

is no one other than above grantor(s) who has (have) had any proprietary right, title or interest in the above described real estate, either directly or indirectly, since April 8, 1940; that these representations are made under oath to induce the acceptance of this deed of conveyance.

IN WITNESS WHEREOF, The said Grace R. Wheeler, widow and unmarried, has hereunto set her hand and seal this 9th day of April, 1952.

STATE OF INDIANA)
MARION COUNTY)ss:

Grace R. Wheeler (SEAL)

Personally appeared before me George C. Forrey III a Notary Public in and for said County and State Grace R. Wheeler, widow and unmarried, who acknowledged the execution of the annexed Deed to be her voluntary act and deed, and who, having been duly sworn, swears that the statements therein contained are true.

Witness my hand and Notarial Seal, this 9th day of April, 19

George C. Forrey III (SEAL)
Notary Public

My Commission expires June 27, 1955.

The above is a true copy recorded April 9, 1952. Carrie H. Roberts, R. H. C.

7549

PLAT -of- WALTER'S ROLLING ACRES
ADDITION

I hereby certify that the within plat is true and correct and represents a survey of part of the Southeast Quarter of Section 24, Township 18 North, Range 3 East, being more particularly described as follows to-wit: Beginning at a point on the North line of the Southeast Quarter of Section 24, Township 18 North, Range 3 East, 45.3 feet West of the Northeast corner of said Quarter Section, said point being also on the center line of U. S. Highway 31, running thence West upon and along the North line of said Quarter Section a distance of 1262.21 feet to a point; continuing thence in a westerly direction on a forward deflection angle of 00 degrees 38 minutes 00 seconds to the right upon and along the North line of said Quarter Section a distance of 925.7 feet to a point in the East right of way line of the Monon Railroad; thence in a southeasterly direction on a forward deflection angle of 122 degrees 11 minutes to the left upon and along the said East right of way line a distance of 1544.4 feet to a point in the center line of U. S. Highway 31 (as now located); thence in a northeasterly direction on a forward deflection angle of 90 degrees 05 minutes 00 seconds to the left upon and along said center line of said U. S. Highway 31 a distance of 884.88 feet to the point of curvature of a curve to the left; running thence upon and along said center line of said U. S. Highway 31 on said curve to the left a distance of 1075.62 feet to the point or place of beginning, containing in all 38.05 acres more or less.

This subdivision consists of 41 lots, numbered 1 thru 41 inclusive. The size of lots and widths of streets are shown on this plat in figures denoting feet and decimal parts thereof.

This survey was made by me during February, 1952.

Witness my signature this 5th day of March, 1952.

This document is
to be Document No.
9332499

Paul I. Cripe
Registered Professional Engineer #2900
(Seal Attached)

The undersigned Charles E. Walter and Alberta Walter, his wife, hereby layoff, plat, and subdivide into lots and streets in accordance with the within plat.

The within plat shall be known and designated as "Walter's Rolling Acres Addition", an addition to Hamilton County, Indiana.

- A. The streets shown and not heretofore dedicated are hereby dedicated to the public.
- B. Lots numbered 7 thru 41 in this addition shall be designated as residential lots. Only one single family dwelling with accessory building, and not exceeding two stories in height, may be erected, or maintained on said lots. Lots numbered 1 thru 6 shall be designated as commercial lots. Only retail and wholesale business including motels not exceeding two stories in height may be erected and maintained on said commercial lots.
- C. Front and side building lines are established as shown on this plat between which lines and the property lines of the streets there shall be erected and maintained no structure or part other than an open one story porch.
- D. No 1 or 1 1/2 story house shall be erected on any residential lot in this addition having a ground floor area of less than 1000 square feet exclusive of open porches and attached garages. Or two story house having a ground floor area of less than 600 square feet.
- E. No trailer, tent, shack, basement, garage, barn or other out-building or temporary structure shall be used for temporary or permanent residential purposes on any lot in this addition.
- F. No noxious or offensive trade shall be carried on upon any residential lot in this addition, nor shall anything be done thereon which shall be or become a nuisance to the neighborhood.
- G. No residence front shall be erected nearer than 40 feet to the front lot line, nor nearer than 15 feet to the side lot line of any lot in this plat, nor any accessory building other than a one or two car garage be erected or maintained nearer than 60 feet to the front lot line of any lot in this plat. Except that in any case where the same person or persons owns two adjoining lots, such owner may build a residence or dwelling house or appurtenant garage across the dividing line or to coincide therewith; provided that in no case shall any residence be erected nearer to any other residence than 30 feet.
- H. No residential lot in this subdivision shall be resubdivided into a building lot having an area of less than 20,000 square feet.
- I. There are strips of ground 7.5 feet in width as shown on the within plat marked "Utility Strips", which are hereby reserved for the use of the public utility companies, not including street car or transportation companies, for the installation and maintenance of mains, ducts, poles, lines, sewers, drains, and wires, subject at all times to the authority of the county of Hamilton, and to the easement herein reserved. No permanent or other structures shall be erected or maintained on said strips. The owners of such lots in this addition, however shall take their title subject to the rights of the public utilities, and to those of the owners of lots in this addition, to said easement herein granted for ingress and egress in, along, across, and through the strips of ground so reserved. The "Circle Drive" street as shown on the above plat shall be improved with a roadway to meet the specifications as shown above.
- J. The right to enforce the foregoing provisions, restrictions and covenants by injunction, together with the right to cause the removal by due process of the law of any septic tank, absorption bed, or structure, erected or maintained in violation thereof, is hereby dedicated and reserved to the owners of the several lots in this addition, their heirs 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 thru any such violation or attempted violation, said provisions shall be in full force and effect until January 1, 1977 at which time said covenants shall be automatically extended for successive periods of 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. Invalidity of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.
- K. The above covenants, limitations and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.

