

# PARKVIEW ESTATES

## SECTION THREE

### BARGERSVILLE, JOHNSON CO.

### SW 1/4, SEC 35, T13N, R

4. All driveways shall be paved concrete or asphalt and no less than sixteen (16) feet in width, and that minimum width shall be maintained from the garage door to the street.
5. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the Recorded Plat. In any event, no building shall be located on any lot nearer than 40 feet to the front lot line, or nearer than 40 feet to any side street line. No building shall be located nearer than 12 feet to an interior lot line, with the total side yard for both sides being not less than 27 feet. For the purpose of this covenant, eaves, steps, and open porches shall not be considered as a part of the building, provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.
6. No structure of a temporary character, trailer, boat, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently, nor shall a partially completed dwelling be permitted.
7. Obstructions, fill, drives or fences which impede or alter the flow of drainage shall not be placed in, nor be permitted to remain in areas designated as drainage easements. These areas shall be preserved and maintained as permanent drainage easements, as shown on the general development plan, on file with the Bargersville Plan Commission.
8. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.
9. No oil drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
10. No unsightly, noxious or offensive activity shall be permitted or carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Trailers, boats, and similar equipment shall not be kept or stored in the front building line. Lots and yards shall be kept mowed regardless of whether a home has been constructed on the lot. Owners of lots without houses shall be held responsible for trash, weeds and general conditions of the lots. Antenna, satellite dishes over twenty inches in size, masts or towers of any kind will not be permitted on any lot unless first approved by the Architectural Control Committee.
11. At no time shall any unlicensed, inoperative automobile or truck be stored or permitted on any lot outside of the garage.
12. No individual water supply system or sewage disposal system shall be permitted on any lot.
13. Any field tile or underground drain which is encountered in construction of any improvement within this Subdivision shall be perpetuated, and all Owners of lots in this Subdivision and their successors shall comply with the Indiana Drainage Code of 1965, and all amendments thereto, and further, that portion of natural waterways through a lot shall be maintained by the Owner thereof.
14. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above roadways, shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property line and a line connecting them at points 25 feet from the intersection of the 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 on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstructions of such sight lines. No fence or wall shall be permitted along any property line or in front of any residence between the front building setback line and the street right-of-way line.
15. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot except that dogs, cats, or other common household pets may be kept provided that they are not bred, kept or maintained for any commercial purpose. Household pets does not include pot-bellied or midget pigs or hogs, exotic animals, and/or other animals that would normally be considered as livestock or zoo animals. Dogs shall not be allowed to roam free and shall be restrained on the owners lot or leashed.
16. No lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Other wastes shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
17. All utilities placed within this subdivision, whether private, public, or individual shall be installed underground.
18. The area indicated, on the previously platted section two of this development, as "Entrance Sign and Common Landscape Area", will be dedicated to the Town of Bargersville for maintenance, upkeep, repair or removal of the sign (in the Town's discretion), upon the sale by the developer of the lot/lot in this section and future sections of Parkview Estates. All maintenance, upkeep

21. These restrictions any person or government located within the Subdiv limited to, the Town of E Indiana, and all other go powers. If the Town of enforce these restrictions successful in such action relief to which they may, and reasonable attorney's

STOUT DEVELOPING CO

*Albert D. Stout*  
Albert D. Stout

State of Indiana }  
County of Johnson }

Before me, a N personally appeared / Developing Group, Inc the foregoing Covenan Corporation, and who representations there

