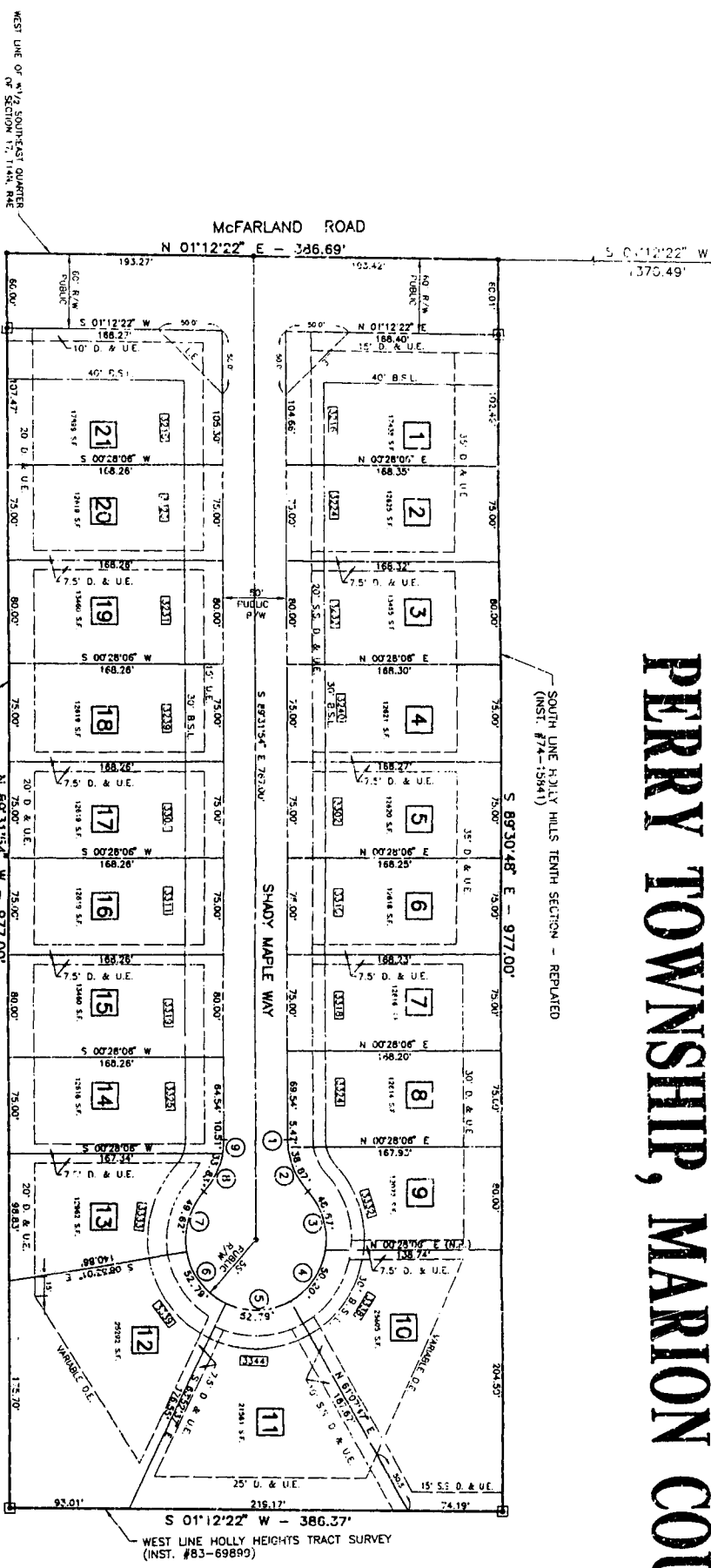


N.W. CORNER OF W 1/2 OF SOUTHEAST QUARTER SECTION 17, T14N, R4E

THE MAPLES

PERRY TOWNSHIP, MARION COUNTY, INDIANA



LOT CURVE DATA

NUMBER	POINTS	BETA ANGLE	LENGTH	TANGENT	CHORD	BEARING	CHORD DIRECTION
1	40.00	051°31'52"	54.71	22.75	53.72	N 62°11'22" E	N 62°11'22" E
2	15.00	50°22'22"	18.87	26.06	17.10	N 72°28'44" E	N 72°28'44" E
3	15.00	021°25'22"	50.20	27.00	48.48	S 55°01'09" E	S 55°01'09" E
4	15.00	54°59'36"	52.79	26.83	50.79	S 01°22'22" E	S 01°22'22" E
5	15.00	54°59'36"	52.79	26.83	50.79	S 01°22'22" E	S 01°22'22" E
6	15.00	51°14'14"	42.82	26.64	47.88	S 73°02'13" E	S 73°02'13" E
7	15.00	37°18'11"	33.83	17.78	33.33	N 61°20'26" E	N 61°20'26" E
8	15.00	100°22'22"	10.51	5.27	10.50	S 89°58'30" E	S 89°58'30" E

- LEGEND:**
- 10 LOT NUMBER
 - LOT SQUARE FOOTAGE
 - S.S., D. & U.E SANITARY SEWER, DRAINAGE AND UTILITY EASEMENT
 - D. & U.E DRAINAGE AND UTILITY EASEMENT
 - L.E LANDSCAPE EASEMENT
 - B.L. BUILDING SETBACK LINE
 - R/W RIGHT-OF-WAY
 - LOT CURVE DATA
 - CURVE "B" CENTERLINE CURVE DATA
 - CONCRETE MONUMENT
 - SECTION CORNER
 - LOT ADDRESS
 - N.R. NON-RADIAL



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1. WORKERS C. DUTTON, HEREIN CERTIFY THAT BY A DEED SIGNED BY THE SOUTHERN POWER CO. AND THE STATE OF INDIANA, THE FOLLOWING DESCRIBED REAL ESTATE AND LOTS AS SHOWN ON THE REPERT DRAWING:

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERECTED, ALTERED, OR PLACED ON ANY LOT OTHER THAN ONE (1) DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED IN HEIGHT 35 FEET. ALL BUILDINGS SHALL BE SET BACK FROM THE LOT LINE AS SHOWN ON THE REPERT DRAWING. ALL BUILDINGS SHALL BE PERMITTED TO BE BUILT ON ANY LOT.

