



**Chicago Title Insurance Company**  
Indianapolis Metro Offices  
Telephone (317) 684-3800



## **COVENANTS AND RESTRICTIONS**

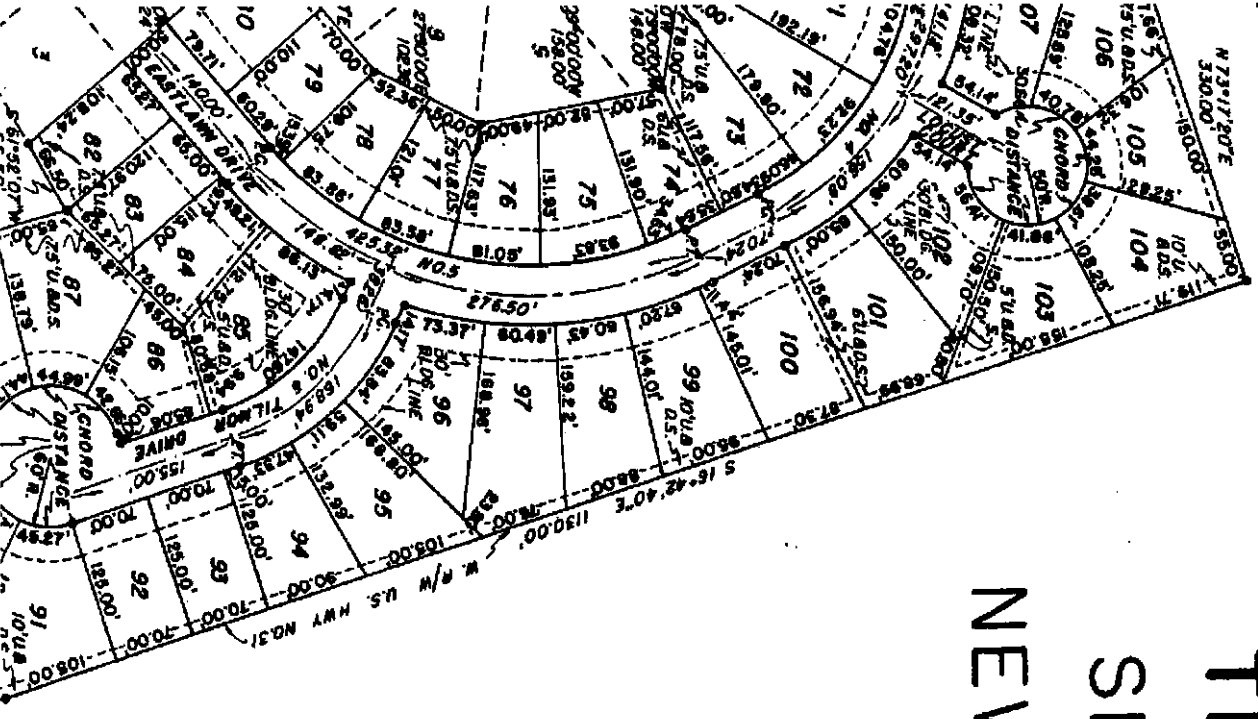
### **TENTH SUB. SEC 2 to New Whiteland**

**(Johnson County, IN)**

*The materials made available here are for general information only and should NOT be relied upon for making any major or final decisions with respect to any of the properties referenced.*

*The most current and up-to-date copies of Covenants, Restrictions or other Data relative to any property should be obtained from the current governing body of the Subdivision (generally the Home Owner's Association) if applicable. Chicago Title makes NO representations or warranties with respect to any of the materials contained herein.*