(CONTINUED)

In witness whereof Charles E. Walter and Alberta Walter, his wife, have hereunto caused their names to be subscribed this 6th day of March, 1952.

State of Indiana)
County of Marion)S.S.
Personally appeared before me the undersigned
a Notary Public in and for said county and state,
Charles E. Walter and Alberta Walter, his wife,
and acknowledged the execution of the above
and foregoing certificate and their voluntary
act and deed for the uses and purposes therein expressed.
My Commission expires
September 15, 1954.

Ruth Evelyn Andres
Notary Public

By: Charles E. Walter,
By: Alberta Walter,

Approved Hamilton County Planning
Commission April 8-1952
R. D. Roney
Chairman

Accepted and Approved Subject to
Acceptance by The Hamilton County
Planning Commission
Ferry H. McClintock
Dale Hanshaw
Wesley M. Williamson
Board of Commissioners of
Hamilton County, Indiana.

Attest: Harry C. Griffin
Auditor of Hamilton County,
Indiana.

The above is a true copy recorded April 9, 1952. Carrie H. Roberts, R. H. C.

W A L T E R ' S

APR 9 1952

R O L L I N G A C R E S
A D D I T I O N

Adopted
Dated Nov. 5, 1951 by Board of Hamilton
County Commissioners

NOTE: See Page 169 for the plat of Walter's Rolling Acres, description of said plat being on pages 167 and 168 of this deed record.

...quarters of the subdivided lots of parcels and... through the instrument, both inclusive, with inclusive, a White's Building Acres, Addition in Hamilton County, Indiana, as the same is recorded in County, Indiana, and (1) and 25, through 28, of the same inclusive, with streets and utility easements as shown in feet and decimal parts thereof.

Elizabeth Stoner
Registered Professional Engineer No. 960, State of Indiana.

...in Hamilton County, Indiana, as recorded in Deed Record 137, Pages 147, 148, 149 and 150, Flages to the subdivision herein, hereby certify that we have laid out, plotted, and subdivided, and do... with the within plot, to wit:... Access, Re-subdivisions, on addition to Hamilton County, Indiana, of lots of public utilities, not including, however, transportation companies, which was de-... from such restriction, easement, and is no longer subject to the uses therein... by, utilities rendering service in such locality, hereby consent in writing upon this instru-... of this plot, between which lines and the property lines of the street, no building... one-story porches, as shown in Deed Record 137, pages 149 and 150 in the records of the Recorder's Of-... are strips of ground, seven and one-half (7 1/2) feet in width, as shown on this plat... including transportation companies, for the installation and maintenance of poles, ... the easement herein granted and reserved. No permanent or other structures are to... subdivision shall take their title subject to the rights of the public utilities. ... (28), both inclusive, in this Re-Subdivision, shall be, and are hereby designated... not exceeding two (2) stories in height, may be erected or maintained on any such lots... hereby are designated as commercial lots. No other structures, other than those designated... for transportation companies, hereinafter, type of construction, and height thereof, shall be governed by... of this ordinance, and shall be classified as commercial structures, and shall be governed by...

