

# PERRY PINES SUBDIVISION

PT. S.W.1/4 N.W.1/4  
 SEC. 9-14N-4E  
**AMENDED**

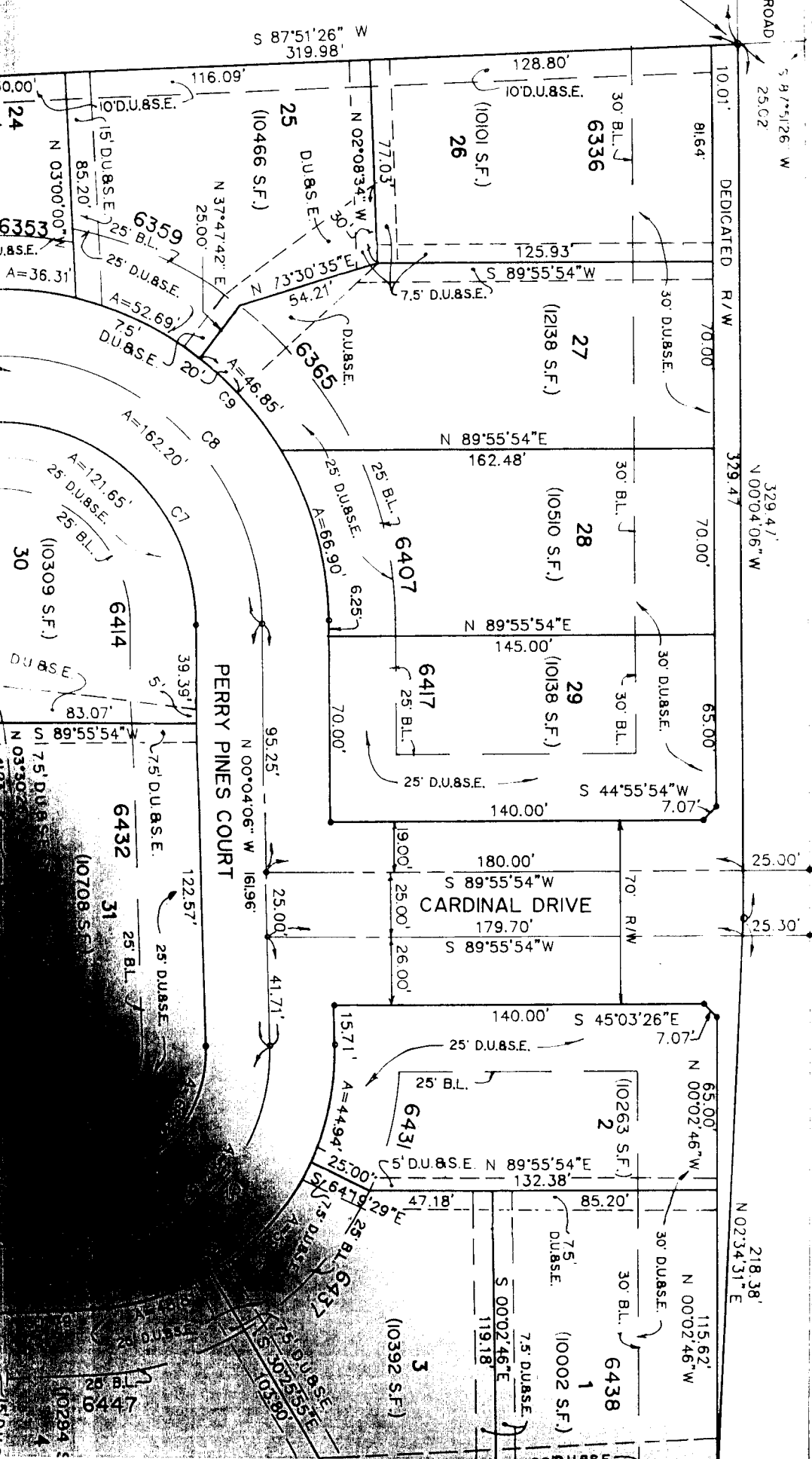
GRAY ROAD

EAST LINE SW1/4 NW1/4 SEC. 9-14N-4E

RIGHT-OF-WAY LINE GRAY ROAD  
 STR. N° 69-64708)

BEGINNING POINT

| LT | CHORD BRG  |
|----|------------|
| S  | 43°44'02"W |
| S  | 43°44'02"W |
| N  | 55°00'13"W |
| N  | 55°00'13"W |
| N  | 55°00'13"W |
| S  | 46°32'03"E |
| S  | 46°32'03"E |
| N  | 08°48'21"W |
| N  | 20°38'11"E |
| N  | 08°48'21"W |
| S  | 20°46'23"E |
| N  | 89°55'54"E |