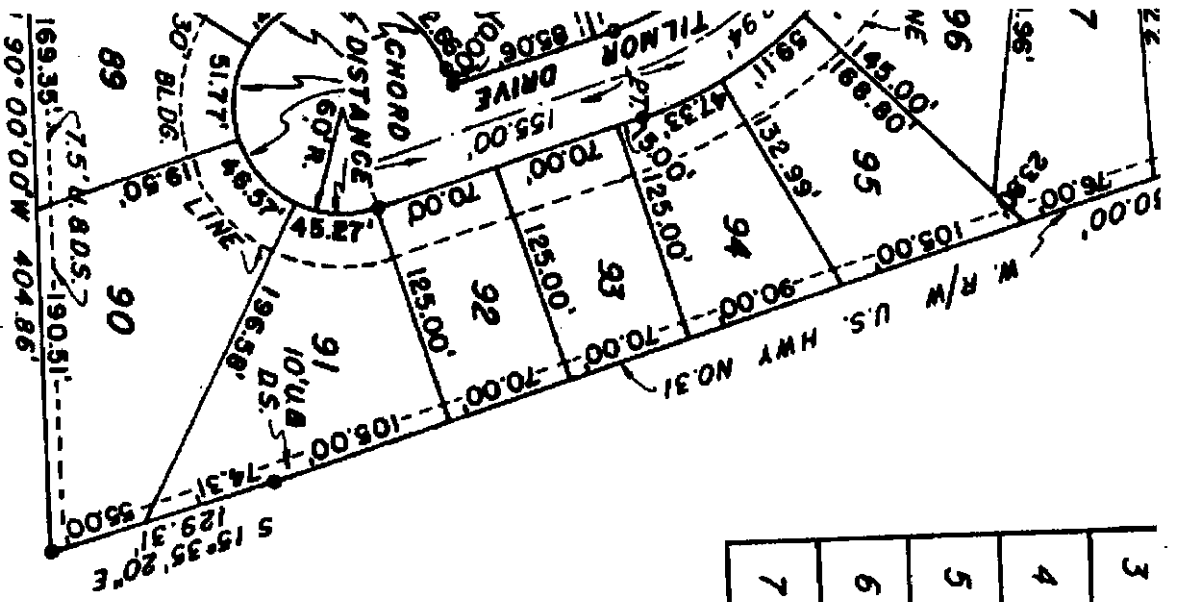
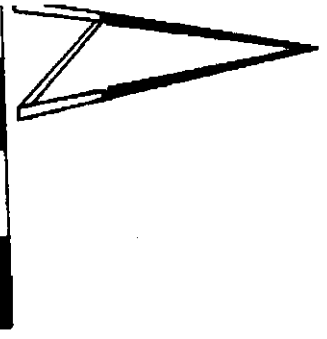
**DOS=7-17-09**



# TENTH SUBDIVISION SECOND SECTION NEW WHELAND, INDIANA

NO.	LOCATION	DELTA	RADIUS	TANGENT	LENGTH
1	INSIDE	38°25'10"	204.60'	71.28'	157.20'
	OUTSIDE		234.60'	88.70'	170.72'
2	INSIDE	18°48'30"	180.24'	26.64'	52.89'
	OUTSIDE		230.24'	34.03'	67.56'
3	INSIDE	16°48'50"	320.58'	47.38'	94.06'
	OUTSIDE		370.58'	54.27'	109.75'
4	INSIDE	16°48'50"	236.35'	151.03'	269.77'
	OUTSIDE		286.35'	182.98'	322.64'
5	INSIDE	73°34'25"	297.45'	230.61'	392.54'
	OUTSIDE		347.45'	259.38'	458.50'
6	INSIDE	48°53'55"	172.95'	78.64'	147.60'
	OUTSIDE		222.95'	101.37'	190.28'
7	INSIDE	48°53'55"	222.95'	75.04'	144.81'
	OUTSIDE		272.95'	91.66'	176.87'

NOTE:  
 5' UTILITY & DRAINAGE STRIPS ARE RESERVED ON THE  
 SIDE LINE OF EACH LOT, EXCEPT AS OTHERWISE NOTED  
 (SEE RESTRICTIONS)  
 5' UTILITY STRIPS ARE RESERVED ALONG THAT PORTION  
 OF THE LOTS ABUTTING DEDICATED STREET RIGHT OF WAY.  
 (SEE RESTRICTIONS)



