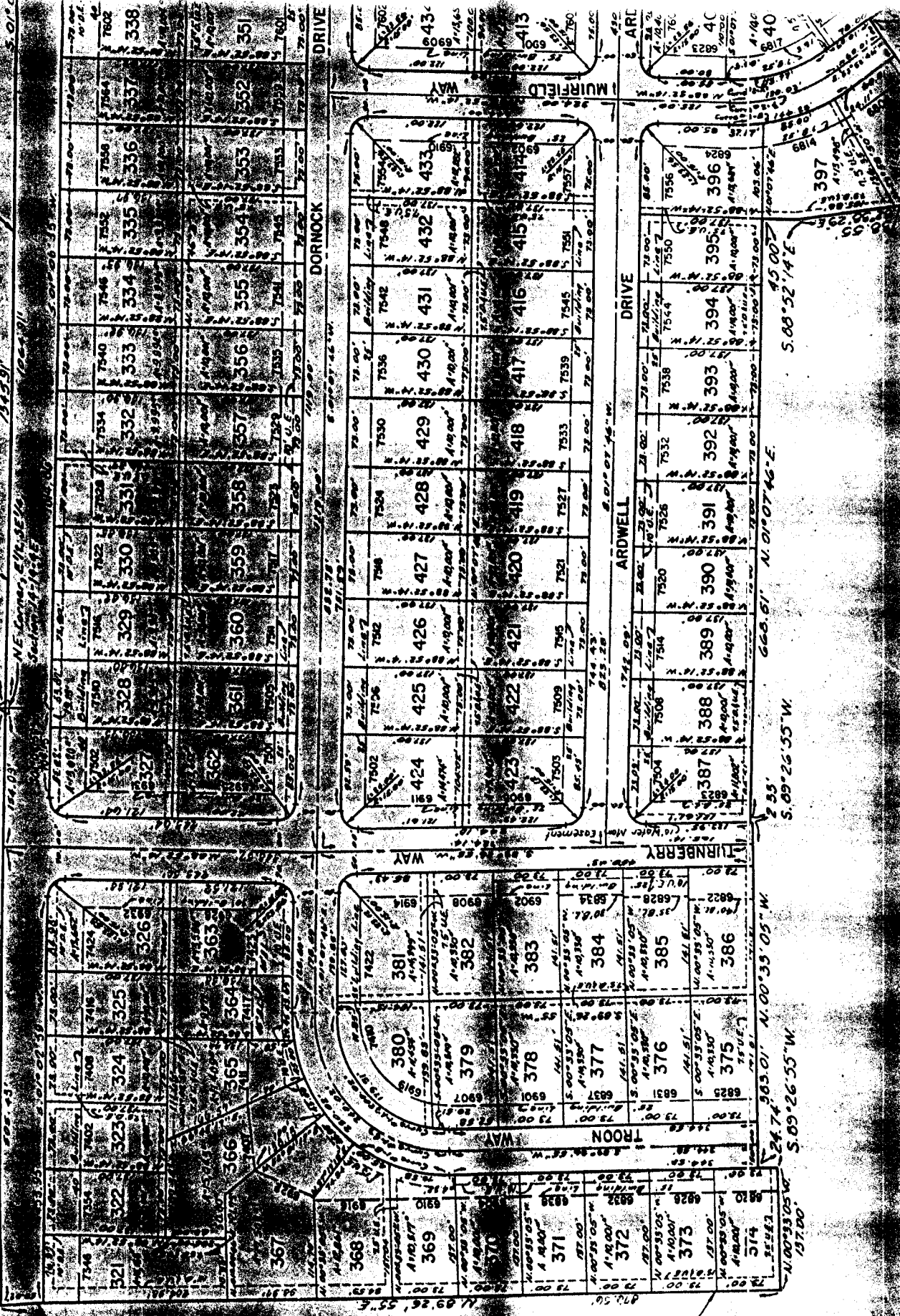
75006517

FIVE POINTS ROAD

NE Corner, E 1/2, S 2/3

NE Corner, E 1/2, S 2/3

NE Corner, E 1/2, S 2/3



75006517

FIVE POINTS ROAD

