

TENTH SUBDIVISION NEW WHITELAN

104-10

NO.	LOCATION	DELTA	RADIUS	TANGENT	LENGTH
1	INSIDE		190.00'	143.23'	248.03'
	CENTERLINE	70° 40'	215.00'	164.56'	280.86'
	OUTSIDE		240.00'	183.47'	313.29'
2	INSIDE		405.00'	53.94'	107.48'
	CENTERLINE	15° 12' 20"	430.00'	57.27'	114.12'
	OUTSIDE		455.00'	60.60'	120.78'

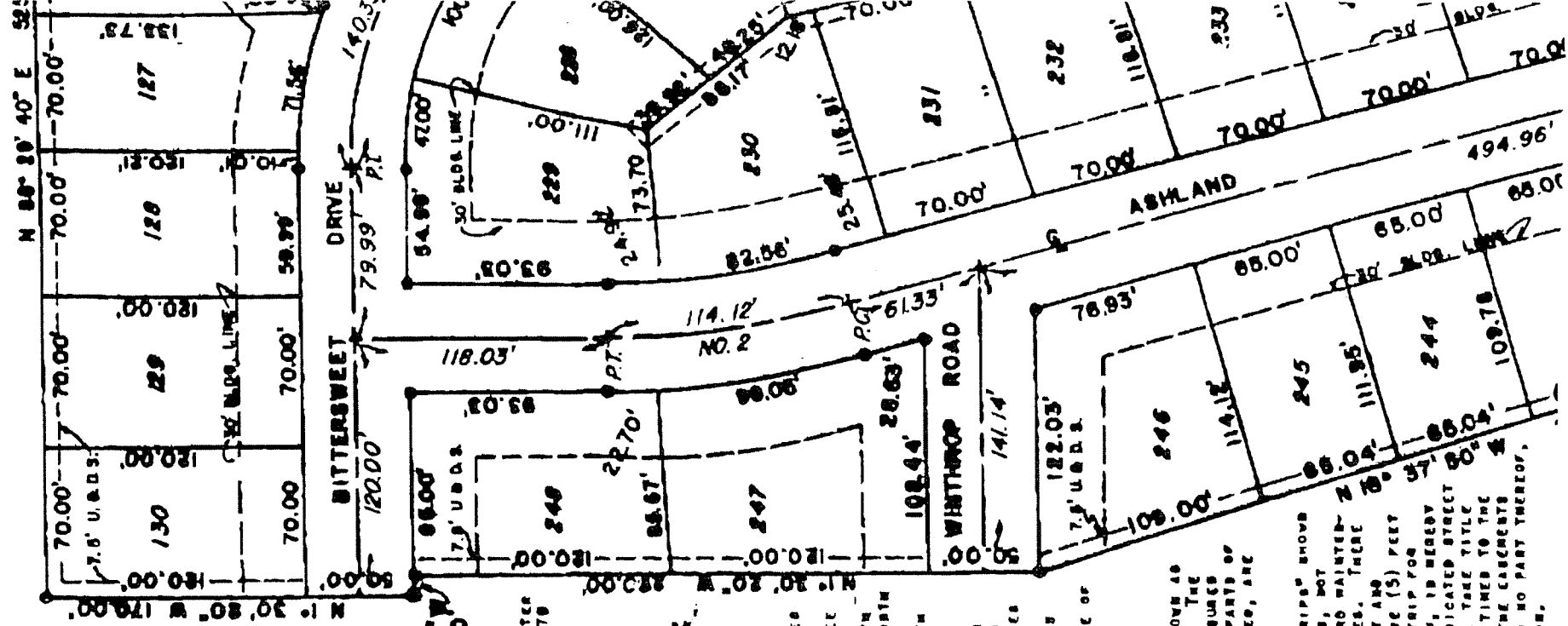
KNOWN ALL MEN BY THESE PRESENTS: THAT NATIONAL HOMES DEVELOPMENT COMPANY, INC., BY DALE F. BAKER, President and ROBERT M. LAWREN, Assistant Secretary, acting by and through the authority of the Board of Directors of said Corporation, and being the Owner in fee simple of the following described real estate in JOHNSON COUNTY, STATE OF INDIANA, TO-WIT:

