RESTRICTIVE COVENANTS

SPRINGHILL SOUTH THIRD SECTION, PHASE I

WHITELAND, INDIANA

L MEN BE THESE PRESENTS: ALBERT D. STOUT, THE OWNER IN FEE OF THE FOLLOWING DESCRIBED REAL ESTATE IN THE TOWN OF ND, PLEASANT TOWNSHIP, JOHNSON COUNTY, INDIANA.

DESCRIPTION

OF THE NORTHWEST QUARTER OF SECTION 27 AND A PART OF THE ST QUARTER OF SECTION 28, TOWNSHIP 13 NORTH, RANGE 4 EAST OF OND PRINCIPAL MERIDIAN, JOHNSON COUNTY, INDIANA, DESCRIBED OWS:

G AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28; OUTH 89 DEGREES 47 MINUTES 00 SECONDS WEST (ASSUMED BEARING) ALONG THE NE OF SAID QUARTER SECTION 10.00 FEET; THENCE NORTH 00 DEGREES 08 48 SECONDS WEST 378.99 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 12 WEST 51.96 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, THE OINT OF SAID CURVE BEARS SOUTH 00 DEGREES 08 MINUTES 48 SECONDS EAST EET; THENCE SOUTHWESTERLY ALONG SAID CURVE 163.37 FEET ARC DISTANCE OINT OF TANGENCY OF SAID CURVE, THE RADIUS POINT OF SAID CURVE BEARS DEGREES 28 MINUTES 48 SECONDS EAST 610.45 FEET; THENCE SOUTH 74 DE- MINUTES 12 SECONDS WEST 155.22 FEET TO A POINT ON THE EAST RIGHT-OF- OF U.S.31 INDIANA PROJECT NUMBER 9 (4), 1946; THENCE NORTH 15 DE- MINUTES 48 SECONDS WEST ALONG LAST SAID EAST LINE 60.00 FEET; THENCE DEGREES 31 MINUTES 12 SECONDS EAST 155.22 FEET TO A POINT OF CURVA- A CURVE TO THE RIGHT, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 15 DE- MINUTES 48 SECONDS EAST 530.00 FEET; THENCE NORTHEASTERLY ALONG SAID 1.84 FEET ARC DISTANCE TO THE POINT OF TANGENCY OF SAID CURVE; THE OINT OF SAID CURVE BEARS SOUTH 00 DEGREES 08 MINUTES 48 SECONDS EAST EET; THENCE NORTH 89 DEGREES 51 MINUTES 12 SECONDS EAST 29.10 FEET; ORTH 00 DEGREES 08 MINUTES 48 SECONDS WEST 101.74 FEET TO A POINT OF E OF A CURVE TO THE LEFT, THE RADIUS POINT OF SAID CURVE BEARS SOUTH ES 51 MINUTES 12 SECONDS WEST 475.00 FEET; THENCE NORTHWESTERLY ALONG VE 17.33 FEET ARC DISTANCE (NORTH 01 DEGREES 11 MINUTES 30 SECONDS ORD BEARING 17.33 FEET CHORD DISTANCE) TO THE SOUTHWEST CORNER OF LL SOUTH - SECOND SECTION, RECORDED IN PLAT BOOK C, PAGE 558 A & B IN RDS OF THE RECORDER OF JOHNSON COUNTY, INDIANA; THENCE NORTH 87 DE- MINUTES 47 SECONDS EAST ALONG THE SOUTH LINE OF LAST SAID SECTION EET TO THE SOUTHWEST CORNER OF SPRINGHILL SOUTH - FIRST SECTION, RE- N PLAT BOOK C, PAGE 528 A & B; THENCE NORTH 89 DEGREES 51 MINUTES 12 EAST ALONG THE SOUTH LINE OF LAST SAID SECTION 320.00 FEET; THENCE DEGREES 08 MINUTES 48 SECONDS EAST 130.00 FEET; THENCE SOUTH 48 DE- MINUTES 22 SECONDS WEST 76.19 FEET; THENCE SOUTH 00 DEGREES 08 48 SECONDS EAST 125.00 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 12 WEST 45.00 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 48 SECONDS EAST EET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SEC- THENCE SOUTH 89 DEGREES 48 MINUTES 52 SECONDS WEST ALONG LAST SAID NE 310.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.29 ACRES, MORE SUBEJCT TO ALL LEGAL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS.