3	OUTSIDE	16°48'50"	370.58'	54.77'	108.75'
	INSIDE		236.35'	151.03'	268.77'
4	OUTSIDE	65°09'25"	286.35'	182.98'	325.64'
	INSIDE		297.45'	230.61'	392.34'
5	OUTSIDE	75°34'25"	347.45'	269.38'	458.30'
	INSIDE		172.95'	78.64'	147.60'
6	OUTSIDE	48°53'55"	222.95'	101.37'	190.28'
	INSIDE		225.68'	75.04'	144.81'
7	OUTSIDE	36°46'00"	275.68'	91.66'	176.87'

NOTE:  
 5' UTILITY & DRAINAGE STRIPS ARE RESERVED ON THE  
 SIDE LINE OF EACH LOT, EXCEPT AS OTHERWISE NOTED.  
 (SEE RESTRICTIONS)  
 5' UTILITY STRIPS ARE RESERVED ALONG THAT PORTION  
 OF THE LOTS ABUTTING DEDICATED STREET RIGHT OF WAY.  
 (SEE RESTRICTIONS)  
 THERE IS NO LOT NO. 81 ON THIS PLAT.

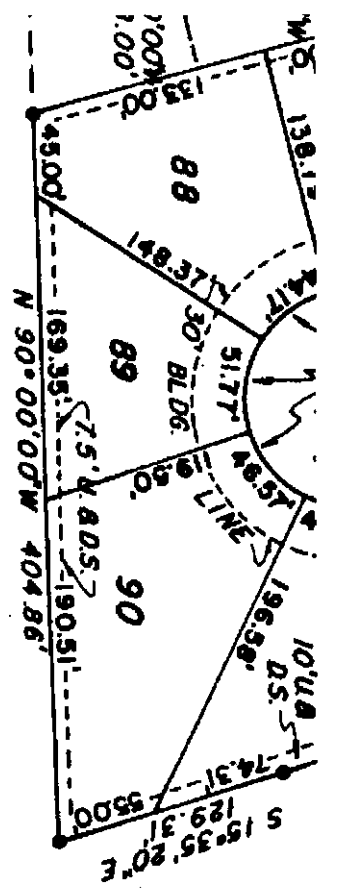
HEREBY SUBDIVIDE SAID REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HEREON, SAID DIVISION TO BE KNOWN AS "TENTH SUBDIVISION SECOND SECTION", NEW WHITELAND, INDIANA. THE SIZE OF THE LOTS AND WIDTHS OF THE STREETS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF. ALL STREET PARTS OF ROADS, AS SHOWN ON THIS PLAT AND IF HERETOFORE NOT DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

THERE ARE STRIPS OF GROUND MARKED "UTILITY AND DRAINAGE STRIPS" SHOWN ON THIS PLAT WHICH ARE RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, MAINS, SEWERS, DRAINS, DUCTS, LINES AND WIRES. THERE ARE RESERVED IN ADDITION TO THE FOREGOING DESCRIBED UTILITY AND DRAINAGE STRIPS, ADDITIONAL UTILITY AND DRAINAGE STRIPS FIVE (5) FEET IN WIDTH AND FIVE (5) FEET IN DEPTH. A UTILITY STRIP FOR UNDERGROUND PUBLIC UTILITY USE ONLY, FIVE (5) FEET IN WIDTH, IS HEREBY RESERVED ALONG THAT PORTION OF THE LOTS WHICH ADJUTS THE DEDICATED STREET RIGHT-OF-WAY. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED AND 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 THEREON.