2...
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25

RECEIVED
JUL 28 1930
Elizabeth Stoner

...ing Acres, hereby consent to the plotting of the lots hereinafter described into

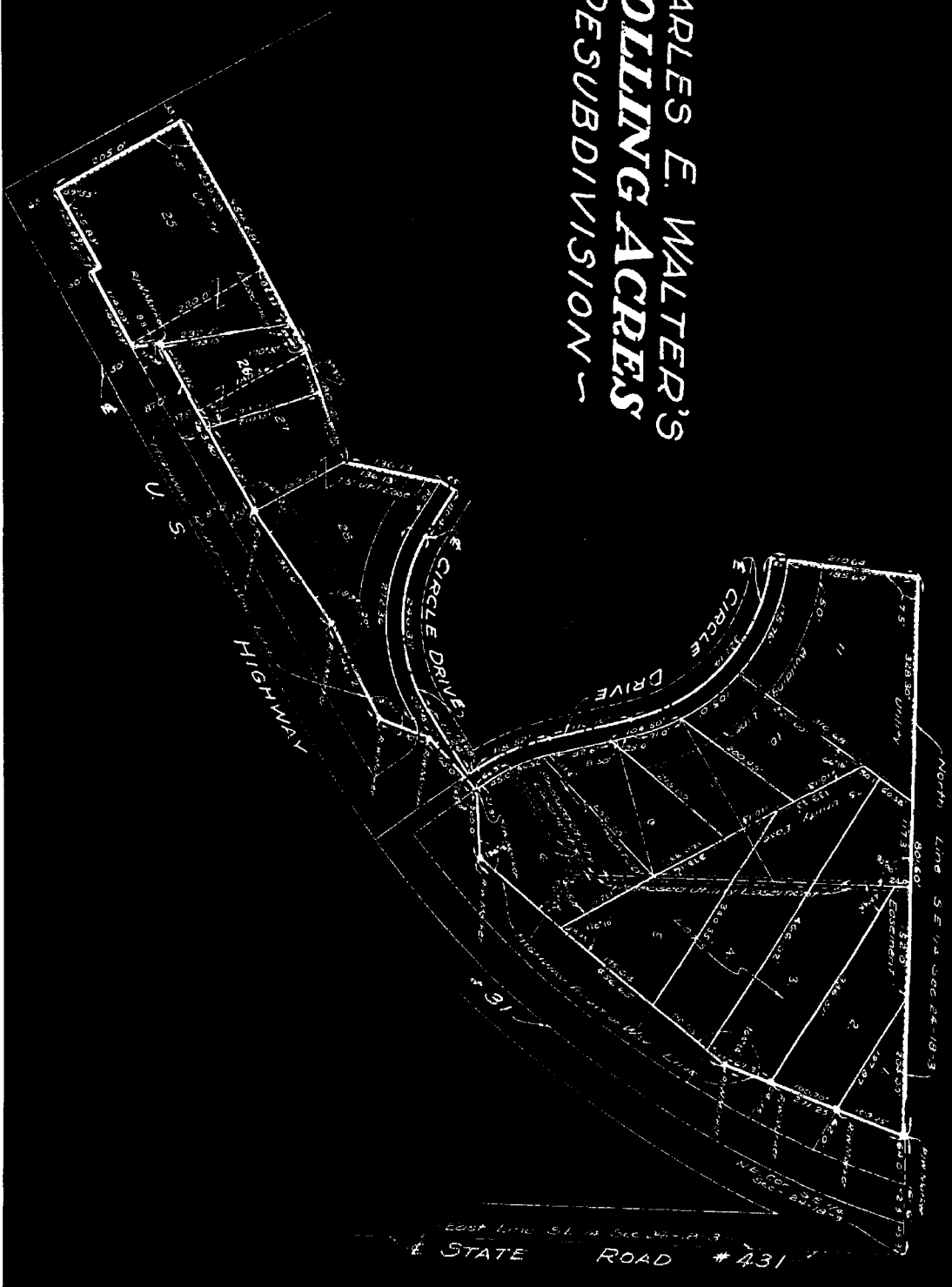
- 31... [Name]
- 32... [Name]
- 33... [Name]
- 34... [Name]

... that above... and acknowledged the execution of the foregoing certifi-
Notary Public

... hereby relinquish... in Hamilton County, Indiana, shown on "Acres"
Attest: [Signature] Union Telephone Company
[Signature]

... of the...
Notary Public

CHARLES E. WALTER'S
ROLLING ACRES
 ~ RESUBDIVISION ~



1922 5/22 - purchase of land by Walter

East Line S.E. 1/4 Sec. 14 - T. 13 N. - R. 13 E.
 STATE ROAD #431