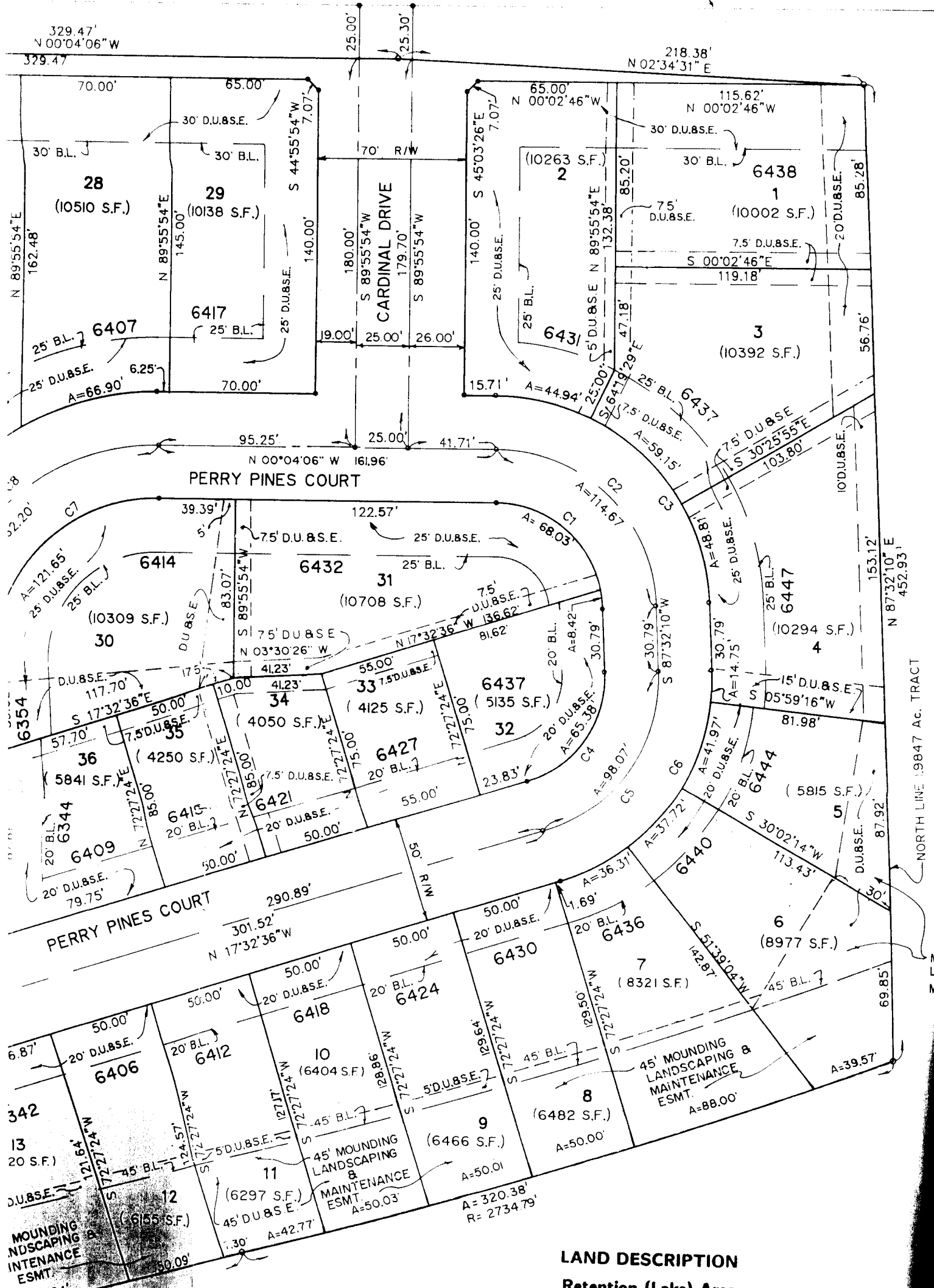
# AMENDED

Y ROAD

1342.32'

EAST LINE SW1/4 NW1/4 SEC. 9-14N-4E

SE COR  
NW 1/4  
SEC 9-



## LAND DESCRIPTION Retention (Lake) Area

A part of the Southwest Quarter of the Northwest Quarter of Section 9 Township 14 North Range 4 East