Witness my hand  
December 20  
My Commission Expir

8-27-08

Resident of John  
State of Indiana  
County of Johnson

Approved by the To  
of December

Russell Skaggs  
Russell Skaggs, Pres

Beulah Witt  
Beulah Witt, Vice-P

Laura Lowe  
Laura Lowe

Charlotte Gyorkas  
Charlotte Gyorkas

Bonnie Kerkhof  
Bonnie Kerkhof

Approved by the T.  
November 2

minutes 08 seconds West 81.01 feet to the northeast corner of Lot #25 of said Parkview Estates Section Two; the following ten calls are on and along Northernly, Easterly and Southerly lines of said Parkview Estates Section Two; (1) thence North 89 degrees 01 minutes 01 seconds West 90.00 feet; (2) thence North 00 degrees 30 minutes 08 seconds East 144.29 feet; (3) thence South 89 degrees 29 minutes 52 seconds East 58.19 feet to the point of curvature of a tangent curve to the right having a radius of 275.00 feet; (4) thence Easterly along said curve 8.42 feet, an arc distance, and being subtended by a chord bearing South 88 degrees 37 minutes 13 seconds East a chord distance of 8.42 feet; (5) thence North 00 degrees 30 minutes 08 seconds East 203.32 feet; (6) thence South 73 degrees 25 minutes 13 seconds East 61.34 feet; (7) thence North 08 degrees 00 minutes 18 seconds East 233.98 feet; (8) thence North 47 degrees 27 minutes 18 seconds East 117.02 feet; (9) thence North 86 degrees 53 minutes 29 seconds East 55.78 feet; (10) thence South 89 degrees 55 minutes 15 seconds East 204.21 feet to the PLACE OF BEGINNING of this described tract, containing 8.01 acres, more or less, subject to all legal rights-of-way, easements and restrictions.

hereby subdivides said real estate into lots and street in accordance with this plat. Said subdivision is to be known as "PARKVIEW ESTATES, SECTION THREE", a subdivision in Bargersville, Johnson County, Indiana, consisting of 15 lots, numbered 9-23 inclusive, with streets as shown on said plat. The size of lots and the widths of the streets are shown in figures denoting feet and decimal parts thereof. All streets as shown on the plat and heretofore not dedicated, are hereby dedicated to public use.

There are strips of ground marked "Utility and Drainage Easement" shown on said plat on which are hereby reserved for Public Utilities, not including transportation companies, for the installation and maintenance of poles, mains, sewers, drains, ducts, lines and wires. Purchasers of lots in this Subdivision shall take title subject to the easements hereby created and subject at all times to the rights of proper authorities to service the utilities and the easements hereby created, and no permanent structure of any kind, and no part thereof, shall be built, erected or maintained on said "Utility and Drainage Easement."

The lots in the Subdivision and the use of the lots in this Subdivision by present and the future Owners or Occupants shall be subject to the following conditions and restrictions, which shall run with the land.

1. No lot shall be used except for residential purposes and no building shall be erected, altered or placed or permitted on any lot other than the single-family dwelling, not to exceed two (2) stories in height, an attached garage for not less than two (2) cars, and a storage building not to exceed one story in height and 180 square feet of floor area. Any storage building shall be located to the rear of the rear line of the dwelling structure. Said storage building shall conform to the design and exterior materials of the dwelling. Detached garages are not permitted on any lot. An attached garage for at least two (2) cars is mandatory.
2. No building shall be erected, placed or altered on any lot until the builder's construction plan, specifications and plat plan have been approved by the Developers or their appointed or designated Representative, as to the acceptability and quality of workmanship and materials, harmony of external design with existing structures, and as to locations with respect to topography and finish grade elevation.
3. No dwelling shall be permitted on any lot unless the ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1200 square feet for a one-story dwelling and not less than 800 square feet for a dwelling of more than one story, which shall have a total living area in both floors of not less than 1400 square feet. The interior of each house shall be in a finished, livable condition prior to an issuance of an Occupancy Permit. All dwellings and attached garages shall have only masonry footings and foundations. No wood foundations shall be permitted. No pressed board material of masonite type or vertical aluminum siding shall be used on exterior construction of any dwelling. The roofs of all one-story dwellings and garages, including porches and dormers, shall have a pitch of or greater than six (6) inches of rise to twelve (12) inches of horizontal measurement. The roof overhang for all ceilings constructed in this subdivision shall be a minimum of two (2) inches in width. The vertical exterior facing of the front of all dwellings located on lots in this subdivision shall be brick for that portion of said front that extends from the grade line up (8 ft.) to the soffit line.



## MAJOR ENGINEERING & LAND SURVEYING

ENGINEERING • SURVEYING • LAND PLANNING

435 East Main Street, Suite G, Greenwood, Indiana 46143  
PHONE (317)-888-4498 FAX (317)-887-4447

# EW ESTATES

## SECTION THREE

### LE, JOHNSON CO. INDIANA

### , SEC 35, T13N, R3E

1 sixteen  
1 garage

ie of  
hown on  
t nearer  
treat  
line,  
r the  
considered  
trued  
lot.

tant,  
y time

r of  
esignated  
as  
lan, on file

r lot  
jn of not  
signs  
sales

or  
x shall  
on or  
r all or

r became an  
or  
and  
nstructed on  
ash,  
or twenty  
ny lot

sk be

shall be

nstruction  
ll Owners  
ndiana  
: portion of  
roof.

