

SOUTHERN LAKES ESTATES

SECTION 9

PART S.W. 1/4

SECTION 14-14N-4E

MARK DEVELOPMENT, INC. AS OWNER OF THE WITHIN DESCRIBED REAL ESTATE SHOWN AND DESCRIBED ON THIS WITH THE WITHIN PLAT. THE WITHIN PLAT SHALL BE KNOWN AND DESIGNATED AS "SOUTHERN LAKES ESTATES

THE PUBLIC FOR PROPER PURPOSES. RESERVING TO THE DEDICATORS, THEIR SUCCESSORS OR ASSIGNS

BUILDING SHALL BE ERECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE

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THE AREA OF THIS PLAT TO COMPLY AT ALL TIMES WITH THE PROVISIONS OF THE DEVELOPMENT PLAN INDIANA, AND THE REQUIREMENTS OF ALL DRAINAGE PERMITS ISSUED FOR ANY LOT OR PARCEL OF LAND

ANOTHER LOT, PROVISION SHALL BE MADE TO PERMIT SUCH DRAINAGE TO CONTINUE WITHOUT RESTRICTION DRAINAGE CHANNEL OR COURSE, EVEN THOUGH NO SPECIFIC DRAINAGE EASEMENT FOR SUCH FLOW OF WATER IS TRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO (2) FEET AND SIX (6) FEET ABOVE THE STREET BY THE STREET RIGHT-OF-WAY LINES AND A LINE CONNECTING POINTS TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF THE STREET RIGHT-OF-WAY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL WITH THE EDGE OF A DRIVEWAY, PAVEMENT OR ALLEY LINE. NO TREE SHALL BE PERMITTED TO REMAIN EIGHT TO PREVENT OBSTRUCTION OF THE SIGHT LINE.

FENCES: NO FENCE SHALL BE ERECTED 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.

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

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, ASSORPTION BED OR STRUCTURE ERECTED 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.

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. 58-40-13 AS AMENDED, OR ANY CONDITIONS ATTACHED TO APPROVAL OF THIS PLAT BY THE PLAT COMMITTEE.

ALL RESIDENTIAL HOMES WILL CONTAIN AT LEAST 1200 SQUARE FEET OF LIVING SPACE AS REQUIRED UNDER THE PRESENT D-2 RESIDENTIAL DISTRICT ORDINANCE.

DRIVEWAYS: DRIVEWAYS WILL BE CONSTRUCTED TO SAID RESIDENCES AND WILL BE PAVED WITH A HARD SURFACE. SUCH CONSTRUCTION TO BE COMPLETED NO LATER THAN ONE (1) YEAR AFTER THE CONVEYANCE OF ANY LOT OR PARCEL IN THIS PROPOSED ADDITION, AND NO DRIVEWAY WILL BE CONSTRUCTED OVER STORM WATER DRAIN INLETS.

GARAGES: EACH RESIDENTIAL HOME WILL HAVE AT LEAST A TWO CAR ATTACHED GARAGE AND NO CARPORTS.

NO MOBILE HOMES WILL BE PLACED IN SAID ADDITION OR BE ALLOWED TO REMAIN IN SAID ADDITION.

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.

LOTS 403-407 AND 409-419 IN SOUTHERN LAKES ESTATES SECTION 9 (HEREINAFTER CALLED "LAKE LOTS") INCLUDE AS PART OF THE LOTS A PORTION OF A BODY OF WATER (HEREINAFTER CALLED "LAKE") WHICH SERVES AS A RETENTION POND OR DRAINAGE OUTLET FOR AREAS EAST AND NORTH OF SUCH LAKE AND ACROSS A PORTION OF THE LAKE AS DESIGNATED ON THE PLAT EXISTING OVER AND ACROSS A PORTION OF THE LAKE LOTS. THE LAKE LOTS ARE SUBJECT TO A SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CERTAIN LAKE LOTS IN SECTION 9 SOUTHERN LAKES ESTATES RECORDED ON 1-13-1992 AS INSTRUMENT NUMBER 13414 IN THE OFFICE OF THE RECORDER OF MARION COUNTY, INDIANA. THE OWNERS OF LOTS WITHIN SOUTHERN LAKES ESTATES SECTION 9 WHOSE LOTS DO NOT INCLUDE A PART OF THE LAKE SHALL HAVE NO RIGHT TO USE THE LAKE FOR ANY PURPOSE EXCEPT AS FOLLOWS:

IN THE EVENT OF A DISTURBANCE ARISING FROM THE MAINTENANCE, REPAIR AND UPRKEEP OF THE LAKE, ANY LOT OWNER WITHIN SECTIONS 3, 9 AND 10 OF THE SOUTHERN LAKES ESTATES SUBDIVISION MAY REQUEST A MEETING WITH THE OWNERS OF THE LOTS "CONTIGUOUS" TO THE LAKE AREA, UPON GIVING NOTICE TO ALL OF SAID OWNERS, IN WRITING, DESIGNATING A TIME AND PLACE NOT LESS THAN SEVEN (7) DAYS FROM THE DATE OF THE NOTICE, WHICH TIME MAY BE SHORTENED IN CASES OF EXTREME EMERGENCY. AT SUCH