3 88° 29' 40" W 10.00' 10.00'

A PART OF THE SOUTHWEST QUARTER OF SECTION 16, Township 13 North, Range 4 East of the Second Principal Meridian, described as follows:
 Commencing at a point on the South line of said quarter section North 28 degrees 26 minutes 40 seconds East 1074.78 feet from the Southwest corner thereof; thence North 00 degrees 06 minutes 10 seconds East 1470.58 feet; thence North 68 degrees 27 minutes 18 seconds East 10.00 feet; thence North 00 degrees 06 minutes 10 seconds East 115.00 feet to the Northwest corner of Lot No. 186 in the Tenth Subdivision, Second Section, New Whitelan, Indiana, as shown in Plat Book No. 6, Page 94, said Northwest corner being the Place of Beginning of this described tract; thence North 88 degrees 06 minutes 10 seconds East 55.00 feet; thence South 88 degrees 27 minutes 10 seconds West 70.00 feet; thence North 00 degrees 06 minutes 10 seconds East 170.00 feet; thence South 88 degrees 27 minutes 10 seconds West 10.00 feet; thence North 00 degrees 06 minutes 10 seconds West 10.00 feet; thence North 00 degrees 06 minutes 10 seconds West 170.00 feet to the North line of said quarter section; thence North 88 degrees 27 minutes 10 seconds East 525.00 feet on and along said North line; thence South 01 degree 30 minutes 20 seconds East 221.35 feet; thence South 16 degrees 42 minutes 40 seconds East 865.00 feet to the Northeast corner of Lot No. 111 in said Second Section; thence South 73 degrees 17 minutes 20 seconds West 110.00 feet; thence North 16 degrees 42 minutes 40 seconds West 29.92 feet; thence South 73 degrees 17 minutes 20 seconds West 50.00 feet; thence South 88 degrees 27 minutes 10 seconds West 240.17 feet; thence South 73 degrees 17 minutes 20 seconds West 165.00 feet to the Place of Beginning, containing 13.88 Acres, more or less.

HEREBY SUBSIDIZE SAID REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAN HEREBY, SAID SUBDIVISION TO BE KNOWN AS TENTH SUBDIVISION THIRD SECTION, NEW WHITELAN, INDIANA. THE SIZE OF THE LOTS AND WIDTHS OF THE STREETS ARE SHOWN IN FIGURES DEMONSTRATING FEET AND DECIMAL PARTS THEREOF. ALL STREETS AND PARTS OF ROADS, AS SHOWN ON THIS PLAN AND IF HERETOFORE NOT DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