lines at  
ermitted to  
set  
intersection  
the  
one  
property  
permitted  
ge line is  
ines. No  
any  
-of-way

red, or  
pets may be  
mercial  
or hogs,  
ed as  
d shall be

rubbish,  
containers,  
sch

stic,

this  
ge dedicated  
al of the  
is lot in  
ce, upkeep  
veloer. At

21. These restrictions and Covenants are enforceable at law and equity by any person or governmental entity with a substantial interest in any real estate located within the Subdivision; by any "Governmental Entity" means, but is not limited to, the Town of Bargersville, the County of Johnson, the State of Indiana, and all other governmental units charged with the enforcement of police powers. If the Town of Bargersville or the Developer bring any action to enforce these restrictions and Covenants and it or they prevail or are successful in such action in whole or in part, then in addition to any other relief to which they may be entitled, it or they shall have and recover its costs and reasonable attorney's fees from the adverse party or parties.

STOUT DEVELOPING GROUP, INC.

Albert D. Stout  
Albert D. Stout

State of Indiana }  
County of Johnson } SS:

Before me, a Notary Public in and for said County and State, personally appeared Albert D. Stout, the President, respectively, of Stout Developing Group, Inc. (Corporation), who acknowledged the execution of the foregoing Covenants and Restrictions for and on the behalf of the Corporation, and who, having been duly sworn, stated that the representations therein contained are true.

Witness my hand and Notarial Seal this 19 day of December 2000.

My Commission Expires:

8-27-08

Resident of Johnson County

State of Indiana }  
County of Johnson } SS:

Approved by the Town Council of Bargersville, Indiana, this 12 day of December 2000.

Russell Skaggs  
Russell Skaggs, President

Beulah Witt  
Beulah Witt, Vice-President

Laura Lowe  
Laura Lowe

Charlotte Gyorkos  
Charlotte Gyorkos

Bonnie Kerkhof  
Bonnie Kerkhof

Approved by the Town of Bargersville Plan Commission at a meeting held, November 20<sup>th</sup> 2000.

I, R. Eric Brown registered in co and I do hereby property describ subdivided the : herein drawn Pl survey and sub

All lot corners delineated here: and easements decimal parts t

R. Eric Brown

R. Eric Brown  
Registered Land

ENTERED FOR I

Deborah A. Sh

Deborah A. Sh  
Johnson Count

2000-0:  
RECEIVED for I  
9:18A M. ar

Jan

Jan Harmon  
Johnson Count

FEE: 23<sup>00</sup>

line.

15. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any lot except that dogs, cats, or other common household pets may be kept provided that they are not bred, kept or maintained for any commercial purpose. Household pets does not include pot-bellied or midget pigs or hogs, exotic animals, and/or other animals that would normally be considered as livestock or zoo animals. Dogs shall not be allowed to roam free and shall be restrained on the owners lot or leashed.

16. No lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Other wastes shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

17. All utilities placed within this subdivision, whether private, public, or individual shall be installed underground.

18. The area indicated, on the previously platted section two of this development, as "Entrance Sign and Common Landscape Area", will be dedicated to the Town of Bargarville for maintenance, upkeep, repair or removal of the sign (in the Town's discretion), upon the sale by the developer of the last lot in this section and future sections of Parkview Estates. All maintenance, upkeep and repair prior to the dedication will be the responsibility of the developer. At all times prior to dedication this Entrance Sign and the Common Landscape Area shall be kept in a visually pleasing manner.

19. Invalidation of any one of these Covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

20. These restrictions are hereby declared to be Covenants running with this land and shall be binding on all parties and all persons claiming under them from the date these Covenants are recorded. At any time following recordation, an instrument signed by the Owners of a majority of the lots desiring to change any Covenant or Restriction in whole or in part must be presented to the Town of Bargarville for approval and acceptance of the change, and no change in any Covenant shall be effective unless first approved by the Town Council of the Town of Bargarville.

Laufa Lowe  
Laufa Lowe

Charlotte Gyorkos  
Charlotte Gyorkos

Bonnie Kerkhof  
Bonnie Kerkhof

Approved by the Town of B:  
November 20<sup>th</sup> 20

David Hayworth  
David Hayworth, Vice Presid:

Sheryl M. Scott  
Sheryl M. Scott, Secretary