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

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERECTED, ALTERED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN TWO CARS.
2. NO DWELLING SHALL BE PERMITTED ON ANY LOT AT A COST OF LESS THAN \$10,000.00, BASED UPON COST LESS VAILING ON THE DATE THESE COVENANTS ARE RECORDED, IT BEING THE INTENTION AND PURPOSE OF THE COVENANTS TO ASSURE THAT ALL DWELLINGS SHALL BE OF A QUALITY OF WORKMANSHIP AND MATERIALS SUBSTANTIALLY THE SAME AS THAT WHICH CAN BE PRODUCED ON THE DATE THESE COVENANTS ARE RECORDED AT THE MINIMUM COST STATED FOR THE MINIMUM PERMITTED DWELLING SIZE. THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF OPEN PORCHES AND GARAGES SHALL BE NOT LESS THAN 950 SQUARE FEET FOR A ONE-STORY DWELLING, NOR LESS THAN 1,200 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.
3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SET BACK LINES SHOWN ON THE RECORDED PLAT. IN ANY EVENT NO BUILDING OR AN ACCESSORY BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN 30 FEET TO THE FRONT LOT LINE, OR NEARER THAN 30 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN 6 FEET TO AN INTERIOR LOT LINE, EXCEPT A 5 FOOT SIDE YARD SHALL BE REQUIRED FOR A GARAGE OR OTHER PERMITTED ACCESSORY BUILDING LOCATED 30 FEET OR MORE FROM THE MINIMUM BUILDING SET BACK LINE. NO ACCESSORY BUILDING SHALL BE LOCATED ON ANY INTERIOR LOT NEARER THAN 7 1/2 FEET TO THE REAR LOT LINE.
4. NO DWELLING SHALL BE ERECTED OR PLACED ON ANY LOT HAVING AN AREA OF LESS THAN 6,000 SQUARE FEET.
5. ALL SWALES FOR DRAINAGE OF LOTS THAT ARE LOCATED ON SIDE LOT LINES AND ON REAR LOT LINES SHALL BE LOCATED AND NOT OBSTRUCTED IN ACCORDANCE WITH A GENERAL DRAINAGE PLAN ON FILE WITH THE TOWN OF NEW WHITELAND, INDIANA.
6. 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. NO FENCE OR SCREEN PLANTING SHALL BE LOCATED NEARER THAN 5 FEET TO THE FRONT LOT LINE OF ANY LOT.

(SEE RECOMMENDATIONS)  
THERE IS NO LOT NO. 81 ON THIS PLAT.



**LEGEND**

- ——— CONCRETE MONUMENT
- ——— IRON PIN
- B.L. ——— BUILDING LINE
- U.A.D.S. ——— UTILITY & DRAINAGE STRIP

BAKER, PRESIDENT  
RD OF DIRECTORS  
ATE IN JOHNSON

**SECOND PRINCIPAL**

MINUTES 40 SECONDS  
SECONDS EAST 170.00  
06 MINUTES 10 SEC-  
CE NORTH 0 DEGREES  
165.00 FEET; THENCE

7. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE BUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY
8. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADV FOR SALE OR RENT, OR SIGNS USED BY BUILDER TO ADVERTISE THE PROPERTY DURING THE PERIOD.
9. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINE SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINE BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE NATURAL GAS SHALL BE ERRECTED, MAINTAINED, OR PERMITTED UPON ANY LOT.
10. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT PROVIDED THAT THEY ARE NOT KEPT

BOARD OF DIRECTORS  
ESTATE IN JOHNSON

THE SECOND PRINCIPAL

16 MINUTES 40 SECONDS  
10 SECONDS EAST 170.00  
165.06 MINUTES 10 SEC-  
165.00 DEGREES  
165.00 FEET; THENCE  
20 SECONDS EAST  
73 DEGREES 17 MINUTES  
FEET; THENCE NORTH 73  
DAD No. 31; THENCE  
LINE; THENCE SOUTH  
O THE NORTHWEST CORNER  
DIANA; AS RECORDED IN  
NCE NORTH 90 DEGREES  
E SOUTHEAST CORNER OF  
D IN PLAT Book No. 6,  
EES 40 MINUTES 00 SEC-  
HENCE NORTH 39 DEGREES  
AST 149.71 FEET; THENCE  
TES 00 SECONDS WEST  
TH O DEGREES 06 MINUTES  
EET; THENCE SOUTH O DE-  
NDS WEST 170.00 FEET;  
59 MINUTES 31 SECONDS  
E SOUTH 28 DEGREES 38  
85.55 FEET; THENCE  
No. 23 IN SAID TENTH  
CE SOUTH 51 DEGREES  
EAMINING OF A CURVE  
.68 FEET; THENCE ON  
TO THE SOUTH LINE OF  
AID SOUTH LINE 50.00  
NG A DEFLECTION ANGLE  
NCE OF 144.81 FEET;  
37 SECONDS WEST 36.68  
MINING, CONTAINING

HEREON, SAID SUB-  
SIZE OF THE LOTS  
ALL STREETS AND  
ATED TO PUBLIC USE.