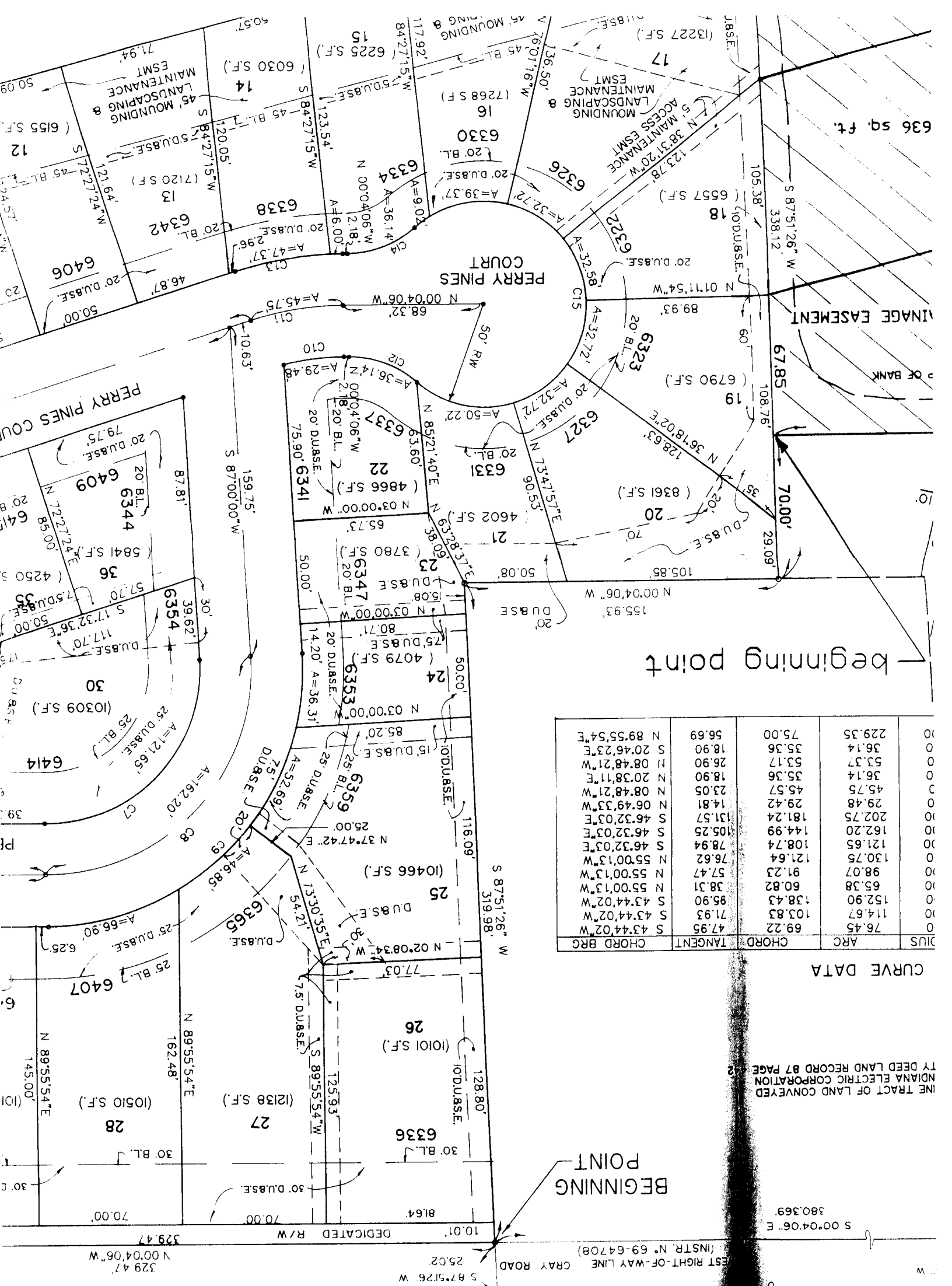
DATE 65

**GRAY ROAD**

5 87°51'26" W  
25.02  
329.47  
N 00°04'06" W  
329.47  
10.01'  
DEDICATED R/W

S 00°04'06" E  
380.369

**BEGINNING POINT**



**CURVE DATA**

| DIST | ARC    | CHORD  | TANGENT | CHORD BRC     |
|------|--------|--------|---------|---------------|
| 0    | 76.45  | 69.22  | 47.95   | S 43°44'02" W |
| 10   | 114.67 | 103.83 | 71.93   | S 43°44'02" W |
| 0    | 152.90 | 138.43 | 95.90   | S 43°44'02" W |
| 10   | 65.38  | 60.82  | 38.31   | N 55°00'13" W |
| 10   | 98.07  | 91.23  | 57.47   | N 55°00'13" W |
| 10   | 130.75 | 121.64 | 78.62   | N 55°00'13" W |
| 20   | 121.65 | 108.74 | 78.94   | S 46°32'03" E |
| 10   | 162.20 | 144.99 | 105.25  | S 46°32'03" E |
| 10   | 202.75 | 181.24 | 131.57  | S 46°32'03" E |
| 20   | 29.48  | 29.42  | 14.81   | N 06°49'33" W |
| 0    | 45.75  | 45.57  | 23.05   | N 08°48'21" W |
| 0    | 36.14  | 35.36  | 18.90   | N 20°38'11" E |
| 0    | 53.37  | 53.17  | 26.90   | N 08°48'21" W |
| 0    | 36.14  | 35.36  | 18.90   | N 20°38'11" E |
| 0    | 36.14  | 35.36  | 18.90   | S 20°46'23" E |
| 10   | 229.35 | 229.35 | 56.69   | N 89°55'54" E |

