

RECEIVED FOR RECORD
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MARION COUNTY RECORDER

PHEASANT RUN SECTION FIVE

PART OF THE S.W. 1/4 AND S.E. 1/4 OF SECTION 12-14-2E
MARION COUNTY, INDIANA

900092309

I, THE UNDERSIGNED, HEREBY CERTIFY THAT THE WITHIN PLAT IS A REPRESENTATION OF THE LANDS SURVEYED, SUBDIVIDED AND PLATTED UNDER MY DIRECT SUPERVISION AND CONTROL AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

PHEASANT RUN PHASE V
JOB NO. 10006A

A part of the south half of Section 12, Township 14 North, Range 2 East in Marion County, Indiana, being more particularly described as follows:

COMMENCING at the southwest corner of the east half of the southwest quarter of said Section 12, thence SOUTH 89 degrees 50 minutes 04 seconds EAST along the South line of the said southwest quarter section 666.79 feet; thence NORTH 02 degrees 59 minutes 21 seconds EAST along the line common to Pheasant Run - Section I (Instrument #78054443) and Pheasant Run - Section II (Instrument #78054446) and Pheasant Run - Section III (Instrument #798712) and Pleasant Run - Section IV (Instrument #860062455) 2667.20 feet to the north line of the south half of said Section 12; thence NORTH 89 degrees 58 minutes 26 seconds EAST along the said north line 675.00 feet to the point of beginning of the herein described parcel; thence the next fourteen (14) courses being along the east line of said Pheasant Run - Section III:

- (1) SOUTH 00 degrees 01 minute 34 seconds EAST 294.56 feet;
- (2) SOUTH 00 degrees 50 minutes 44 seconds WEST 57.25 feet;
- (3) SOUTH 00 degrees 01 minutes 34 seconds EAST 210.02 feet;
- (4) SOUTH 62 degrees 00 minutes 00 seconds EAST 50.06 feet;
- (5) SOUTH 28 degrees 00 minutes 00 seconds WEST 188.99 feet;
- (6) SOUTH 12 degrees 21 minutes 28 seconds WEST 51.92 feet;
- (7) SOUTH 28 degrees 00 minutes 00 seconds WEST 51.92 feet;

092309



Smith
Quillman
Associates, Inc.

CERTIFIED:

PHEASANT RUN
SECTION FIVE

THE UNDERSIGNED, VOGEL CONSTRUCTION CO., INC., BY HARRY A. WEAVER, JR., PRESIDENT, AND BONNIE JEAN WEAVER, ASSISTANT SECRETARY, BEING THE OWNERS OF THE WITHIN DESCRIBED REAL ESTATE, DO HEREBY LAY OFF, PLAT AND SUB-DIVIDE THE SAME INTO LOTS, PUBLIC WAYS AND EASEMENTS IN ACCORDANCE WITH THE WITHIN PLAT. THE WITHIN PLAT SHALL BE KNOWN AND DESIGNATED AS "PHEASANT RUN SECTION FIVE". AN ADDITION IN MARION COUNTY, DECATUR TOWNSHIP, INDIANA.

STREETS: THE STREETS, TOGETHER WITH ALL EXISTING AND FUTURE PLANTING, TREES AND SHRUBBERY THEREON, 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 THEREON, WHENEVER DISCONTINUED BY LAW.

LAND USE: ALL NUMBERED LOTS IN THIS ADDITION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. NO BUILDING SHALL BE ERRECTED, 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.

BUILDING LOCATION: BUILDING SETBACK LINES ARE ESTABLISHED AS SHOWN ON THE WITHIN PLAT. BETWEEN WHICH LINES AND NEAREST RIGHT OF WAY LINE OF THE STREET OR OTHER PROPERTY LINE NO STRUCTURE SHALL BE ERRECTED OR MAINTAINED, EXCEPT FENCES, BRICK WALLS, DRIVEWAYS AND WALKWAYS.

SIGHT DISTANCE AT INTERSECTIONS: NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 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 LINE, AND A LINE CONNECTING POINTS 25 FEET FROM THE INTERSECTION OF SAID STREET-LINES OR IN THE CASE OF ROUNDED PROPERTY CORNERS FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHTLINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET LINE WITH THE EDGE OF A DRIVEWAY, PAVEMENT OR ALLEY LINE. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCE OF SUCH INTERSECTION UNLESS THE FOLIAGE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF THE SIGHT LINE.

FLOOR AREA: NO ONE-STORY HOUSE SHALL BE ERRECTED ON ANY LOT IN THIS ADDITION HAVING A MAIN FLOOR AREA OF LESS THAN 900 SQUARE FEET AND NO RESIDENCE WITH MORE THAN ONE STORY SHALL HAVE A MAIN FLOOR AREA OF LESS THAN 650 SQUARE FEET (900 SQUARE FEET OF TOTAL LIVING AREA) EXCLUSIVE OF OPEN PORCHES, GARAGES OR EASEMENTS.

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, GARAGE, BARN OR OTHER OUTBUILDING OR TEMPORARY STRUCTURE SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENTIAL PURPOSES IN ANY LOT IN THIS ADDITION.

NUISANCES: NO NOXIOUS OR OFFENSIVE TRADE SHALL BE CARRIED ON UPON ANY LOT IN THIS ADDITION NOR SHALL ANYTHING BE DONE THEREON WHICH SHALL BE OR BECOME A NUISANCE TO THE NEIGHBORHOOD.

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 LEFT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES.

EASEMENTS: THERE ARE STRIPS OF GROUND AS SHOWN ON THE WITHIN PLAT MARKED D. U. & S. E. (DRAINAGE, UTILITY AND SEWER EASEMENT) 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, SEWERS 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 THEIR 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.

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

SIGHT DISTANCE AT INTERSECTIONS: NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 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 LINE, AND A LINE CONNECTING POINTS 25 FEET FROM THE INTERSECTION OF SAID STREET-LINES OR IN THE CASE OF ROUNDED PROPERTY CORNERS FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME SIGHTLINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET LINE WITH THE EDGE OF A DRIVEWAY, PAVEMENT OR ALLEY LINE. NO TREE SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCE OF SUCH INTERSECTION UNLESS THE FOLIAGE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF THE SIGHT LINE.

FLOOR AREA: NO ONE-STORY HOUSE SHALL BE ERRECTED ON ANY LOT IN THIS ADDITION HAVING A MAIN FLOOR AREA OF LESS THAN 900 SQUARE FEET AND NO RESIDENCE WITH MORE THAN ONE STORY SHALL HAVE A MAIN FLOOR AREA OF LESS THAN 660 SQUARE FEET (900 SQUARE FEET OF TOTAL LIVING AREA) EXCLUSIVE OF OPEN PORCHES, GARAGES OR BASEMENTS.

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, GARAGE, BARN OR OTHER OUTBUILDING OR TEMPORARY STRUCTURE SHALL BE USED FOR TEMPORARY OR PERMANENT RESIDENTIAL PURPOSES IN ANY LOT IN THIS ADDITION.

NUISANCES: NO NOXIOUS OR OFFENSIVE TRADE SHALL BE CARRIED ON UPON ANY LOT IN THIS ADDITION NOR SHALL ANYTHING BE DONE THEREON WHICH SHALL BE OR BECOME A NUISANCE TO THE NEIGHBORHOOD.

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 LEFT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES.

EASEMENTS: THERE ARE STRIPS OF GROUND AS SHOWN ON THE WITHIN PLAT MARKED D. U. & S. E. (DRAINAGE, UTILITY AND SEWER EASEMENT) 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, SEWERS 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 THEIR 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.

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, 58-80-3, 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 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 JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

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.