2. ALL UTILITIES SHALL BE CONSTRUCTED UNDER ANY LOT IN THIS DEVELOPMENT. THE LOCATION OF ALL UTILITIES SHALL BE SHOWN ON THE REPERT DRAWING. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE PUBLIC UTILITIES COMMISSION AND THE INDIANA PUBLIC SERVICE BOARD.

3. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

4. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

5. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

6. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

7. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

8. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

9. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

10. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

11. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

12. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF A REPRESENTATIVE FROM EACH OF THE FOLLOWING: THE DEVELOPER, THE HOMEOWNERS ASSOCIATION, AND THE BOARD OF SURVEYORS AND ENGINEERS. THE COMMITTEE SHALL REVIEW AND APPROVE ALL ARCHITECTURAL SUBMISSIONS FOR CONSTRUCTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE DEVELOPMENT.

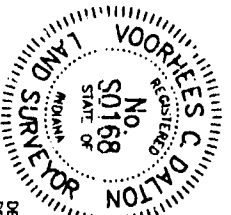
A PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, MARION COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SAID HALF QUARTER SECTION; THENCE ALONG THE WEST LINE THEREOF ON AN ASSUMED BEARING OF SOUTH 101 DEGREES 21 MINUTES 22 SECONDS WEST 1370.49 FEET TO THE SOUTHWEST CORNER OF SAID HALF SECTION; THENCE ALONG THE WEST LINE AS INSTRUMENT NUMBER 74-184-18 IN THE RECORDS OF MARION COUNTY, INDIANA, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED TRACT; THENCE ALONG THE SOUTH LINE OF SAID HOLLY HILLS FERRY SOUTH BY BEARING ALONG THE SOUTH SECONDS EAST 877.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; THENCE ALONG THE WEST LINE THEREOF NUMBER 83-8689 THE OFFICE OF SAID RECORDER; THENCE ALONG THE WEST LINE THEREOF SOUTH 01 DEGREES 12 MINUTES 22 SECONDS WEST 486.37 FEET TO THE SOUTHWEST CORNER OF SAID TRACT; SAID POINT ALSO BEING A POINT ON THE NORTH LINE OF THE AFORESAID TRACT OF HOLLY HEIGHTS AS RECORDED AS INSTRUMENT NUMBER 79-541139 IN THE OFFICE OF SAID RECORDER; THENCE ALONG THE NORTH LINE THEREOF NORTH 89 DEGREES 31 MINUTES 54 SECONDS WEST 977.00 FEET TO THE NORTHWEST CORNER OF SAID TRACT; SAID POINT ALSO BEING A POINT ON THE WEST LINE OF SAID HALF QUARTER SECTION; THENCE ALONG THE WEST LINE THEREOF NORTH 01 DEGREES 12 MINUTES 22 SECONDS EAST 366.69 FEET TO THE POINT OF BEGINNING CONTAINING 8.669 ACRES, MORE OR LESS, SUBJECT TO LEASE RIGHTS-OF-WAY, EASEMENTS, AND RESTRICTIONS OF RECORD.

THIS SUBDIVISION CONTAINS TWENTY-ONE (21) LOTS NUMBERED ONE (1) THROUGH TWENTY-ONE (21) INCLUSIVE, TOGETHER WITH STREETS, RIGHTS-OF-WAY AND EASEMENTS AS SHOWN ON THE PLAN HEREWITH.

ALL IMPROVEMENTS SHOWN HEREIN SHALL EXIST AND THAT THEIR LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN AND THAT THERE IS COMPUTED ERROR OF CLOSURE OF THE BOUNDARY SURVEY IS NOT MORE THAN ONE FOOT IN TEN THOUSAND, AND THAT THIS PLAN COMPLETES WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE, THE SIZE OF LOTS AND WIDTH OF STREETS AND EASEMENTS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

WITNESS MY HAND AND SEAL THIS 25TH DAY OF JUNE, 1917



Charles C. Dalton
RECORDER OF DEEDS
C. DALTON
REC. LAND SURVEYOR NO. S0168

DEVELOPMENT STANDARDS AND PLAN RESTRICTIONS AND COVENANTS FOR THE MAPLES SUBDIVISION

THE UNDERSIGNED ROBERT J. COOK AND RUDOLPH SCHWARTZ, OWNER OF THE REAL ESTATE HEREIN DESCRIBED DOES HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE HEREIN SHOWN PLAN AND CERTIFICATE.

THIS SUBDIVISION SHALL BE KNOWN AS THE MAPLES SUBDIVISION.

THE STREETS IF NOT HERETOFORE DESIGNATED ARE HEREBY DEDICATED TO PUBLIC USE.

THERE ARE STRIPS OF GROUND MARKED "RAINWAGE UTILITY AND SANITARY SEWER DESIGNATIONS (S.S.D. & U.E.) AND DRAINAGE AND UTILITY EASEMENTS (D.E. & U.E.) SHOWN ON THE PLAN WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES FOR INSTALLATION AND MAINTENANCE OF POLES, MANS, MANS, SEWERS, DRAINS, DUCTS, LINES, E.T.C. WIRES, FURNISHERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE EASEMENTS HEREBY CREATED AND SUBJECT TO ALL RIGHTS OF PUBLIC AUTHORITIES TO SERVE THE UTILITY AND ALL EASEMENTS HEREBY CREATED AND TO DEMAND THE STRICT OBEYANCE OF ANY KIND, AND NO EASEMENT EXCEPT THOSE SHOWN ON THE PLAN SHALL BE ERRECTED OR MAINTAINED ON SAID EASEMENTS.