WHICH ARE HEREBY  
AND MAINTAINED

8. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCE  
OF NOT MORE THAN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET  
FOR SALE OR RENT, OR SIGNS USED BY BUILDER TO ADVERTISE THE PROPERTY DURING T  
PERIOD.

9. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR M  
SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, M  
BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR  
NATURAL GAS SHALL BE ERRECTED, MAINTAINED, OR PERMITTED UPON ANY LOT.

10. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR K  
DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT K  
ANY COMMERCIAL PURPOSE.

11. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH. TRAS  
SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER E  
DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.

12. NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUB  
THE ONLY MEANS OF WATER SUPPLY.

13. NO INDIVIDUAL SEWAGE SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC SE  
MEANS OF SEWAGE DISPOSAL.

14. NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT E  
ABOVE THE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT  
FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS 25 F  
THE STREET LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTER  
LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHI  
OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY PAVEMENT. NO  
MAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS P  
TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

15. ALL OWNERS OF LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY  
OF 1965, AND ALL AMENDMENTS THERETO.

16. ANY MOTOR VEHICLE WHICH IS INOPERATIVE AND NOT BEING USED FOR NORMAL TRAI  
MITTED TO REMAIN ON ANY LOT.

17. THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PART  
UNDER THEM FOR A PERIOD OF TWENTY-FIVE YEARS FROM THE DATE THESE COVENANTS A  
SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10  
SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREED  
IN WHOLE OR IN PART. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY  
SONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOL  
INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL  
OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF: THIS INDENTURE HAS BEEN EXECUTED BY NATIONAL HOMES DEVEI



Y KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY OR SIGNS USED BY BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES

NG, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATION OF ANY KIND O UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR BE ERRECTED, MAINTAINED, OR PERMITTED UPON ANY LOT.

LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BREED, OR KEPT ON ANY LOT, EXCEPT THAT HER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT KEPT, BREED, OR MAINTAINED FOR PROSE.

BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH, GARBAGE, OR OTHER WASTE EXCEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.

WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC WATER SYSTEM SHALL BE WATER SUPPLY.

SEWAGE SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC SEWAGE SYSTEM SHALL BE THE ONLY DISPOSAL.

L, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 6 FEET S SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FEET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS 25 FEET FROM THE INTERSECTION OF OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET PROPERTY THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION RTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY PAVEMENT. NO TREE SHALL BE PERMITTED TO RE- DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT CTION OF SUCH SIGHT LINES.

LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE AMENDMENTS THERETO.

ICLE WHICH IS INOPERATIVE AND NOT BEING USED FOR NORMAL TRANSPORTATION SHALL NOT BE PER- ON ANY LOT.

TS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING PERIOD OF TWENTY-FIVE YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME ALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS UNLESS AN INSTRUMENT ITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS RT. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PER- ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES. NY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

F: THIS INDENTURE HAS BEEN EXECUTED BY NATIONAL HOMES DEVELOPMENT COMPANY, INC., THIS



S 15° 35' 20" E  
129.31'  
75500'

(SEE RESTRICTIONS)  
THERE IS NO LOT NO. 81 ON THIS PLAT.

OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN OR OTHER OUT-  
USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.

Y KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT EXCEPT ONE PROFESSIONAL SIGN  
ONE SQUARE FOOT, ONE SIGN OF NOT MORE THAN FIVE SQUARE FEET ADVERTISING THE PROPERTY  
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IVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BREED, OR KEPT ON ANY LOT, EXCEPT THAT  
... THAT THEY ARE NOT KEPT. RRFN. OR MAINTAINED FOR