LINE TRACT OF LAND CONVEYED  
INDIANA ELECTRIC CORPORATION  
BY DEED LAND RECORD 87 PAGE 12

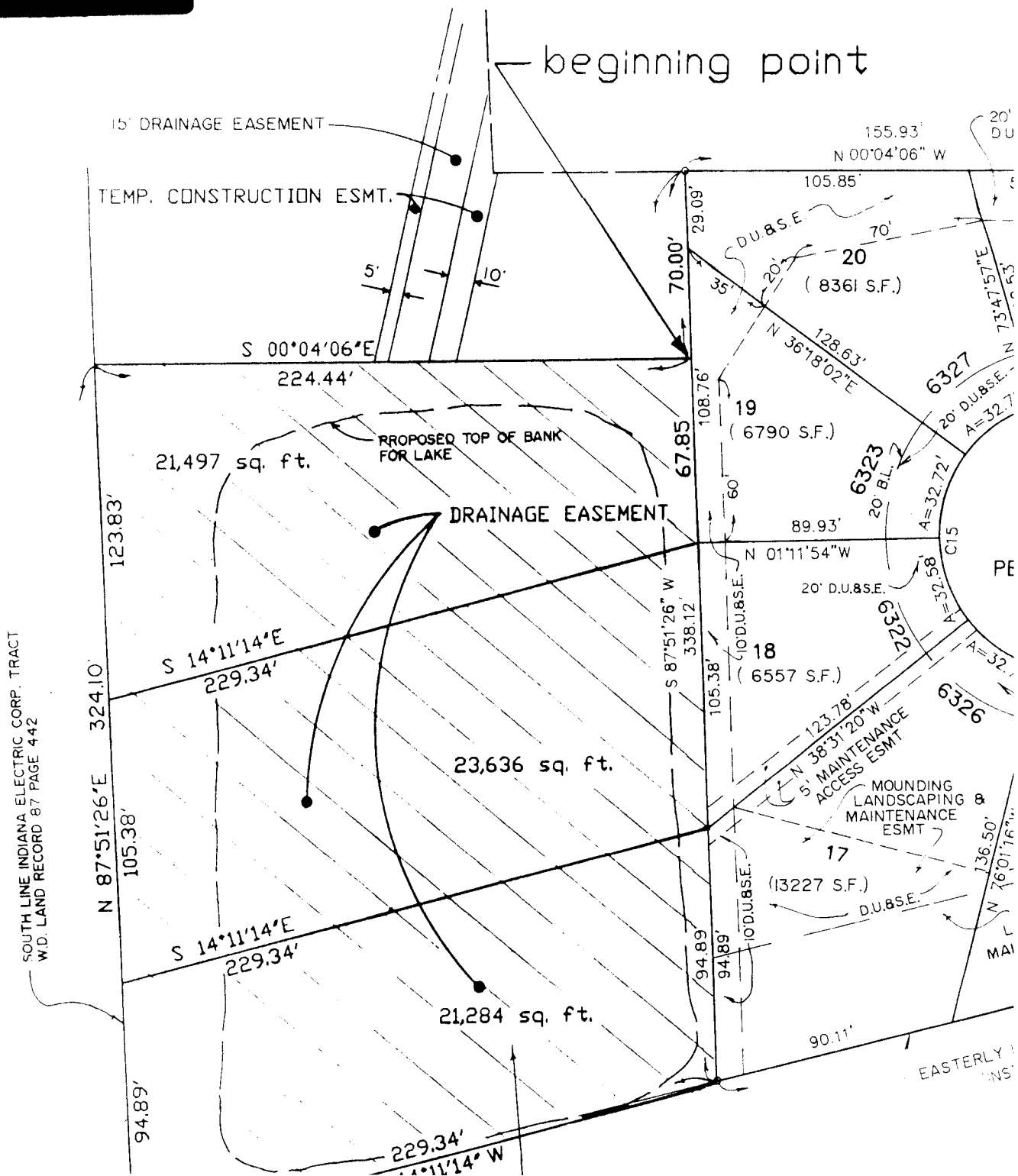
NORTH LINE SW 1/4  
SEC. 9-14N-4E

BEGINNING POINT

SOUTH LINE TRACT OF LAND CONVEYED  
TO THE INDIANA ELECTRIC CORPORATION  
WARRANTY DEED LAND RECORD 87 PAGE 442

CURVE DATA

| CURVE | DELTA      | RADIUS | ARC    | CHORD  | TANGENT | CHORD BRG    |
|-------|------------|--------|--------|--------|---------|--------------|
| 1     | 87°36'16"  | 50.00  | 76.45  | 69.22  | 47.95   | S 43°44'02"W |
| 2     | 87°36'16"  | 75.00  | 114.67 | 103.83 | 71.93   | S 43°44'02"W |
| 3     | 87°36'16"  | 100.00 | 152.90 | 138.43 | 95.90   | S 43°44'02"W |
| 4     | 74°55'14"  | 50.00  | 65.38  | 60.82  | 38.31   | N 55°00'13"W |
| 5     | 74°55'14"  | 75.00  | 98.07  | 91.23  | 57.47   | N 55°00'13"W |
| 6     | 74°55'14"  | 100.00 | 130.75 | 121.64 | 76.62   | N 55°00'13"W |
| 7     | 92°55'54"  | 75.00  | 121.65 | 108.74 | 78.94   | S 46°32'03"E |
| 8     | 92°55'54"  | 100.00 | 162.20 | 144.99 | 105.25  | S 46°32'03"E |
| 9     | 92°55'54"  | 125.00 | 202.75 | 181.24 | 131.57  | S 46°32'03"E |
| 10    | 13°30'53"  | 125.00 | 29.48  | 29.42  | 14.81   | N 06°49'33"W |
| 11    | 17°28'30"  | 150.00 | 45.75  | 45.57  | 23.05   | N 08°48'21"W |
| 12    | 41°24'35"  | 50.00  | 36.14  | 35.36  | 18.90   | N 20°38'11"E |
| 13    | 17°28'30"  | 175.00 | 53.37  | 53.17  | 26.90   | N 08°48'21"W |
| 14    | 41°24'35"  | 50.00  | 36.14  | 35.36  | 18.90   | S 20°46'23"E |
| 15    | 262°49'09" | 50.00  | 229.35 | 75.00  | 56.69   | N 89°55'54"E |