ALL LOTS IN THIS SUBDIVISION AND ALL PRESENT AND FUTURE OWNERS OR OCCUPANTS THEREOF SHALL BE SUBJECT TO THE FOLLOWING DEVELOPMENT STANDARDS, CONDITION AND RESTRICTIONS, WHICH SHALL RUN WITH THE LAND.

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERRECTED, ALTERED OR PLACED ON ANY LOT OTHER THAN ONE (1) DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO (2) STORIES IN HEIGHT AND AN ATTACHED PRIVATE GARAGE FOR NOT LESS THAN TWO (2) CARS, GARAGES WITH OPEN STES SHALL NOT BE PERMITTED. ALL DRIVENWAYS AND VEHICLE PARKING AREAS SHALL BE WARD STRIPED WITH EITHER CONCRETE, ASPHALT OR BRICK. NO GRAVEL OR STONE DRIVEWAYS SHALL BE PERMITTED.

2. ALL DWELLINGS, CONSTRUCTED UPON ANY LOT IN THIS DEVELOPMENT SHALL CONFORM TO THE FOLLOWING MINIMUM URBAN AREA REQUIREMENTS, TO-WIT: A. (A) THE GROUND FLOOR LIVING AREA OF ALL SINGLE STORY DWELLING UNITS SHALL CONTAIN NOT LESS THAN 1200 SQUARE FEET (EXCLUSIVE OF (1) STORRY OPEN PORCHES AND GARAGES AND OTHER AREAS NOT CONSIDERED LIVING AREAS); NO TWO (2) STORY DWELLINGS SHALL CONTAIN LESS THAN 800 SQUARE FEET OF LIVING AREA ON THE GROUND FLOOR AND ALL TWO (2) STORY DWELLING UNITS SHALL CONTAIN AT LEAST 1200 SQUARE FEET OF LIVING AREA TOTAL.

3. NOT WITHSTANDING COMPLIANCE WITH THE FOREGOING MINIMUM URBAN AREA REQUIREMENTS, THE DEPARTMENT OF METROPOLITAN DEVELOPMENT OF THE CITY OF INDIANAPOLIS, COUNTY OF MARION, IN INDIANA SHALL NOT ISSUE AN APPROVED LOCATION PERMIT FOR ANY DWELLING UPON ANY LOT IN THIS DEVELOPMENT, NOR SHALL ANY DWELLING BE CONSTRUCTED UNLESS THE BUILDING AND SITE PLANS PRESENTED BY THE LOT OWNER HAVE BEEN APPROVED BY AND BEAR THE STAMP OF APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE, OR ITS SOLELY AUTHORIZED REPRESENTATIVE, WHICH APPROVAL AND STAMP SHALL BE SUBSTANTIALLY THE FOLLOWING FORM, TO-WIT:

THIS SITE AND/OR BUILDING PLAN FOR LOT _____ IN THE MAPLES SUBDIVISION, HAS BEEN APPROVED FOR PERMITS AND CONSTRUCTION BY _____ AS THE BUILDING CONTRACTOR FOR THE LOT OWNER AS REQUIRED BY THE PLAN OF THE MAPLES SUBDIVISION

THE MAPLES SUBDIVISION
ARCHITECTURAL CONTROL COMMITTEE

BY _____

NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER THE SET-BACK STREET LINE, THAN THE UNBUILT BUILDING SET-BACK AS SHOWN ON THE RECORDED PLAN. NO BUILDING SHALL BE LOCATED NEARER THAN 6 FEET TO A SIDE YARD LINE, AND THE TOTAL SIDE YARD SET-BACK (BOTH SIDES) MUST BE AT LEAST 16 FEET. NO BUILDING SHALL BE ERRECTED CLOSER THAN 20 FEET TO THE REAR LOT LINE, UNLESS OTHERWISE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE. AS TO USE, LOCATION AND HARBOROUS DESIGN, NO GARAGE OR STORAGE BUILDING MAY BE CONSTRUCTED SEPARATE AND APART FROM THE MAIN DWELLING, NOT WITHSTANDING THE FOREGOING REAR YARD SET-BACK REQUIREMENT.

4. NO BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS AND A PLAN SHOWING THE LOCATION OF THE STRUCTURE WITH ALL EXISTING TREES IDENTIFIED AND GROUNDED BY THE ARCHITECTURAL CONTROL COMMITTEE AS TO QUALITY OF WORKMANSHIP AND MATERIALS, WORKMAN- OF-EXTENSIVE DESIGN WITH TO EXISTING STRUCTURES, AND AS TO ELEVATIONS AND EXISTING TREES AND PLANTS AND ANCHORING ON ANY LOT OR WITHIN THE DEVELOPMENT UNLESS PREVIOUSLY PROVIDED BY THE ARCHITECTURAL CONTROL COMMITTEE IN WRITING APPROVAL. SHALL BE AS PROVIDED IN PARAGRAPHS 2 AND 7 OF THESE COVENANTS. THE ARCHITECTURAL CONTROL COMMITTEE MUST ALSO APPROVE THE OWNER'S PLAN FOR PRESERVING EXISTING TREES AND FOLIAGE PRIOR TO THE COMMENCEMENT OF ANY WORK ON THE PROPERTY. IT SHALL BE THE LOT OWNER'S RESPONSIBILITY TO COMPLETELY PRECISELY ALL REQUIRED AND APPROVED BY DEWM ELEVATIONS AS FINALLY REQUIRED AND APPROVED BY DEWM DRAINAGE SECTION 5 EVIDENCED UPON THE FINAL CONSTRUCTION PLANS FOR THE DEVELOPMENT OF THE MAPLES SUBDIVISION.

