

IMAGE COPY PROTECTED

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SOUTHWEST HILLS - SECTION 6

I, the undersigned, being a duly Registered Land Surveyor in the State of Indiana, hereby certify that the within plat represents a subdivision of Part of the Northeast Quarter, of Section 30, Township 15 North, Range 3 East, in Decatur Township, Marion County, Indiana, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of Section 30, Township 15 North, Range 3 East; thence South 00 degrees 00 minutes 00 seconds (assumed bearing) on and along the West line of said Northeast Quarter 1457.09 feet to the Southwest corner of Southwest Hills, Section Three, a subdivision in Marion County, Indiana, as per plat thereof, recorded in the Office of the Recorder of Marion County as Instrument #777/65996; thence South 73 degrees 31 minutes 30 seconds East on and along the Southerly line of said subdivision 665.14 feet; thence South 66 degrees 45 minutes 00 seconds East on and along said Southerly line 270.00 feet to the Southeast corner of said subdivision and the place of beginning of this subdivision; thence North 23 degrees 15 minutes 00 seconds East on and along the Easterly line of the aforesaid Southwest Hills, Section Three, 435.29 feet; thence South 66 degrees 45 minutes 00 seconds East 105.19 feet; thence North 23 degrees 15 minutes 00 seconds East 52.80 feet; thence South 66 degrees 45 minutes 00 seconds East 143.00 feet; thence North 52 degrees 44 minutes 19 seconds East 17.03 feet; thence South 81 degrees 21 minutes 21 seconds East 188.91 feet; thence South 50 degrees 56 minutes 10 seconds East 208.93 feet; thence South 21 degrees 15 minutes 37 seconds East 82.43 feet; thence South 00 degrees 07 minutes 50 seconds East 162.74 feet; thence South 14 degrees 22 minutes 49 seconds East 43.69 feet; thence North 78 degrees 56 minutes 09 seconds East 32.28 feet; thence on a non-tangent curve having a radius of 195.00 feet, the radius point of which bears North 78 degrees 56 minutes 20 seconds East from said point; thence North-North 00 degrees 07 minutes 50 seconds West 215 feet; thence North 89 degrees 32 minutes 32 seconds West 336.99 feet; thence South 89 degrees 33 minutes 55 seconds East 336.99 feet; thence South 59 degrees 50 minutes 55 seconds East 80.00 feet; thence South 30 degrees 05 minutes 53 seconds East 129.97 feet to the point of curvature of a curve to the left having a radius of 75.39 feet, the radius point of which bears North 59 degrees 54 minutes 05 seconds East from said point; thence Southeasterly on and along said curve to the left 68.40 feet to a point which is 75.39 feet South 07 degrees 55 minutes 11 seconds West from said radius point; thence South 00 degrees 24 minutes 24 seconds East 137.18 feet to the Northerly right of way line of the Penn Central Railroad; thence South 59 degrees 56 minutes 02 seconds West on and along said right of way line 1117.37 feet to the Southeast corner of Southwest Hills, Section One, a subdivision in Marion County, Indiana, as per plat thereof, recorded in the Office of the Recorder of Marion County, Indiana, as Instrument #57/27307; thence North 19 degrees 39 minutes 03 seconds West on and along the Northerly line of said subdivision 39.31 feet; thence North 66 degrees 45 minutes 00 seconds West on and along said Northerly line 865.00 feet to the place of beginning, containing 17.15 acres, more or less.

Subject to a sanitary sewer easement recorded as Instrument #70/16353 and Instrument #70/22974 and to a sanitary sewer easement recorded September 24, 1962, as Instrument #88261. Subject further to all legal easements and rights of way. This subdivision consists of 60 lots, numbered from 256 through 315, both inclusive, with streets as shown hereon. The size of lots and the width of streets are shown in figures denoting feet and decimal parts thereof.

Witness my signature this 22nd day of August, 1978.



Allan H. Weithe
Allan H. Weithe, Reg. L.S. - Indiana #10398

The undersigned, Haskel W. Prock, owner of the real estate described in the foregoing Land Surveyor's Certificate, does hereby certify that he lays off, plats and subdivides the same in accordance with the within plat. This subdivision shall be known and designated as SOUTHWEST HILLS - SECTION 6.

The streets shown and not heretofore dedicated are hereby dedicated to the public as a right-of-way for public streets.