NE Corner, E 1/2, S 2/3

NE Corner, E 1/2, S 2/3

NE Corner, E 1/2, S 2/3

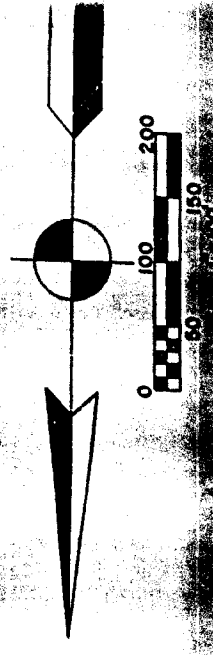
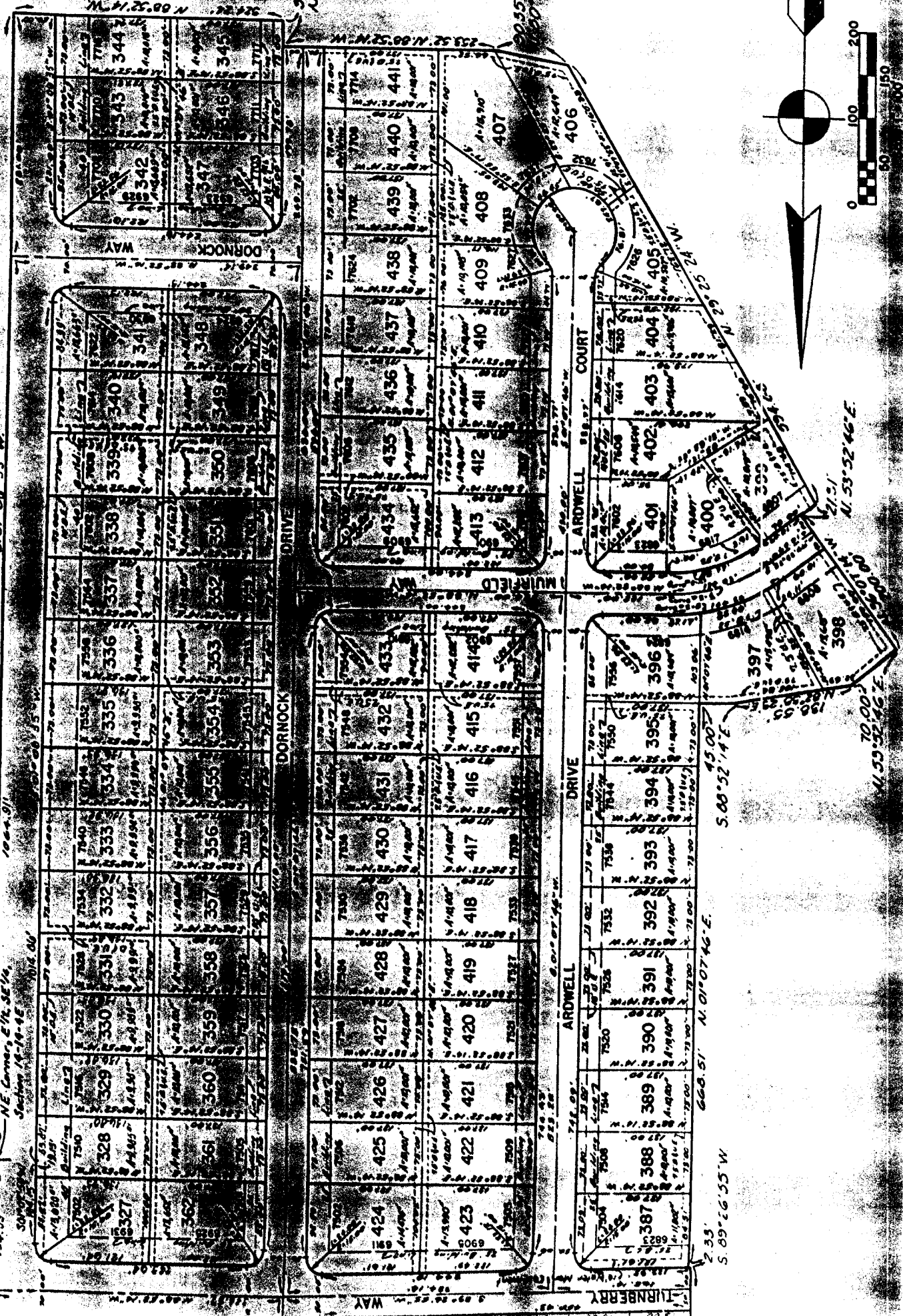
75006517