Official Public  
Record

# PERRY PINES

THE UNDERSIGNED, PERRY PINES PARTNERSHIP . BY FRANKLIN L. JACKSON, GENERAL PARTNER, FOR AND BEHALF OF PERRY PINES PARTNERSHIP AS OWNER OF THE WITHIN DESCRIBED REAL ESTATE SHOWN AND DESCRIBED ON THIS PLAT, HEREBY LAYS OFF, PLATS AND SUBDIVIDES THE SAME INTO LOTS AND STREETS IN ACCORDANCE WITH THE WITHIN PLAT. THE WITHIN PLAT SHALL BE KNOWN AND DESIGNATED AS "PERRY PINES". A SUBDIVISION IN MARION COUNTY, PERRY TOWNSHIP, INDIANA.

STREETS: THE STREETS AS SHOWN ON THE WITHIN PLAT ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES, RESERVING TO THE DEDICATORS, THEIR SUCCESSORS OR ASSIGNS THE REVERSION OR REVERSIONS THEREOF, WHENEVER DISCONTINUED BY LAW.

STORM WATER DRAINAGE: IN THE EVENT STORM WATER DRAINAGE FROM ANY LOT OR LOTS FLOW ACROSS ANOTHER LOT, PROVISION SHALL BE MADE TO PERMIT SUCH DRAINAGE TO CONTINUE WITHOUT RESTRICTION OR REDUCTION (ARTIFICIAL AND/OR NATURAL) 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 THE WITHIN PLAT.

LAND USE: ALL NUMBERED LOTS IN THIS ADDITION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. NO BUILDING SHALL BE ERECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING WITH ATTACHED ACCESSORY BUILDING AND NOT EXCEEDING 35 FEET IN HEIGHT.

DRAINAGE: IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF ANY LOT OR PARCEL OF LAND WITHIN THE AREA OF THIS PLAT TO COMPLY AT ALL TIMES WITH THE PROVISIONS OF THE DEVELOPMENT PLAN (GRADING PLAN) AS APPROVED FOR THIS PLAT BY THE DEPARTMENT OF PUBLIC WORKS, INDIANAPOLIS, INDIANA, AND THE REQUIREMENTS OF ALL DRAINAGE PERMITS ISSUED FOR ANY LOT OR PARCEL OF LAND WITHIN THIS PLAT.

BUILDING LOCATION: NO BUILDING OR STRUCTURE SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LOT LINE (CORNER LOTS) THAN THE MINIMUM BUILDING SETBACK LINES AS SHOWN ON THE WITHIN PLAT.

EASEMENTS: THERE ARE STRIPS OF GROUND AS SHOWN ON THE WITHIN PLAT MARKED D. U. & S. E. (DRAINAGE, UTILITY AND SEWER EASEMENTS) WHICH ARE RESERVED FOR THE USE OF PUBLIC UTILITY COMPANIES, INCLUDING CABLE TELEVISION COMPANIES, BUT NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF MAINS, DUCTS, POLES, LINES, WIRES, SEMERS AND DRAINS, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES, AND TO THE EASEMENTS HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES SHALL BE ERECTED OR MAINTAINED ON SAID STRIPS EXCEPT FOR FENCES, DRIVEWAYS AND WALKWAYS. THE OWNERS OF SUCH LOTS IN THIS ADDITION HOWEVER SHALL TAKE TITLE SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND OTHER OWNERS OF SAID LOTS IN THIS ADDITION TO SAID EASEMENTS HEREIN GRANTED FOR INGRESS AND EGRESS IN, ALONG AND THROUGH THE STRIPS SO RESERVED.

SIGHT DISTANCE AT INTERSECTIONS: NO FENCE, WALL, HEDGE, TREE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO (2) FEET 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 RIGHT-OF-WAY 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 RIGHT-OF-WAY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN TEN (10) FEET OF THE INTERSECTION OF A STREET RIGHT-OF-WAY LINE WITH THE EDGE OF A DRIVEWAY, PAVEMENT OR ALLEY LINE. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTION UNLESS THE FOLIAGE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF THE SIGHT LINE.

LOTS AND STRIPS IN ACCORDANCE WITH THE WITHIN PLAT. THE WITHIN PLAT SHALL BE KNOWN AND DESIGNATED AS "PERRY PINES", A SUBDIVISION IN MARION COUNTY, PERRY TOWNSHIP, INDIANA.