DIVISION CONTAINS FOURTEEN LOTS NUMBERED THIRTY (30) THROUGH THIRTY- 3); ONE HUNDRED (100) THROUGH ONE HUNDRED-NINE (109), TOGETHER WITH RIGHTS-OF-WAY AND EASEMENTS AS SHOWN ON THE PLAT HEREWITH.

UBDIVIDE SAID REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE EON, SAID SUBDIVISION TO BE KNOWN AS "SPRINGHILL SOUTH, THIRD SECTION- E." IN THE TOWN OF WHITELAND, PLEASANT TOWNSHIP, JOHNSON COUNTY, IN- THE SIZE OF THE LOTS AND THE WIDTHS OF THE STREETS ARE SHOWN IN DENOTING FEET AND DECIMAL PARTS THEREOF. ALL STREETS AS SHOWN ON THIS HERETOFORE NOT DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

E STRIPS OF GROUND MARKED "DRAINAGE AND UTILITY EASEMENT" SHOWN ON AT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, EWERS, DRAINS, DUCTS, LINES AND WIRES. PURCHASERS OF LOTS IN THIS ION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED AND SUB- ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES TO SERVICE THE UTILITIES EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND, AND

6. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF TWO MEMBERS APPOINTED BY THE DEVELOPER. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. IN THE EVENT OF DEATH OR RESIGNATION OF ANY MEMEBER OF THE COMMITTEE, THE REMAINING MEMBER SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR. NEITHER THE MEMBERS OF THE COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. AT ANY TIME, THE THEN RECORDED OWNERS OF A MAJORITY OF LOTS SHALL HAVE THE POWER THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHANGE THE MEMBERSHIP OF THE COMMITTEE OR TO WITHDRAW FROM THE COMMITTEE OR RESTORE TO IT ANY OF ITS POWER AND DUTIES.

7. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVES, FAILS TO APPROVE OR DISAPPROVE WITHIN 30 DAYS AFTER PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT, OR IN ANY EVENT, IF NO SUIT TO ENJOIN THE CONSTRUCTION HAS COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

8. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE PROFESSIONAL SIGN 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.

9. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

10. NO OIL DRILLING, OIL DEVELOPMENT OPERATION, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERECTED, MAINTAINED OR PERMITTED ON ANY LOT. ALL GAS AND OIL TANKS MUST BE CONCEALED.

11. 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 IF THEY ARE CONFINED IN A FENCED ENCLOSURE OR WITHIN THE PRINCIPAL BUILDING, AND PROVIDED THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

12. NO LOT SHALL BE USED OR MAINTAINED AS DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. WASTE MATTER OR MATERIAL SHALL BE KEPT ONLY IN SANITARY CONTAINERS, AND ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION. DURING THE CONSTRUCTION OF A RESIDENCE ALL CONSTRUCTION REFUSE AND WASTE SHALL BE KEPT IN AN ENCLOSURE ON THE SUBJECT LOT AND NOT PERMITTED TO BE STREWN ABOUT AND ALL MATERIAL NOT DISPOSED OF ON THE SUBJECT LOT SHALL BE TRANSPORTED OUT OF SPRINGHILL SOUTH SUBDIVISION.

13. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE SIGHT LINE AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET PROPERTY 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 ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY PAVEMENT.

14. ALL POWER AND TELEPHONE LINES ARE TO BE UNDERGROUND.

15. FENCES, TREES, AND SHRUBS ARE NOT PERMITTED WITHIN THE LIMITS OF ANY STREET RIGHT-OF-WAY, NOR ARE THEY PERMITTED WITHIN FOUR (4) FEET IN ANY DIRECTION OF A FIRE HYDRANT OR BETWEEN THE HYDRANT AND THE RIGHT-OF-WAY LINE.

16. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT.

WITNESS MY HAND AND SEAL THIS 24th DA

ALBERT D. STOUT

STATE OF INDIANA)
COUNTY OF JOHNSON) SS:

I, JOHN SUDWUTH, A NO
COUNTY DO HEREBY CERTIFY THAT ALBERT D.ST
THE SAME PERSON WHOSE NAME IS SUBSCRIBED
APPEARED BEFORE ME THIS DAY IN PERSON
SIGNED THE ABOVE CERTIFICATE AS HIS OWN
THE USES AND PURPOSES THEREIN SET FORTH.