NOT WITHSTANDING COMPLIANCE WITH ALL MINIMUM STANDARDS AS REQUIRED BY THESE PLANS, COVENANTS AND RESTRICTIONS OF THIS PLAN, THE ARCHITECTURAL CONTROL COMMITTEE OR ITS DESIGNATED REPRESENTATIVE SHALL HAVE THE RIGHT TO FIRST APPROVED IN WRITING THE BUILDING CONTRACT FOR THE LOT OWNER FOR THE CONSTRUCTION.

5. THE ARCHITECTURAL CONTROL COMMITTEE SHALL HAVE THE RIGHT TO REVIEW AND MAY DESIGNATE A MEMBER OF THE COMMITTEE OR HIS DESIGNATED REPRESENTATIVE TO REVIEW THE PLANS AND SPECIFICATIONS FOR THE LOT OWNER FOR THE EVENT OF DEATH OR RESIGNATION OF THE COMMITTEE. THE REMAINING MEMBER OF THE COMMITTEE SHALL SUCCEEDOR MEMBERS OF THE COMMITTEE OR HIS DESIGNATED REPRESENTATIVE TO ANY COMPENSATION FOR SERVICES PRE- TO THIS COVENANT.

6. THE ARCHITECTURAL CONTROL COMMITTEE SHALL HAVE THE RIGHT TO REVIEW AND MAY DESIGNATE A MEMBER OF THE COMMITTEE OR HIS DESIGNATED REPRESENTATIVE TO REVIEW THE PLANS AND SPECIFICATIONS FOR THE LOT OWNER FOR THE EVENT OF DEATH OR RESIGNATION OF THE COMMITTEE. THE REMAINING MEMBER OF THE COMMITTEE SHALL SUCCEEDOR MEMBERS OF THE COMMITTEE OR HIS DESIGNATED REPRESENTATIVE TO ANY COMPENSATION FOR SERVICES PRE- TO THIS COVENANT.

7. WITH APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE, THE OWNER OF SAID COMMITTEE, THE LOT OWNER, OR HIS DESIGNATED REPRESENTATIVE, MAY BE LOCATED NEARER THAN 25 FEET ABOVE PROMISED, BUT NOT NEARER THAN 25 FEET RIGHT OF WAY LINE.

8. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE ENGAGED IN ON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH BECOME ANY ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

9. NO STRUCTURE OF A TEMPORARY CHARACTER, TRUCK, SHACK, GARAGE, BARN OR OTHER OUTBUILDING, SHALL BE PERMITTED TO REMAIN ON ANY LOT OR USED ON ANY LOT AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY, UNLESS OTHERWISE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE.

10. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC ON ANY LOT EXCEPT SIGNS USED BY AN APPROVED CONTRACTOR OR ARCHITECT DURING THE CONSTRUCTION OF THE PROPERTY. SIGNS SHALL BE REMOVED IMMEDIATELY UPON COMPLETION OF THE CONSTRUCTION AND SHALL BE SPECIFICALLY PROMISED.

11. NO OIL OR WATER DRILLINGS, OIL DEVELOPMENT, MINING, QUARRIES OR LAMING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL ANY TUNNELS, TRENCH, EXCAVATIONS OR SHAFTS BE PERMITTED ON ANY LOT, UNLESS OTHERWISE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE. ALL WATER OR NATURAL GAS SHALL BE ERRECTED PERMITTED ON ANY LOT. ALL PROPANE TANKS MUST BE ERRECTED PERMITTED ON ANY LOT.

12. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND, OR OTHER ANIMALS, SHALL BE KEPT ON ANY LOT EXCEPT THOSE SPECIFICALLY PERMITTED FOR ANY COMMERCIAL PURPOSE, BREED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

13. NO LOT SHALL BE USED OR MAINTAINED AS A TRASH OR RUBBISH, TRASH OR GARBAGE, ANTIQUAS, OR OUTSIDE ANY DWELLING, UNLESS FIRST APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE. NO TRASH OR MATERIALS OF ANY KIND SHALL BE KEPT ON ANY LOT EXCEPT THOSE SPECIFICALLY PERMITTED BY THE ARCHITECTURAL CONTROL COMMITTEE. DUMPSTERS SHALL BE KEPT ON EACH LOT DURING ANY CONSTRUCTION WITH ALL MATERIALS STORED THEREIN AND REMOVED DURING THE CONSTRUCTION.

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1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERRECTED, ALTERED, OR PLACED ON ANY LOT OTHER THAN ONE (1) DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO (2) STORIES IN HEIGHT AND AN ATTACHED PRIVATE GARAGE FOR NOT LESS THAN TWO (2) CAR GARAGES WITH OPEN STREETS SHALL NOT BE PERMITTED. ALL DRIVEWAYS AND VEHICLE PARKING AREAS SHALL BE HAVED SURFACED WITH EITHER CONCRETE, ASPHALT OR BRICK. NO GRAVEL OR STONE DRIVEWAYS SHALL BE PERMITTED.

2. ALL DWELLING, CONSTRUCTED UPON ANY LOT IN THIS DEVELOPMENT SHALL CONFORM TO THE FOLLOWING MINIMUM AREA REQUIREMENTS: TO-WIT: (A) THE GROUND FLOOR LIVING AREA OF ALL SINGLE STORY DWELLING UNITS SHALL CONTAIN NOT LESS THAN 1200 SQUARE FEET (EQUIVALENT OF (1) STORY OPEN PORCHES AND GARAGES AND OTHER AREAS NOT CONSIDERED LIVING AREAS); NO TWO (2) STORY DWELLINGS SHALL CONTAIN LESS THAN 800 SQUARE FEET OF LIVING AREA ON THE GROUND FLOOR AND ALL TWO (2) STORY DWELLING UNITS SHALL CONTAIN AT LEAST 1320 SQUARE FEET OF LIVING AREA TOTAL.