STREETS: THE STREETS AS SHOWN ON THE WITHIN PLAT ARE HEREBY DEDICATED TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES, RESERVING TO THE DEDICATORS, THEIR SUCCESSORS OR ASSIGNS THE REVERSION OR REVERSIONS THEREOF, WHENEVER DISCONTINUED BY LAW.

STORM WATER DRAINAGE: IN THE EVENT STORM WATER DRAINAGE FROM ANY LOT OR LOTS FLOW ACROSS ANOTHER LOT, PROVISION SHALL BE MADE TO PERMIT SUCH DRAINAGE TO CONTINUE WITHOUT RESTRICTION OR REDUCTION (ARTIFICIAL AND/OR NATURAL) 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 THE WITHIN PLAT.

LAND USE: ALL NUMBERED LOTS IN THIS ADDITION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. NO BUILDING SHALL BE ERRECTED, ALTERED, NOT PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING WITH ATTACHED ACCESSORY BUILDING AND NOT EXCEEDING 35 FEET IN HEIGHT.

DRAINAGE: IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF ANY LOT OR PARCEL OF LAND WITHIN THE AREA OF THIS PLAT TO COMPLY AT ALL TIMES WITH THE PROVISIONS OF THE DEVELOPMENT PLAN (GRADING PLAN) AS APPROVED FOR THIS PLAT BY THE DEPARTMENT OF PUBLIC WORKS, INDIANAPOLIS, INDIANA, AND THE REQUIREMENTS OF ALL DRAINAGE PERMITS ISSUED FOR ANY LOT OR PARCEL OF LAND WITHIN THIS PLAT.

BUILDING LOCATION: NO BUILDING OR STRUCTURE SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LOT LINE (CORNER LOTS) THAN THE MINIMUM BUILDING SETBACK LINES AS SHOWN ON THE WITHIN PLAT.

EASEMENTS: THERE ARE STRIPS OF GROUND AS SHOWN ON THE WITHIN PLAT MARKED D. U. & S. E. (DRAINAGE, UTILITY AND SEWER EASEMENTS) WHICH ARE RESERVED FOR THE USE OF PUBLIC UTILITY COMPANIES, INCLUDING CABLE TELEVISION COMPANIES, BUT NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF MAINS, DUCTS, POLES, LINES, WIRES, SEMERS AND DRAINS, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES, AND TO THE EASEMENTS HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES SHALL BE ERRECTED OR MAINTAINED ON SAID STRIPS EXCEPT FOR FENCES, DRIVEWAYS AND WALKWAYS. THE OWNERS OF SUCH LOTS IN THIS ADDITION HOWEVER SHALL TAKE TITLE SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES AND OTHER OWNERS OF SAID LOTS IN THIS ADDITION TO SAID EASEMENTS HEREIN GRANTED FOR INGRESS AND EGRESS IN, ALONG AND THROUGH THE STRIPS SO RESERVED.

SIGHT DISTANCE AT INTERSECTIONS: NO FENCE, WALL, HEDGE, TREE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO (2) FEET 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 RIGHT-OF-WAY 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 RIGHT-OF-WAY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN TEN (10) FEET OF THE INTERSECTION OF A STREET RIGHT-OF-WAY LINE WITH THE EDGE OF A DRIVEWAY, PAVEMENT OR ALLEY LINE. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTION UNLESS THE FOLIAGE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF THE SIGHT LINE.

ANIMALS: NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT, EXCEPT THAT DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSES.

VEHICLES: NO TRAILER, BOAT, CAMPER, MOTORCYCLE, TRUCK OR OTHER VEHICLE NOT RELATED TO RESIDENTIAL USE SHALL BE STORED, TEMPORARILY OR PERMANENTLY, ON ANY LOT WITHIN THIS SUBDIVISION.

TEMPORARY STRUCTURES: NO TRAILER, TENT, SHACK, BASEMENT, GARAGE, BARN OR OTHER OUTBUILDING OR TEMPORARY STRUCTURE SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENTIAL PURPOSE ON ANY LOT IN THIS SUBDIVISION.

FENCES: NO FENCE SHALL BE ERRECTED IN THIS SUBDIVISION BETWEEN THE FRONT BUILDING LINE AND THE FRONT PROPERTY LINE (SIDE BUILDING LINE AND SIDE PROPERTY LINE FOR CORNER LOTS) OF THE STREETS AS SHOWN ON THE WITHIN PLAT.

ENFORCEMENT: THE RIGHT TO ENFORCE THE WITHIN PROVISIONS, RESTRICTIONS AND COVENANTS BY INJUNCTION WITH THE RIGHT TO CAUSE REMOVAL BY DUE PROCESS OF LAW OF ANY SEPTIC TANK, ABSORPTION BED OR STRUCTURE ERRECTED OR MAINTAINED IN VIOLATION THEREOF IS HEREBY DEDICATED AND RESERVED TO THE OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION, THEIR HEIRS AND ASSIGNS, AND 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.