MY COMMISSION EXPIRES:
JAN. 14, 1997

JOHN
RESIDENT (

I, ROBERT E. ETTER, HEREBY CERTIFY THAT I AM
LICENSED IN COMPLIANCE WITH THE LAWS OF THE STA
CORRECTLY REPRESENTS THE DESCRIBED REAL ESTATE.

ALL MONUMENTS SHOWN HEREON WILL EXIST, AND THAT T
MATERIAL ARE ACCURATELY SHOWN; AND THAT THE COM
BOUNDARY SURVEY IS NOT MORE THAN ONE FOOT IN TEN
PLAT COMPLIES WITH PROVISIONS OF THE SUBDIVISION
AND WIDTH OF STREETS AND EASEMENTS ARE SHOWN I
DECIMAL PARTS THEREOF.

WITNESS MY SIGNATURE THIS 24 DAY OF AUGU

ROBERT E. ETT
REGISTERED LA

THIS PLAT IS RECOMMENDED FOR APPROVAL BY THE TOWN
20th DAY OF AUGUST, 1993.

FRED BRINKMAN, PRESIDENT
DAVID A. KE

GABEHART, MEMBER

THE TOWN OF WHITELAND PLAN COM
, 1993.

SPRING

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DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 27 AND A PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 28; THENCE SOUTH 89 DEGREES 47 MINUTES 00 SECONDS WEST (ASSUMED BEARING) ALONG THE SOUTH LINE OF SAID QUARTER SECTION 10.00 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 48 SECONDS WEST 378.99 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 12 SECONDS WEST 51.96 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 00 DEGREES 08 MINUTES 48 SECONDS EAST 610.45 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE 163.37 FEET ARC DISTANCE TO THE POINT OF TANGENCY OF SAID CURVE, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 15 DEGREES 28 MINUTES 48 SECONDS EAST 610.45 FEET; THENCE SOUTH 74 DEGREES 31 MINUTES 12 SECONDS WEST 155.22 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF U.S.31 INDIANA PROJECT NUMBER 9 (4), 1946; THENCE NORTH 15 DEGREES 28 MINUTES 48 SECONDS WEST ALONG LAST SAID EAST LINE 60.00 FEET; THENCE NORTH 74 DEGREES 31 MINUTES 12 SECONDS EAST 155.22 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 15 DEGREES 28 MINUTES 48 SECONDS EAST 530.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE 141.84 FEET ARC DISTANCE TO THE POINT OF TANGENCY OF SAID CURVE; THE RADIUS POINT OF SAID CURVE BEARS SOUTH 00 DEGREES 08 MINUTES 48 SECONDS EAST 530.00 FEET; THENCE NORTH 89 DEGREES 51 MINUTES 12 SECONDS EAST 29.10 FEET; THENCE NORTH 00 DEGREES 08 MINUTES 48 SECONDS WEST 101.74 FEET TO A POINT OF CURVATURE OF A CURVE TO THE LEFT, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 89 DEGREES 51 MINUTES 12 SECONDS WEST 475.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE 17.33 FEET ARC DISTANCE (NORTH 01 DEGREES 11 MINUTES 30 SECONDS WEST CHORD BEARING 17.33 FEET CHORD DISTANCE) TO THE SOUTHWEST CORNER OF SPRINGHILL SOUTH - SECOND SECTION, RECORDED IN PLAT BOOK C, PAGE 558 A & B IN THE RECORDS OF THE RECORDER OF JOHNSON COUNTY, INDIANA; THENCE NORTH 87 DEGREES 45 MINUTES 47 SECONDS EAST ALONG THE SOUTH LINE OF LAST SAID SECTION 162.92 FEET TO THE SOUTHWEST CORNER OF SPRINGHILL SOUTH - FIRST SECTION, RECORDED IN PLAT BOOK C, PAGE 528 A & B; THENCE NORTH 89 DEGREES 51 MINUTES 12 SECONDS EAST ALONG THE SOUTH LINE OF LAST SAID SECTION 320.00 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 48 SECONDS EAST 130.00 FEET; THENCE SOUTH 48 DEGREES 50 MINUTES 22 SECONDS WEST 76.19 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 48 SECONDS EAST 125.00 FEET; THENCE SOUTH 89 DEGREES 51 MINUTES 12 SECONDS WEST 45.00 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 48 SECONDS EAST 253.77 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27; THENCE SOUTH 89 DEGREES 48 MINUTES 52 SECONDS WEST ALONG LAST SAID SOUTH LINE 310.00 FEET TO THE POINT OF BEGINNING, CONTAINING 5.29 ACRES, MORE OR LESS, SUBEJCT TO ALL LEGAL RIGHTS-OF-WAY, EASEMENTS AND RESTRICTIONS.