All numbered lots in this addition shall be designated as residential lots. Only one single family dwelling with accessory building shall be permitted on any lot, and no lot or dwelling shall be used for any purpose other than single family residence. No structure shall exceed two stories in height.

The ground floor area of the main structure, exclusive of one story open porches and garages, shall not be less than 850 square feet for a one story dwelling, nor less than 720 square feet for a dwelling of more than one story.

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 plat. No dwelling shall be located on any lot nearer than 20 feet to the rear lot line. Minimum side yard shall be four feet with an aggregate of ten feet. No accessory building shall be located closer to any front or side lot line than the required minimum front and side yard distances for the primary dwelling. No accessory building shall be located closer to any rear lot line than five feet, but in no case shall it encroach upon any easement.

No dwelling shall be erected or placed on any lot having a width of less than fifty feet at the minimum building setback line, nor shall any dwelling be erected or placed on any lot having an area of less than 5,000 square feet for a one family dwelling, 9,000 square feet for a two-family dwelling.

The stripes of ground marked "Utility and/or Drainage Easements", shown herein, are hereby reserved for the installation and maintenance of public utility poles, wires, conduits for gas, water, electric and telephone utilities, and sanitary and storm sewer, subject to all times to the proper civil authority and to the specific easement herein reserved. No permanent or other structure shall be erected or maintained upon said easements and all lot owners shall take their title subject to the rights of the utilities and to the rights of the other owners of lots in this subdivision.

No trailer, tent, shack, garage, barn or other temporary structure erected or placed in this subdivision shall be at any time used as a residence, temporarily or permanently, nor shall any other structure of a temporary nature be used as a residence.

No noxious or offensive trade or activity shall be carried on upon any lot in this subdivision, nor shall anything be done thereon which may be or become a nuisance or annoyance to the neighborhood. No alcoholic beverage or malt or vinous liquor shall be made or sold upon any lot in this subdivision.

No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two and six feet above the ground 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 a rounded property corner, from the intersection of the street property lines extended. The same sight line 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 trees shall be permitted to remain within such distance of such intersection, unless the foliage is maintained at sufficient height to prevent obstruction of such sight lines.

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.

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.

No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste 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.

In the event storm water drainage from any lot or lots flows across another lot, provisions shall be made to permit such drainage to continue, without restriction or reduction, 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 said plat.

The right of enforcement of these covenants is hereby granted the Department of Metropolitan Development of Marion County, Indiana, its successors or assigns.

The foregoing covenants and restrictions are to run with the land and shall be binding on all parties and all persons claiming under them until January 1st, 2002, at which time said covenants and restrictions shall be automatically extended for successive periods of ten years, unless changed by a vote of the majority of the then owners of building sites covered by these covenants and restrictions, which shall remain in full force and effect. The right to enforce these provisions by injunction together with the right to cause removal by due process of law of any structure of any part thereof erected or maintained in violation hereof, is hereby dedicated to the public and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns, except as provided above. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, Haskel W. Prock, has executed this instrument and caused its seal to be affixed thereto this 12th day of September, 1978.

Haskel W. Prock
Haskel W. Prock

STATE OF INDIANA)
) SS.
COUNTY OF MARION)

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Haskel W. Prock, who acknowledged the execution of the foregoing instrument as his voluntary act and deed for the uses and purposes therein expressed.

Witness my hand and Notarial Seal this 12th day of September, 1978.

Charles J. Elliott
Notary Public
County of Residence: Marion

My Commission Expires
Sept. 2, 1981

APPROVED THIS 28th DAY OF September 1978.
AUDITOR OF MARION COUNTY
Tom Simpson

VOID UNLESS RECORDED
BEFORE 6-8-80

FINAL APPROVAL
PLAT COMMITTEE
METROPOLITAN DEVELOPMENT COMMISSION
DIVISION PLANNING & ZONING
MARION COUNTY, INDIANA
SEPT 18 1978
PROPER PUBLIC NOTICE OF THE
PLAT HAS BEEN GIVEN TO THE
PUBLIC BY THE
Charles J. Elliott
Notary Public

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PLANNING & ZONING

NOT FOR RECORD
FILED
SEP 21 1978
MARION COUNTY, INDIANA

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SEP 27 12 05 PM '78

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