HOMEES SHALL HAVE A MINIMUM OF 900 SQUARE FEET OF LIVING AREA FOR ONE-STORY STRUCTURES AND 660 SQUARE FEET OF GROUND FLOOR AREA IF HIGHER THAN ONE-STORY, EXCLUSIVE OF GARAGES, PATIOS AND OPEN PORCHES.

HOMEES SHALL BE CONSTRUCTED WITH EXTERIORS HAVING DIFFERENT TEXTURES CONSISTING OF BRICK OR STONE WITH SIDING TO ACHIEVE A DIVERSITY IN STYLE AND ARCHITECTURE.

TEMPORARY STRUCTURES: NO TRAILER, TENT, SHED, BASEMENT, GARAGE, BARN, OR OTHER OUTBUILDING OR TEMPORARY STRUCTURE SHALL BE PERMITTED FOR TEMPORARY RESIDENTIAL PURPOSES ON THIS SUBDIVISION. THE DISTANCE BETWEEN THE PERMITS ON THE WITHIN PERMITS BUILDING LINE AND SIDE PROPERTY LINE FOR CORNER LOTS) OF THE STREETS AS SHOWN ON THE WITHIN PERMITS.

ENFORCEMENT: THE RIGHT TO ENFORCE THE WITHIN PROVISIONS, RESTRICTIONS AND COVENANTS BY INJUNCTION WITH THE RIGHT TO CAUSE REMOVAL BY DUE PROCESS OF LAW OF ANY SEPTIC TANK, ABSORPTION BED OR STRUCTURE ERRECTED OR MAINTAINED IN VIOLATION THEREOF IS HEREBY DEDICATED AND RESERVED TO THE OWNERS OF THE SEVERAL LOTS IN THIS SUBDIVISION. THEIR HELPS AND ASSIGNS, AND 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.

HOMES SHALL HAVE A MINIMUM OF 900 SQUARE FEET OF LIVING AREA FOR ONE-STORY STRUCTURES AND 660 SQUARE FEET OF GROUND FLOOR AREA IF HIGHER THAN ONE-STORY, EXCLUSIVE OF GARAGES, PATIOS AND OPEN PORCHES.

HOMES SHALL BE CONSTRUCTED WITH EXTERIORS HAVING DIFFERENT TEXTURES CONSISTING OF BRICK OR STONE WITH SIDING TO ACHIEVE A DIVERSITY IN STYLE AND ARCHITECTURE.

EACH HOME SHALL HAVE AT LEAST A ONE-CAR ATTACHED GARAGE WITH A MAJORITY OF HOMES HAVING ATTACHED TWO-CAR GARAGES. THE DEVELOPER SHALL MAINTAIN A CONTINUING INVENTORY OF ONE-CAR AND TWO-CAR ATTACHED GARAGES PER HOME WHICH SHALL BE SUPPLIED TO THE IMPROVEMENT LOCATION PERMIT CLERK AND NOT MORE THAN SEVENTEEN (17) IMPROVEMENT LOCATION PERMITS SHALL BE ISSUED FOR HOMES HAVING ONLY A ONE-CAR GARAGE. ALL GARAGE APRONS DRIVEWAYS AND ENTRANCED SHALL BE PAVED.

LOTS 1 THROUGH 4 AND 25 THROUGH 31, AS SHOWN ON THE WITHIN PLAT SHALL CONFORM TO ALL STANDARDS OF THE D-3 DWELLINGS DISTRICT ORDINANCE. LOTS 5 THROUGH 24 AND 32 THROUGH 36 MAY BE REDUCED IN LOT WIDTH SETBACK AND AREA PER PLAT AND A MINIMUM DISTANCE OF TEN (10) FEET SHALL BE MAINTAINED BETWEEN HOMES AND A HOME MAY BE BUILT TO THE LOT LINE PROVIDED APPROPRIATE EASEMENTS ARE RESERVED FOR EXTERIOR MAINTENANCE. SITE PLANS SUBMITTED FOR IMPROVEMENT LOCATION PERMIT SHALL SHOW SIDEYARD SETBACK OF EXISTING OR APPROVED IMPROVEMENTS (IF ANY) ON ADJACENT LOTS PRIOR TO ISSUANCE OF PERMIT.

Drainage easements (labeled as D.U. & S.E. on within plat) are created to provide paths and courses for area and local storm drainage, either overland or in underground conduit, to serve the needs of the subdivision and adjoining ground and/or public drainage systems; and it shall be the individual responsibility of each land owner to maintain the drainage across his own lot. Under no circumstance shall said easement be blocked in any manner by the construction or reconstruction of any improvement, and under no circumstance shall any grading restrict, in any manner, the waterflow. Said areas are subject to construction or reconstruction to any extent necessary to obtain adequate drainage at any time by any governmental authority having jurisdiction over drainage or by Developer. Said easements are for the mutual use and benefit of the owners of all lots in Perry Pines.