THIS SUBDIVISION CONTAINS FOURTEEN LOTS NUMBERED THIRTY (30) THROUGH THIRTY-THREE (33); ONE HUNDRED (100) THROUGH ONE HUNDRED-NINE (109), TOGETHER WITH STREETS, RIGHTS-OF-WAY AND EASEMENTS AS SHOWN ON THE PLAT HEREWITH.

HEREBY SUBDIVIDE SAID REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HEREON, SAID SUBDIVISION TO BE KNOWN AS "SPRINGHILL SOUTH, THIRD SECTION-PHASE ONE," IN THE TOWN OF WHITELAND, PLEASANT TOWNSHIP, JOHNSON COUNTY, INDIANA. THE SIZE OF THE LOTS AND THE WIDTHS OF THE STREETS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF. ALL STREETS AS SHOWN ON THIS PLAT AND HERETOFORE NOT DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

THERE ARE STRIPS OF GROUND MARKED "DRAINAGE AND UTILITY EASEMENT" SHOWN ON THIS PLAT WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, MAINS, SEWERS, DRAINS, DUCTS, LINES AND WIRES. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED AND SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES TO SERVICE THE UTILITIES AND THE EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND, AND NO PART THEREOF, EXCEPT FENCES, SHALL BE BUILT, ERECTED OR MAINTAINED ON SAID "DRAINAGE AND UTILITY EASEMENT".

THE LOTS IN THE SUBDIVISION AND THE USE OF THE LOTS IN THIS SUBDIVISION BY PRESENT AND FUTURE OWNERS OR OCCUPANTS SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS, WHICH SHALL RUN WITH THE LAND.

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERECTED, ALTERED OR PLACED OR PERMITTED ON ANY LOT OTHER THAN THE ONE (1) SINGLE-FAMILY DWELLING, NOT TO EXCEED TWO (2) STORIES IN HEIGHT WITH AN ATTACHED GARAGE CAPABLE OF STORING A MINIMUM OF TWO AUTOMOBILES IS MANDATORY. A STORAGE BUILDING NOT TO EXCEED ONE STORY IN HEIGHT (12 FEET MAXIMUM) AND 160 SQUARE FEET OF FLOOR AREA IS PERMITTED, SAID STORAGE BUILDING SHALL NOT HAVE METAL SURFACED EXTERIORS OR ROOFS.

2. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 1100 SQUARE FEET FOR A ONE STORY DWELLING. NO DWELLING OF MORE THAN ONE STORY SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR LIVING AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 725 SQUARE FEET; AND THE ENTIRE DWELLING SHALL NOT HAVE LESS THAN 1200 SQUARE FEET OF LIVING AREA.

3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET THAN THE MINIMUM BUILDING SET-BACK LINES SHOWN ON THE RECORDED PLAT. NO BUILDING SHALL BE LOCATED NEARER THAN 12 FEET TO A SIDE YARD LINE, AND THE TOTAL SIDE YARD SET-BACK (BOTH SIDES) MUST BE AT LEAST 27 FEET. A 7.5 FOOT SIDE YARD SET-BACK SHALL BE REQUIRED FOR AN ACCESSORY BUILDING NOT EXCEEDING 12 FEET IN HEIGHT, AND IF DETACHED FROM THE PRINCIPAL BUILDING IT SHALL BE LOCATED AT LEAST AS FAR BACK AS THE REAR OF THE PRINCIPAL BUILDING. NO BUILDING SHALL BE ERECTED CLOSER THAN TWENTY-FIVE (25) FEET TO THE REAR LOT LINE.

4. THE EXTERIOR FACING OF DWELLINGS PLACED ON ALL LOTS IN THIS SUBDIVISION SHALL BE COMPRISED OF TWENTY-FIVE PERCENT (25%) MASONRY. THE AREA IN SQUARE FEET OF SAID DWELLING THAT IS TO BE COVERED BY MASONRY WILL BE DETERMINED BY MULTIPLYING EIGHT (8) TIMES TWENTY-FIVE PERCENT (25%) TIMES THE TOTAL PERIMETER LENGTH OF THE DWELLING FOUNDATION.

5. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.