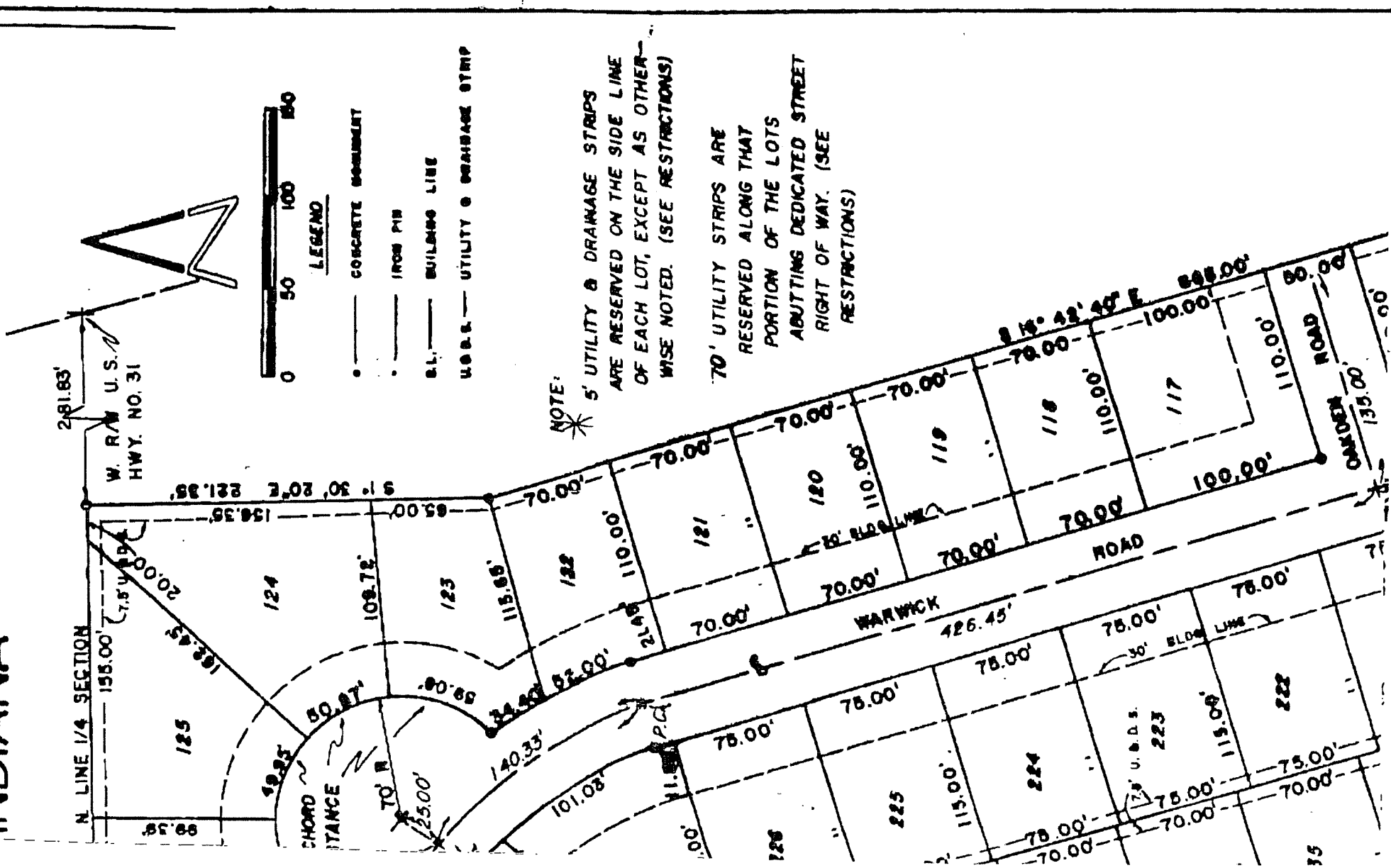
THERE ARE STRIPS OF GROUND MARKED "UTILITY AND DRAINAGE STRIPS" SHOWN ON THIS PLAN WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF POLES, RAILS, SEWERS, DRAINAGE, DUCTS, LINES AND WIRES. THERE ARE HEREBY RESERVED IN ADDITION TO THE FOREGOING DESCRIBED UTILITY AND DRAINAGE STRIPS, ADDITIONAL UTILITY AND DRAINAGE STRIPS FIVE (5) FEET WIDE ALONG THE SIDE LOT LINE OF EACH LOT. A UTILITY STRIP FOR UNDERGROUND PUBLIC UTILITY USE ONLY, TEN (10) 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 SUBJECT AT ALL TIMES TO THE RIGHTS OF PUBLIC 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, CREATED OR MAINTAINED THEREON.