3. NOT WITHSTANDING COMPLIANCE WITH THE FOREGOING MINIMUM LIVING AREA REQUIREMENTS, THE DEPARTMENT OF METROPOLITAN DEVELOPMENT OF THE CITY OF INDIANAPOLIS COUNTY OF BARREN, INDIANA SHALL NOT ISSUE AN APPROVED LOCATION PERMIT FOR ANY DWELLING UPON ANY LOT IN THIS DEVELOPMENT UNLESS THE DWELLING BE CONSTRUCTED UNLESS THE BUILDING AND SITE PLANS PRESENTED BY THE LOT OWNER HAD BEEN APPROVED BY AN AUTHORIZED REPRESENTATIVE OF THE ARCHITECTURAL CONTROL COMMITTEE OR ITS DULY AUTHORIZED REPRESENTATIVE, WHICH APPROVAL AND STAMP SHALL BE SUBSTITUTED IN THE FOLLOWING FORM, TO-WIT:

THIS SITE AND/OR BUILDING PLAN FOR LOT _____ IN THE MAPLES SUBDIVISION, HAS BEEN APPROVED FOR PERMITS AND CONSTRUCTION BY _____ AS THE BUILDING CONTRACTOR FOR THE LOT OWNER, AS REQUIRED BY THE PLAN OF THE MAPLES SUBDIVISION.

THE MAPLES SUBDIVISION
ARCHITECTURAL CONTROL COMMITTEE

NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER THE SIDE STREET LINE THAN THE BUILDING FOUNDATION SET-BACK AS SHOWN ON THE RECORDED PLAN. NO BUILDING SHALL BE LOCATED NEARER THAN 6 FEET TO THE REAR LOT LINE. THE TOTAL SIDE YARD SET-BACK (BOTH SIDES) MUST BE AT LEAST 10 FEET. NO BUILDING SHALL BE ERRECTED CLOSER THAN 20 FEET TO THE REAR LOT LINE UNLESS OTHERWISE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE. AS TO USE LOCATION AND HARBOROUS DESIGN, APPLY TO THE PLANNING DEPARTMENT. NO WITHSTANDING THE FOREGOING REAR YARD SET-BACK REQUIREMENT.

4. NO BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS AND A THESE, IDENTIFIED THE LOCATION OF THE STRUCTURE WITH ALL EXISTING THEREON, HAVE BEEN APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE AS TO QUALITY OF WORKMANSHIP AND MATERIALS. HARBOROUS LOCATION WITH RESPECT TO EXISTING STRUCTURES, AND AS TO ELEVATIONS AND EXISTING TREES AND TREES TO BE REMOVED OR ALTERED ON ANY LOT OR WITHIN THE DEVELOPMENT UNLESS PREVIOUSLY APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE IN WRITING. APPROVALS SHALL BE AS PROVIDED IN PARAGRAPHS 2 AND 7 OF THESE COVENANTS. THE ARCHITECTURAL CONTROL COMMITTEE MUST ALSO APPROVE THE OWNER'S PLAN FOR PRESERVING EXISTING TREES AND REMOVE PRIOR TO THE COMMENCEMENT OF ANY WORK ON THE PROPERTY. IT SHALL BE THE LOT OWNER'S RESPONSIBILITY TO CONDUCT PRECISELY WITH ALL BUILDING AND SITE FINISH GRADING AND DRAINAGE AS FINALLY REQUIRED, AND APPROVED BY THE PLANNING DEPARTMENT UPON THE FINAL CONSTRUCTION PLANS FOR THE DEVELOPMENT.

NOT WITHSTANDING COMPLIANCE WITH ALL MINIMUM DEVELOPMENT STANDARDS AS REQUIRED BY APPLICABLE ORDINANCES AND THE COVENANTS AND RESTRICTIONS OF THESE COVENANTS AND THE SHALL COMMENCE UPON ANY LOT SET IN THIS DEVELOPMENT UNLESS THE ARCHITECTURAL CONTROL COMMITTEE OR ITS RESOLVE SHALL HAVE FIRST APPROVED IN WRITING THE BUILDING CONTRACTOR SELECTED BY THE LOT OWNER FOR THE CONSTRUCTION.

5. THE ARCHITECTURAL CONTROL COMMITTEE SHALL BE COMPOSED OF THE OWNER/DEVELOPER AND HIS APPROVED REPRESENTATIVES TO MAJORITY OF THE COMMITTEE. THE REMAINING MEMBERS SHALL HAVE ACT FOR IT. IN THE EVENT OF DEATH OR RESIGNATION OF ANY MEMBER OF THE COMMITTEE, THE REMAINING MEMBERS SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR, WHETHER THE MEMBERS OF THE COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT.

6. THE ARCHITECTURAL CONTROL COMMITTEE APPROVAL OR DISAPPROVAL AS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVE FAILS TO APPROVE OR DISAPPROVE WITHIN TEN (10) 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 COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

7. WITH APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE AND WHEREBY THE OWNER OF SAID COMMITTEE, THE LOCATION WILL NOT BE PERMITTED TO BE LOCATED NEARER TO A STREET THAN ABOVE PROVIDED BUT NEARER THAN 25 FEET TO ANY STREET RIGHT OF WAY LINE.

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

9. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, RESIDENT TENT, SHACK, GARAGE, BARN, OR OTHER OUT-DOOR BUILDING SHALL BE PERMITTED TO REMAIN ON ANY LOT OR USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY. THE EXTERIOR SURFACE OF ALL BUILDINGS SHALL HAVE A FINISHED ARCHITECTURAL APPROVAL OF THE ARCHITECTURAL CONTROL COMMITTEE.