RESTRICTIVE COVENANTS
SOUTH THIRD SECTION
WHITELAND, INDIANA

6. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF TWO MEMBERS APPOINTED BY THE DEVELOPER. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. IN THE EVENT OF DEATH OR RESIGNATION OF ANY MEMEBER OF THE COMMITTEE, THE REMAINING MEMBER SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR. NEITHER THE MEMBERS OF THE COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. AT ANY TIME, THE THEN RECORDED OWNERS OF A MAJORITY OF LOTS SHALL HAVE THE POWER THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHANGE THE MEMBERSHIP OF THE COMMITTEE OR TO WITHDRAW FROM THE COMMITTEE OR RESTORE TO IT ANY OF ITS POWER AND DUTIES.

7. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVES, FAILS TO APPROVE OR DISAPPROVE WITHIN 30 DAYS AFTER PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT, OR IN ANY EVENT, IF NO SUIT TO ENJOIN THE CONSTRUCTION HAS COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

8. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE PROFESSIONAL SIGN 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.

9. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

10. NO OIL DRILLING, OIL DEVELOPMENT OPERATION, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERECTED, MAINTAINED OR PERMITTED ON ANY LOT. ALL GAS AND OIL TANKS MUST BE CONCEALED.

11. 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 IF THEY ARE CONFINED IN A FENCED ENCLOSURE OR WITHIN THE PRINCIPAL BUILDING, AND PROVIDED THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

12. NO LOT SHALL BE USED OR MAINTAINED AS DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. WASTE MATTER OR MATERIAL SHALL BE KEPT ONLY IN SANITARY CONTAINERS, AND ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION. DURING THE CONSTRUCTION OF A RESIDENCE ALL CONSTRUCTION REFUSE AND WASTE SHALL BE KEPT IN AN ENCLOSURE ON THE SUBJECT LOT AND NOT PERMITTED TO BE STREWN ABOUT AND ALL MATERIAL NOT DISPOSED OF ON THE SUBJECT LOT SHALL BE TRANSPORTED OUT OF SPRINGHILL SOUTH SUBDIVISION.

13. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE SIGHT LINE AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET PROPERTY 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 ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY PAVEMENT.

14. ALL POWER AND TELEPHONE LINES ARE TO BE UNDERGROUND.

15. FENCES, TREES, AND SHRUBS ARE NOT PERMITTED WITHIN THE LIMITS OF THE STREET RIGHT-OF-WAY, NOR ARE THEY PERMITTED WITHIN FOUR (4) FEET IN ANY DIRECTION OF A FIRE HYDRANT OR BETWEEN THE HYDRANT AND THE RIGHT-OF-WAY LINE.

16. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT.

17. ANY MOTOR VEHICLE WHICH IS INOPERATIVE OR UNLICENSED, AND NOT BEING USED FOR NORMAL TRANSPORTATION SHALL NOT BE PERMITTED TO REMAIN ON ANY LOT OTHER THAN WITHIN THE ATTACHED GARAGE.

18. TRAILERS, BOATS, RECREATIONAL VEHICLES, AND SIMILAR EQUIPMENT SHALL NOT BE KEPT OR STORED IN THE AREA BETWEEN THE RIGHT-OF-WAY LINE AND THE FRONT BUILDING LINE.

19. ALL DRIVES SHALL BE CONCRETE OR BITUMINOUS PAVED AND NOT LESS THAN SIXTEEN (16) FEET IN WIDTH.

20. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCOUNTERED IN CONSTRUCTION OF ANY IMPROVEMENT WITHIN THIS SUBDIVISION SHALL BE PERPETUATED, AND ALL OWNERS OF LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1965, AND ALL AMENDMENTS THERETO.

21. SWALES, DRAINAGE DITCHES, AND REAR OR SIDE YARD SWALES SHALL NOT BE OBSTRUCTED BY VEGETATION, SHRUBS, OR FILL WHICH OBSTRUCTS SURFACE WATER FLOW.

22. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THIS LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS, AT ANY TIME FOLLOWING RECORDATION, AND INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

23. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANTS EITHER TO RESTRAIN VIOLATIONS OR TO RECOVER DAMAGES. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

24. THESE COVENANTS MAY BE ENFORCED BY LOT OWNERS OR OFFICIALS OF THE GOVERNMENTAL UNIT OF WHICH THE SUBDIVISION IS A PART.