79046317

E FIVE POINTS ROAD  
1955.91

NE Corner, E 1/2 SE 1/4,  
Section 18-18-4E  
1062.91  
1014.00

E Line, E 1/2 SE 1/4, Section 18-18-4E  
5.01° 08' 35" W



5.00° 52' 14" E

668.51' N. 01° 07' 46" E

2.33' S. 09° 26' 55" W

N. 53° 52' 46" E

N. 55° 52' 46" E

70.00'

# MUIRFIELD SUBDIVISION - SECTION FOUR

## LEGAL DESCRIPTION

I, 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 AND A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 4 EAST, MARION COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 01 DEGREES 06 MINUTES 55 SECONDS WEST 1345.41 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 52 MINUTES 14 SECONDS WEST 324.79 FEET; THENCE NORTH 01 DEGREES 07 MINUTES 46 SECONDS EAST 31.27 FEET; THENCE NORTH 88 DEGREES 52 MINUTES 14 SECONDS WEST 253.52 FEET; THENCE NORTH 00 DEGREES 12 MINUTES 33 SECONDS WEST 100.00 FEET; THENCE NORTH 29 DEGREES 25 MINUTES 24 SECONDS WEST 594.78 FEET; THENCE NORTH 53 DEGREES 34 MINUTES 46 SECONDS EAST 21.91 FEET; THENCE NORTH 36 DEGREES 07 MINUTES 14 SECONDS WEST 200.00 FEET; THENCE NORTH 53 DEGREES 34 MINUTES 46 SECONDS EAST 21.91 FEET; EAST 70.00 FEET; THENCE NORTH 82 DEGREES 18 MINUTES 29 SECONDS EAST 21.91 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 14 SECONDS EAST 45.00 FEET; THENCE NORTH 01 DEGREES 07 MINUTES 46 SECONDS WEST 100.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 14 SECONDS EAST 45.00 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 33 SECONDS WEST 583.01 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES 55 SECONDS WEST 21.91 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 33 SECONDS WEST 583.01 FEET; THENCE SOUTH TO THE NORTH LINE OF THE SOUTH HALF OF SAID NORTHEAST QUARTER; THENCE SOUTH 89 DEGREES 26 MINUTES 55 SECONDS WEST 157.00 FEET 55 SECONDS EAST 876.56 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 26 MINUTES 55 SECONDS WEST 659.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 53.715 ACRES, MORE OR LESS.

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

THIS SUBDIVISION CONSISTS OF 121 LOTS NUMBERED FROM 421 TO 441 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

*Richard D. Muir*  
Rev 3/10/77  
200



THE UNDERSIGNED, RICHARD D. MUIR, CLARENCE E. WALTERS, CO-TRUSTEES OF MUIRFIELD DEVELOPMENT CO., BEING OWNERS OF RECORD OF ALL THE INCLUDED TRACT, AGREE:

- A. TO BUILD RESIDENTIAL HOMES WHICH WILL CONTAIN AT LEAST 1200 SQUARE FEET OF FLOOR SPACE AS REQUIRED UNDER THE PRESENT D-2 RESIDENTIAL DISTRICT ORDINANCE
  - B. THAT NO MOBILE HOMES WILL BE PLACED IN SAID ADDITION OR ALLOWED TO REMAIN IN SAID ADDITION.
  - C. THAT EACH RESIDENTIAL HOME WILL HAVE AT LEAST A SINGLE CAR ATTACHED GARAGE AND CARPORTS.
  - D. THAT DRIVEWAYS WILL BE CONSTRUCTED TO SAID RESIDENCES AND WILL BE PAVED WITH ASPHALT SURFACE. THE CONSTRUCTION TO BE COMPLETED NO LATER THAN ONE YEAR AFTER THE CONVEYANCE OF SAID ADDITION. IN THIS PROPOSED ADDITION, AND NO DRIVEWAY WILL BE CONSTRUCTED OVER A STORM WATER DRAIN INLET.
  - E. THAT NO FENCES WILL BE ERECTED IN FRONT OF THE SETBACK LINES UNLESS THAT REQUIREMENT IS CHANGED BY PROPER AMENDMENT OF THE APPLICABLE ZONING ORDINANCE.
  - F. 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 SUCH HEIGHT TO PREVENT OBSTRUCTION OF SIGHT LINE.
  - G. ALL RESIDENCES WILL BE SINGLE FAMILY USE, NO DOUBLES EVEN ON CORNER, OR AS OTHERWISE PERMITTED BY THE D-3 ORDINANCE.
  - H. THAT LOT NUMBERED 521 IN SECTION 4, MUST BE AT LEAST 15,000 SQUARE FEET IN AREA.
- THAT THE DRAINAGE EASEMENT INURES TO THE BENEFIT OF EVERYONE WITHIN THE PLATTED 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.

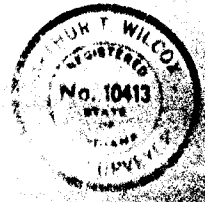
THE ABOVE COVENANTS SHALL BIND NOT ONLY THE PARTIES TO THE AGREEMENT, (BETWEEN FORTRESS DEVELOPMENT CORPORATION, FRANKLIN TOWNSHIP CIVIC ASSOCIATION, AND WINKER HILL NEIGHBORHOOD ASSOCIATION) EXECUTED ON MARCH 5, 1973, BUT ALSO RICHARD D. MUIR, CLARENCE E. WALTERS, CO-TRUSTEES OF MUIRFIELD DEVELOPMENT CO., AS ASSIGNEES OF FORTRESS DEVELOPMENT CORPORATION AND ARE INCLUDED IN THIS 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 RESTRICTIONS THEREON SHALL EXTEND TO THE PARTIES TO SAID AGREEMENT, THEIR HEIRS AND ASSIGNS, AND THE SUCCESSORS OR ASSIGNS, WHO SHALL BE ENTITLED TO SUCH RELIEF WITHOUT NECESSITY TO BRING ANY DAMAGE OF ANY KIND TO ANY SUCH OWNER OR OWNERS BY OR THROUGH ANY SUCH VIOLATION OR NON-COMPLIANCE THEREWITH, AND THAT ANY CHANGE, MODIFICATION OR TERMINATION OF SAID AGREEMENT MAY BE EXERCISED BY THE PARTIES HERETO, THEIR HEIRS OR ASSIGNS.

WITNESS OUR SIGNATURES AND CORPORATE SEALS THIS DAY OF JULY 1976.  
MUIRFIELD DEVELOPMENT CO.  
BY: *Richard D. Muir*  
RICHARD D. MUIR, CO-TRUSTEE  
*Clarence E. Walters*  
CLARENCE E. WALTERS, CO-TRUSTEE

STATE OF INDIANA: \_\_\_\_\_  
COUNTY OF MARION: \_\_\_\_\_

1250175

... SUBJECT TO THE LEGAL RIGHTS, RIGHTS OF WAY AND EASEMENTS OF RECORD.  
 THIS SUBDIVISION CONSISTS OF 121 LOTS NUMBERED FROM 321 TO 441 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.  
 WITNESSE MY HAND AND SEAL THIS DAY OF JULY 27, 1976