10. NO SIGN, OR ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT SIGNS USED BY AN APPROVED BUILDER TO ADVERTISE THE DEVELOPMENT, SIGNS ADVERTISING PROPERTY FOR SALE OR RENT AND SIGNS SPECIFICALLY PROMOTED.

11. NO OIL OR WATER DRILLINGS, OIL DEVELOPMENT OPERATIONS, OIL REMAINING, QUARRIES OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT. NO OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHALTS BE PERMITTED UPON ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL, WATER OR NATURAL GAS SHALL BE ERRECTED, MAINTAINED OR PERMITTED ON ANY LOT. ALL PROPANE TANKS MUST BE CONCEALED.

12. NO ANIMALS, LIVESTOCK OR POLTARY 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 LEFT, BREED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

13. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBER, TINNED FOOD OR GARAGE, AUTOMOBILE WASTE, TOWERS OR STRUCTURES OF ANY KIND WILL NOT BE PERMITTED ON ANY LOT OR OUTSIDE OF DWELLING UNITS. ALL TRASH OR BUILDING MATERIALS MAY BE BURIED OR BURIED ON ANY LOT WITHIN DEVELOPMENT AND ALL LOTS SHALL BE KEPT CLEAN AT ALL TIMES DURING ANY CONSTRUCTION. DUMPSTERS SHALL BE USED AND LOCATED ON EACH LOT DURING ANY CONSTRUCTION WITH ALL TRASH AND EXCESS MATERIALS STORED THEREON AND REMOVED DAILY.

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14. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE SIGHT LINES AT ELEVATIONS FEET BETWEEN TWO (2) AND SIX (6) FEET ABOVE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIPOLY AREA FRAMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS TWENTY FIVE (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. FROM THE SAME STREET LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN THE SAME STREET LINE LIMITATIONS OF A STREET PROPERTY LINES EXTENDED WITH THE EDGE OF A DRIVEWAY PAVEMENT. NO TREE SHALL BE PERMITTED TO BE PLANTED WITHIN SUCH DISTANCE OF SUCH INTERSECTION UNLESS THE FOLLOR LINE IS MAINTAINED. NO DRIVEWAY SHALL BE LOCATED WITHIN FORTY (40) FEET OF THE INTERSECTION OF TWO (2) STREET LINES. ALL SIX FEET SHALL BE CONTRIBUTED BY LOT OWNERS IN CONFORMANCE WITH DEPARTMENTAL AND SHALL BE COMPLETED AT SUCH TIME AS THE WORKMAN ON THE LOT IS INITIALLY COMPLETED OR WITHIN TWELVE (12) MONTHS OF THE DATE SUCH LOT IS FIRST OCCUPY.

15. EACH LOT SHALL BE KEPT IN A NEAT AND PLEASING MANNER. THE GRASS MOWED WHEN NECESSARY TO MAINTAIN A GROWTH OF SIX (6) INCHES OR LESS AT ALL TIMES. CAMPERS, RECREATIONAL VEHICLES OR BOATS OF ANY KIND MAY NOT BE STORED OR PARKED ON ANY LOT OUTSIDE ANY DWELLING OR GARAGE. ALL BASKETBALL BACKBOARDS AND ANY OTHER FIXED GAMES AND PLAY STRUCTURES SHALL BE LOCATED BEHIND THE FRONT FOUNDATION LINE OF THE MAIN STRUCTURE AND WITHIN LOT SETBACK LINES AND MUST BE APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE PRIOR TO THE LOCATION ON THE PREMISES. IT IS THE INTENTION OF THIS RESTRICTION TO ASSURE THAT LOTS AND SURROUNDINGS PRESENT A PARK-LIKE APPEARANCE.

16. NO INDIANAPOLIS WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT WITHOUT WRITTEN APPROVAL BY THE ARCHITECTURAL CONTROL COMMITTEE AND WRITTEN CONSENT AND WILL BE LOCATED AND CONSTRUCTED IN CONFORMANCE WITH REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE INDIANA STATE BOARD OF HEALTH.

17. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCLOSED IN CONSTRUCTION OF ANY APPROVED DEVELOPMENT IN THIS SUBDIVISION SHALL BE PERMITTED AND ALL OWNERS OF LOTS IN THIS INDIANA DIVANCE CODE OF 1985, AND AMENDMENTS THERETO.

18. ANY MOTOR VEHICLE WHICH IS IMPROPERLY OR UNLICENSED AND NOT BEING USED FOR NORMAL TRANSPORTATION SHALL NOT BE PERMITTED TO REMAIN ON ANY LOT ABOVE THE GROUND SWAMPING POOLS SHALL NOT BE PERMITTED OR CONSTRUCTED ON ANY LOT.

19. THE FINISHED YARD ELEVATIONS AT THE HOUSE SITE ON LOTS IN THIS SUBDIVISION SHALL BE NOT LOWER THAN THE ELEVATIONS SHOWN ON THE SEVERAL DEVELOPMENT PLAN, AND SHALL BE APPROVED IN WRITING BY THE ARCHITECTURAL CONTROL COMMITTEE PRIOR TO CONSTRUCTION. THE LOT OWNER SHALL BE SOLELY RESPONSIBLE FOR MAINTAINING ALL FINISHED GRADE ELEVATIONS IN ACCORDANCE WITH THE APPROVED DEVELOPMENT PLANS AND SHALL BEAR THE COST OF ALL GRADING OR IMPROVEMENTS NECESSARY TO BRING THE LOT INTO COMPLIANCE WITH THESE COVENANTS.