RESTRICTIVE COVENANTS

HILL SOUTH THIRD SECTION

WHITELAND, INDIANA

6. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF TWO MEMBERS APPOINTED BY THE DEVELOPER. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. IN THE EVENT OF DEATH OR RESIGNATION OF ANY MEMEBER OF THE COMMITTEE, THE REMAINING MEMBER SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR. NEITHER THE MEMBERS OF THE COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. AT ANY TIME, THE THEN RECORDED OWNERS OF A MAJORITY OF LOTS SHALL HAVE THE POWER THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHANGE THE MEMBERSHIP OF THE COMMITTEE OR TO WITHDRAW FROM THE COMMITTEE OR RESTORE TO IT ANY OF ITS POWER AND DUTIES.

7. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVES, FAILS TO APPROVE OR DISAPPROVE WITHIN 30 DAYS AFTER PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT, OR IN ANY EVENT, IF NO SUIT TO ENJOIN THE CONSTRUCTION HAS COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

8. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE PROFESSIONAL SIGN 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.

9. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

10. NO OIL DRILLING, OIL DEVELOPMENT OPERATION, OIL REFINING, QUARRYING OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERECTED, MAINTAINED OR PERMITTED ON ANY LOT. ALL GAS AND OIL TANKS MUST BE CONCEALED.

11. 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 IF THEY ARE CONFINED IN A FENCED ENCLOSURE OR WITHIN THE PRINCIPAL BUILDING, AND PROVIDED THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

12. NO LOT SHALL BE USED OR MAINTAINED AS DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. WASTE MATTER OR MATERIAL SHALL BE KEPT ONLY IN SANITARY CONTAINERS, AND ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION. DURING THE CONSTRUCTION OF A RESIDENCE ALL CONSTRUCTION REFUSE AND WASTE SHALL BE KEPT IN AN ENCLOSURE ON THE SUBJECT LOT AND NOT PERMITTED TO BE STREWN ABOUT AND ALL MATERIAL NOT DISPOSED OF ON THE SUBJECT LOT SHALL BE TRANSPORTED OUT OF SPRINGHILL SOUTH SUBDIVISION.

13. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE SIGHT LINE AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET PROPERTY 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 ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY PAVEMENT.

14. ALL POWER AND TELEPHONE LINES ARE TO BE UNDERGROUND.

15. FENCES, TREES, AND SHRUBS ARE NOT PERMITTED WITHIN THE LIMITS OF THE STREET RIGHT-OF-WAY, NOR ARE THEY PERMITTED WITHIN FOUR (4) FEET IN ANY DIRECTION OF A FIRE HYDRANT OR BETWEEN THE HYDRANT AND THE RIGHT-OF-WAY LINE.

16. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT.

17. ANY MOTOR VEHICLE WHICH IS INOPERATIVE OR UNLICENSED, AND NOT BEING USED FOR NORMAL TRANSPORTATION SHALL NOT BE PERMITTED TO REMAIN ON ANY LOT OTHER THAN WITHIN THE ATTACHED GARAGE.

18. TRAILERS, BOATS, RECREATIONAL VEHICLES, AND SIMILAR EQUIPMENT SHALL NOT BE KEPT OR STORED IN THE AREA BETWEEN THE RIGHT-OF-WAY LINE AND THE FRONT BUILDING LINE.

19. ALL DRIVES SHALL BE CONCRETE OR BITUMINOUS PAVED AND NOT LESS THAN SIXTEEN (16) FEET IN WIDTH.

20. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCOUNTERED IN CONSTRUCTION OF ANY IMPROVEMENT WITHIN THIS SUBDIVISION SHALL BE PERPETUATED, AND ALL OWNERS OF LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1965, AND ALL AMENDMENTS THERETO.

21. SWALES, DRAINAGE DITCHES, AND REAR OR SIDE YARD SWALES SHALL NOT BE OBSTRUCTED BY VEGETATION, SHRUBS, OR FILL WHICH OBSTRUCTS SURFACE WATER FLOW.

22. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THIS LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS, AT ANY TIME FOLLOWING RECORDATION, AND INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

23. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANTS EITHER TO RESTRAIN VIOLATIONS OR TO RECOVER DAMAGES. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

24. THESE COVENANTS MAY BE ENFORCED BY LOT OWNERS OR OFFICIALS OF THE GOVERNMENTAL UNIT OF WHICH THE SUBDIVISION IS A PART.