- THE UNDERSIGNED, RICHARD D. MUIR, CLARENCE E. WALTERS, CO-TRUSTEES OF MUIRFIELD DEVELOPMENT CO. BEING OWNERS OF RECORD OF ALL THE INCLUDED TRACTS, AGREE:
- TO BUILD RESIDENTIAL HOMES WHICH WILL CONTAIN AT LEAST 1200 SQUARE FEET OF LIVING SPACE AS REQUIRED UNDER THE PRESENT D-2 RESIDENTIAL DISTRICT ORDINANCE
  - THAT NO MOBILE HOMES WILL BE PLACED IN SAID ADDITION OR ALLOWED TO REMAIN IN SAID ADDITION
  - 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 DRAINAGE
  - THAT NO FENCES WILL BE ERRECTED IN FRONT OF THE SETBACK LINE UNLESS SUCH POLICY IS CHANGED BY PROPER AMENDMENT OF THE APPLICABLE ZONING ORDINANCE
  - 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 A HEIGHT TO PREVENT OBSTRUCTION OF SIGHT LINE.
  - ALL RESIDENCES WILL BE SINGLE FAMILY USE, NO DOUBLES EVEN ON CORNER LOTS AS OTHERWISE PERMITTED BY THE D-3 ORDINANCE.
  - THAT LOT NUMBERED 321 IN SECTION 4, MUST BE AT LEAST 13000 SQUARE FEET IN SIZE.
  - THAT THE DRAINAGE EASEMENT INURE TO THE BENEFIT OF EVERYONE WITHIN THE SAME 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, BUT ALSO THE FORTRESS SERVICE CORPORATION, FRANKLIN TOWNHIP CIVIC ASSOCIATION, AND BUNKER HILL NEIGHBORHOOD ASSOCIATION, EXECUTED SEPTEMBER 5, 1975, BUT ALSO RICHARD D. MUIR, 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 BE THE SUBJECT PREMISES AND RUN WITH THE LAND. IT IS FURTHER AGREED BY AND BETWEEN THE PARTIES TO THIS AGREEMENT AND COVENANTS THEREIN AND TO BE BOUND BY 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 COST TO THE PARTY IN DEFAULT AND THAT ANY DAMAGES, MODIFICATIONS OR TERMINATIONS OF THIS AGREEMENT MAY BE EXECUTED BY THE METROPOLITAN DEVELOPMENT COMMISSION, THE REAL ESTATE AND THE PARTIES HERETO, THEIR HEIRS AND ASSIGNS.

IN WITNESS WHEREOF, THE PARTIES HAVE HEREUNTO SIGNED AND AFFIXED THEIR HANDS AND CORPORATE SEALS THIS 27th DAY OF JULY 1976.

WITNESSE MY HAND AND SEAL THIS 27th DAY OF JULY 1976.  
 Richard D. Muir, RICHARD D. MUIR, CO-TRUSTEE  
 BY: Clarence E. Walters, CLARENCE E. WALTERS, CO-TRUSTEE

STATE OF INDIANA: \_\_\_\_\_  
 COUNTY OF MARION: \_\_\_\_\_

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, APPEARED RICHARD D. MUIR, CLARENCE E. WALTERS, AS CO-TRUSTEES OF MUIRFIELD DEVELOPMENT CO., WHO ACKNOWLEDGE THE EXECUTION OF THE FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSES THEREIN EXPRESSED, AND AFFIXED THEIR SIGNATURES HERETO.

WITNESS MY HAND AND SEAL THIS 27th DAY OF JULY 1976.  
 \_\_\_\_\_  
 Notary Public  
 MY COMMISSION EXPIRES \_\_\_\_\_ My Commission Expires Nov 15, 1981



FINAL APPROVAL  
 PLAT COMMITTEE  
 METROPOLITAN DEVELOPMENT COMMISSION  
 DIVISION PLANNING & ZONING  
 MARION COUNTY, INDIANA

July 13 1976

PROPOSED PUBLIC NOTICE WITH  
 HEARING HAD AND APPROVED

Carl Miller, Jr.  
 Chairman

RECORDED BY  
 MARION COUNTY CLERK  
 JUL 27 12 35 PM '76

THIS INSTRUMENT PREPARED BY RONALD W. HALL

VOID UNLESS RECORDED  
 BEFORE 8/1/76