20. DRAINAGE SWALES (DITCHES) OR DRAINAGE RETENTION AREAS ALONG DRAINAGE ROWWAYS AND WITHIN THE RIGHT-OF-WAY, OR ON THE ADJACENT ELEVATIONS SHOWN ON THE WRITTEN PLAN, FILLED IN WITH A 6 INCHES DEPTH OF GRAVEL OR OTHER PERMISSIBLE MATERIAL OF THE INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS AND THE ARCHITECTURAL CONTROL COMMITTEE. PUBLIC WORKS OWNERS MUST MAINTAIN THESE SWALES AS SOOED. GASTS SHALL NOT BE CONTAINED ON THE PROPERTY LONG ENOUGH SO THAT SWALES BECOME SWALES OR DITCHES WILL NOT BE DAMAGED BY SUCH WATER DRAINAGES MAY BE CONSTRUCTED OVER THESE SWALES OR DITCHES ONLY WHEN APPROPRIATELY SIZED CURBS OR OTHER APPROVED STRUCTURES HAVE BEEN PERMITTED BY THE INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS. ANY PROPERLY OWNER ALTERING, CHANGING, OR DAMAGING SWALES OR DITCHES WILL BE HELD RESPONSIBLE. AS SUCH REPAIR AND DAMAGE AFTER WHICH NOTICE IS GIVEN TO THE INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS WILL CALL FOR THE COST OF THE SAID REPAIRS TO BE ACCOMPLISHED AND THE STATEMENT OF THE COST OF THE SAID REPAIRS WILL BE SENT TO THE AFFECTED PARTY OWNER FOR IMMEDIATE PAYMENT.

21. THE PERSON OR PERSONS WHOSE ANY COVENANTS EITHER TO RECOVER DAMAGES, INVIOLATION OF, BY JUDGMENT OR COURT ORDER, SHALL BE CONSIDERED AS A WAIVER OF THE ENFORCEMENT OF ANY OTHER PROVISIONS WHICH SHALL REMAIN FULLY ENFORCEABLE. FAILURE TO ENFORCE ANY SPECIFIC SHALL NOT BE CONSIDERED AS A WAIVER OF ANY OTHER PROVISION HEREIN, THEREAFTER.

22. THE METHOD OF DEVELOPMENT AND ASSIGNS, SHALL BE SUBJECT TO THE ENFORCEMENT OF ANY RESTRICTIONS OR OTHER LIMITATIONS OTHER THAN THOSE COVENANTS, ON LANDS THAT EXPRESSLY PROVIDE THAT DEVELOPMENT COMMISSION, PROVIDED THAT SUCH DEVELOPMENT COMMISSION SHALL BE CONSTRUCTED TO PREVENT CONFLICTS FROM ENFORCING ANY COVENANT OR ORDINANCE IN THIS PLAN BY APPROVAL OF THIS PLAN BY THE ENFORCEMENT SHALL BE BY PRO AGAINS. THE PERSON OR PERSONS WHOSE ANY COVENANTS EITHER TO RECOVER DAMAGES, INVIOLATION OF, BY JUDGMENT OR COURT ORDER, SHALL BE CONSIDERED AS A WAIVER OF THE ENFORCEMENT OF ANY OTHER PROVISIONS WHICH SHALL REMAIN FULLY ENFORCEABLE. FAILURE TO ENFORCE ANY SPECIFIC SHALL NOT BE CONSIDERED AS A WAIVER OF ANY OTHER PROVISION HEREIN, THEREAFTER.

23. THESE RESTRICTIONS ARE HEREBY RUNNING WITH THE LAND AND SHALL BE ENFORCEABLE UNDER THE TERMS OF THESE COVENANTS. SAID COVENANTS SHALL BE SUBJECT TO THE ENFORCEMENT OF ANY RESTRICTIONS OR OTHER LIMITATIONS OTHER THAN THOSE COVENANTS, ON LANDS THAT EXPRESSLY PROVIDE THAT DEVELOPMENT COMMISSION, PROVIDED THAT SUCH DEVELOPMENT COMMISSION SHALL BE CONSTRUCTED TO PREVENT CONFLICTS FROM ENFORCING ANY COVENANT OR ORDINANCE IN THIS PLAN BY APPROVAL OF THIS PLAN BY THE ENFORCEMENT SHALL BE BY PRO AGAINS. THE PERSON OR PERSONS WHOSE ANY COVENANTS EITHER TO RECOVER DAMAGES, INVIOLATION OF, BY JUDGMENT OR COURT ORDER, SHALL BE CONSIDERED AS A WAIVER OF THE ENFORCEMENT OF ANY OTHER PROVISIONS WHICH SHALL REMAIN FULLY ENFORCEABLE. FAILURE TO ENFORCE ANY SPECIFIC SHALL NOT BE CONSIDERED AS A WAIVER OF ANY OTHER PROVISION HEREIN, THEREAFTER.

24. ALL COST OF LITIGATION AND REPAIR OR RECONSTRUCTION OF THE COVENANT VIOLATION.

25. THESE RESTRICTIONS ARE HEREBY RUNNING WITH THE LAND AND SHALL BE ENFORCEABLE UNDER THE TERMS OF THESE COVENANTS. SAID COVENANTS SHALL BE SUBJECT TO THE ENFORCEMENT OF ANY RESTRICTIONS OR OTHER LIMITATIONS OTHER THAN THOSE COVENANTS, ON LANDS THAT EXPRESSLY PROVIDE THAT DEVELOPMENT COMMISSION, PROVIDED THAT SUCH DEVELOPMENT COMMISSION SHALL BE CONSTRUCTED TO PREVENT CONFLICTS FROM ENFORCING ANY COVENANT OR ORDINANCE IN THIS PLAN BY APPROVAL OF THIS PLAN BY THE ENFORCEMENT SHALL BE BY PRO AGAINS. THE PERSON OR PERSONS WHOSE ANY COVENANTS EITHER TO RECOVER DAMAGES, INVIOLATION OF, BY JUDGMENT OR COURT ORDER, SHALL BE CONSIDERED AS A WAIVER OF THE ENFORCEMENT OF ANY OTHER PROVISIONS WHICH SHALL REMAIN FULLY ENFORCEABLE. FAILURE TO ENFORCE ANY SPECIFIC SHALL NOT BE CONSIDERED AS A WAIVER OF ANY OTHER PROVISION HEREIN, THEREAFTER.