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THIRD SECTION

INDIANA



LEGEND

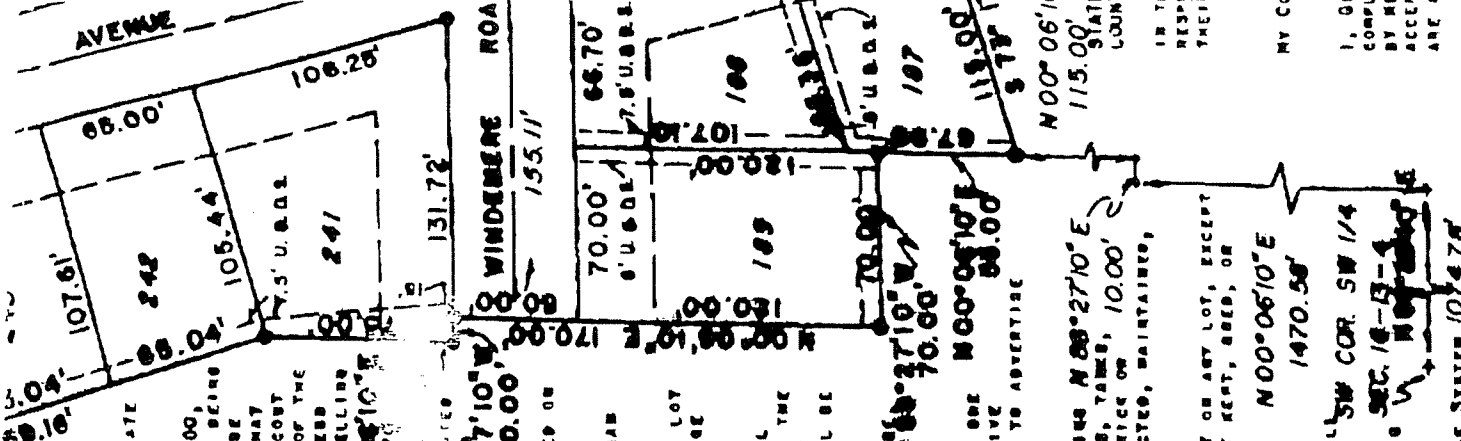
- CONCRETE MONUMENT
- IRON PIN
- BUILDING LINE
- U.S.D.S. — UTILITY & DRAINAGE STRIP

NOTE:

5' UTILITY & DRAINAGE STRIPS ARE RESERVED ON THE SIDE LINE OF EACH LOT, EXCEPT AS OTHERWISE NOTED. (SEE RESTRICTIONS)

70' UTILITY STRIPS ARE RESERVED ALONG THAT PORTION OF THE LOTS ABUTTING DEDICATED STREET RIGHT OF WAY. (SEE RESTRICTIONS)

SLIC



1. No lot shall be used except for residential purposes. No building shall be erected, altered, placed 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 levels prevailing on the date these covenants are recorded, if 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 or better than that which can be produced on the date these covenants are recorded at the minimum cost stated herein for the minimum permitted dwelling size. The ground floor area of the main structure, exclusive of one-story open porches and garages shall be not less than 950 square feet for a one-story dwelling, and less than 750 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 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, no nearer than 30 feet to any side street line. No building shall be located nearer than 6 feet to the rear lot line, except that a 5 foot side yard shall be required 10.00' or more from 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 5,000 square feet.

5. All walls for drainage of lots that are located on side lot lines and rear lot lines shall be preserved 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 of over 36 inches in height shall be permitted from the building set back line to the front lot line. No trees shall be located nearer than 5 feet to the front lot line of any lot.

7. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence, either temporarily or permanently.

8. 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 builder to advertise the property during the construction and sale period.

9. No oil drilling, oil development operations, oil refineries, quarrying or mining operation of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, drums, pits, excavations or shafts be permitted upon or in any lot. No structure or other structure designed for use in storing for oil or natural gas shall be erected, maintained, or permitted upon any lot.

10. 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 purpose.

11. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste which is not to be kept except in sanitary containers. All instruments or other equipment for the storage or 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 public water system shall be the only means of water supply.

13. No individual sewage system shall be permitted on any lot. The public sewage system shall be the only means of sewage disposal.

14. No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between 2 and 8 feet above the roadway 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 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 or alleyway. No tree shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

15. All owners of lots in this subdivision and their successors shall comply with the Indiana Drainage Code of 1965, and all amendments thereto.

16. Any motor vehicle which is inoperative and not being used for normal transportation shall not be permitted to remain on any lot.

17. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded agreeing to waive said covenants in whole or in part. Enforcement shall be by proceeding at law or in equity against any person or persons violating or attempting to violate any covenant either to require violation or to recover damages. Invalidation of any one of these covenants by judgment or decree shall not affect any of the other provisions which shall remain in full force and effect.

18. NOTHING HEREIN: THIS INSTRUMENT HAS BEEN EXECUTED BY NATIONAL HOMES DEVELOPMENT COMPANY, INC., THIS 14th DAY OF July 1971.

Dale F. Baker
DALE F. BAKER, SECRETARY

Robert M. Lawler
ROBERT M. LAWLER, ASST. SECRETARY

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NO. -

APPROVED
NOW

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107

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66.70
7.5' U.S.D.S.

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WINDERMERE ROAD

108.26
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241
7.5' U.S.D.S.

68.04
107.61
68.00

AVENUE

69.16