Detention Easements are created contiguous with and north of the north lines of lots 17 and 18 and part of lot 19 to control storm water run off either overland or in underground conduit to serve the needs of the subdivision and adjoining ground and/or public drainage systems. Under no circumstances shall said detention easements be blocked in any manner by the construction or reconstruction of any improvement, nor shall any grading restrict, in any manner, the waterflow. Obstructions, such as but not limited to: fences, firewood stacks, grass clippings, gardens, permanent play equipment, and out buildings in the detention easements are strictly prohibited.

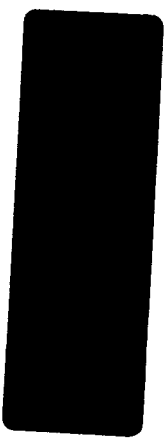
Should any homeowner restrict or alter the flow of water through a detention easement, they shall be notified by registered mail by the Developer or via the Department of Public Works, City of Indianapolis of said violation. The homeowner shall be given 10 days to correct the matter and then the Developer or Department of Public Works, City of Indianapolis shall have the duty and obligation to enter upon the property and correct the problem or violation.

From time to time the detention easements may require regrading, rework or reconstruction to maintain the proper water flow. By acceptance of a deed, the owner hereby agrees to maintain said detention area as per plan approval from the Department of Public Works, City of Indianapolis. Aesthetic repairs shall be limited to final grading and seeding of the affected areas.

Should the above repairs or reconstruction be a result of the Lot owner's violation of these covenants the Developer or the Department of Public Works, City of Indianapolis may seek full recovery of costs to repair or reconstruct said detention area including costs of enforcement as well as release from liability as described below.

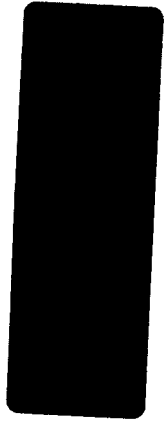
88-121533

# SUBDIVISION



ENFORCEMENT: THE METROPOLITAN DEVELOPMENT COMMISSION, ITS SUCCESSORS AND ASSIGNS, SHALL HAVE NO RIGHT, POWER OR AUTHORITY, TO ENFORCE ANY COVENANTS, COMMITMENTS, RESTRICTIONS OR OTHER LIMITATIONS CONTAINED IN THIS PLAT OTHER THAN THOSE COVENANTS, COMMITMENTS, RESTRICTIONS OR LIMITATIONS THAT EXPRESSLY RUN IN FAVOR OF THE METROPOLITAN DEVELOPMENT COMMISSION; PROVIDED FURTHER, THAT NOTHING HEREIN SHALL BE CONSTRUED TO PREVENT THE METROPOLITAN DEVELOPMENT COMMISSION FROM ENFORCING ANY PROVISIONS OF THE SUBDIVISION CONTROL ORDINANCE, 58-A0-3, AS AMENDED, OR ANY CONDITIONS ATTACHED TO APPROVAL OF THIS PLAT BY THE PLAT COMMITTEE.

TERM: THE WITHIN COVENANTS, LIMITATIONS, AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES CLAIMING UNDER THEM. THESE COVENANTS SHALL BE IN FULL FORCE AND EFFECT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM RECORDING DATE, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS BY VOTE OF THE MAJORITY OF THE THEN OWNERS OF THE LOTS, IT IS AGREED TO CHANGE THE COVENANTS IN WHOLE OR IN PART. INVALIDATION OF ANY OF THE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.





FRANKLIN L. JACKSON, GENERAL PARTNER

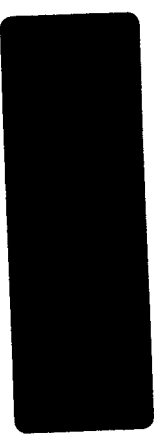
STATE OF INDIANA )  
COUNTY OF MARION ) SS:

BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE, PERSONALLY APPEARED PERRY PINES PARTNERSHIP, BY FRANKLIN L. JACKSON, GENERAL PARTNER, AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT AS ITS VOLUNTARY ACT AND DEED AND AFFIXED THEIR SIGNATURE THERETO.

WITNESS MY SIGNATURE AND NOTARIAL SEAL THIS ..... DAY OF ..... 1988.

NOTARY PUBLIC .....

MY COMMISSION EXPIRES ..... COUNTY OF RESIDENCE .....



In the event that any Owner of a Lot shall fail to maintain his Lot and any improvements situated thereon in accordance with the provisions of these Restrictions, Developer shall have the right, but not the obligation, by and through its agents and employees or contractors, to enter upon said Lot and repair, mow, clean, or perform such other acts as may be reasonably necessary to make such Lot and improvement situated thereon, if any, conform to the requirements of these Restrictions. The cost thereof shall be an expense of the lot owner and the Developer may seek collection of costs in any reasonable manner including placing a lien against said Real Estate for the expense thereof. Neither the Declarant, nor any of its agents, employees, or contractors, shall be liable for any damage which may result from any maintenance work performed hereunder.

Under no circumstance shall any obligation for the maintenance of any drainage detention facility be imposed upon, or implied as an obligation of any governmental agency, unless such obligation is specifically and expressly assumed or accepted by any such governmental agency.