STATE OF INDIANA)
COUNTY OF BARREN)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, HAS APPEARED ALBERT J. COOK AND RUDOLF L. SCHWARTZ, COVENANTS AND RESTRICTIONS OF THESE COVENANTS AND THE RECORD OF THE REAL ESTATE CONTAINED THEREIN AND ACKNOWLEDGED THE DEED AND THE CONTENTS THEREOF.

IN WITNESS WHEREOF, I HAVE HEREUPON SET MY HAND AND SEAL AT INDIANAPOLIS, INDIANA, THIS 18TH DAY OF FEBRUARY, 1987.

ALBERT J. COOK
RUDOLF L. SCHWARTZ
RESIDENT OF BARREN COUNTY
BY COMM. EXPIRES



MINIMUM DEVELOPMENT
ORNAMANCES AND THE
LAT, NO CONSTRUCTION
DEVELOPMENT UNLESS THE
S. RESIDENCE SHALL HAVE
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BE CARRIED ON UPON
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R. THAYER, BASEMENT,
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ANY LOT AT ANY TIME
PERMANENTLY. THE
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ROL COMMITTEE.

TO THE PUBLIC VIEW
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ANY KIND SHALL BE
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PURPOSE.

AS A DRAINAGE GROUND
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DITTED ON ANY LOT
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ON ANY LOT WITHIN
T PLAN AT ALL TIMES
T USED AND LOCATED
L DASH AND EXCESS

14. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE FRONT LINES AT ELEVATIONS BETWEEN TWO (2) AND SIX (6) FEET ABOVE ROOMWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON AN CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET FRONT LINES AND A LINE CONNECTING THEM AT POINTS TWENTY (20) 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. ITEM (10) FEET FROM THE INTERSECTION OF A STREET PROPERTY LINES SHALL BE PERMITTED TO EXCEED THE INTERSECTION OF SUCH INTERSECTIONS UNLESS THE BOARD OF A DRAINAGE DISTRICT, NO TREE SURVEYOR HEIGHT TO PREVENT OBSTRUCTION OF SUCH STREET LIGHTS. INTERSECTION OF TWO (2) STREET LIGHTS (40) FEET OF THE CONSTRUCTION BY LOT OWNERS IN ACCORDANCE WITH DEEM STANDARDS, AND SHALL BE COMPLETED AT SUCH TIME AS THE BREAK OF THE DATE SUCH CONSTRUCTION, OR WITHIN TWENTY (20) MONTHS OF THE DATE SUCH LOT IS INITIALLY COVERED BY THE UNDERSIGNED, WHICHEVER DATE SHALL FIRST OCCUR.

15. EACH LOT SHALL BE KEPT IN A NEAT AND PLEASING MANNER, THE GRASS MOWED WHEN NECESSARY TO MAINTAIN A GROUND OF SIX (6) INCHES OR LESS AT ALL TIMES, CAMPS, RECREATIONAL, VEHICLES OR BOATS OF ANY KIND MAY NOT BE STORED OR PARKED ON ANY LOT OUTSIDE ANY DWELLING OR GARAGE. ALL BASKETBALL, BONGOBOS AND ANY OTHER TRICK GAMES AND PLAY STRUCTURES SHALL BE LOCATED BEHIND THE FRONT FOUNDATION LINE OF THE MAIN STRUCTURE AND WITHIN ONE FEET FROM THE FRONT FOUNDATION LINE OF THE ARCHITECTURAL CONTROL COMMITTEE PRIOR TO THE LOCATION ON THE PRECESS. THE INTENTION OF THIS RESTRICTION TO ASSURE THAT LOTS AND SURROUNDINGS PRESENT A PARK-LIKE APPEARANCE.

16. NO NONDRAINAGE WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT WITHOUT PRIOR WRITTEN APPROVAL BY THE ARCHITECTURAL CONTROL COMMITTEE AND WITHIN COUNTY AND WILL BE LOCATED AND CONSTRUCTED IN ACCORDANCE WITH REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE INDIANA STATE BOARD OF HEALTH.

17. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS EXPOSED IN CONSTRUCTION OF ANY IMPROVEMENTS WITHIN A SUBDIVISION SHALL BE PERPETUATED, AND ALL OWNERS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1985, AND AMENDMENTS THERETO.

18. ANY MOTOR VEHICLE WHICH IS IMPERMANENT OR UNLICENSED AND NOT BEING USED FOR NORMAL TRANSPORTATION SHALL NOT BE PERMITTED TO REMAIN ON ANY LOT ABOVE THE GROUND SWELLING POOLS SHALL NOT BE PERMITTED OR CONSTRUCTED ON ANY LOT

19. THE FINISHED YARD ELEVATIONS AT THE HOUSE SITE ON LOTS IN THIS SUBDIVISION SHALL BE NOT LOWER THAN THE ELEVATIONS SHOWN ON THE GENERAL DEVELOPMENT PLAN, AND SHALL BE APPROVED IN WRITING BY THE ARCHITECTURAL CONTROL COMMITTEE PRIOR TO CONSTRUCTION. THE LOT OWNER SHALL BE SOLELY RESPONSIBLE FOR THE FINISHING ALL FINISHED GRADE ELEVATIONS IN ACCORDANCE WITH THE APPROVED DEVELOPMENT PLANS AND SHALL BEAR THE COST OF ALL GRADING OR IMPROVEMENTS NECESSARY TO BRING THE LOT INTO COMPLIANCE WITH THESE COVENANTS.

20. DRAINAGE SWALES (DITCHES) OR DRAINAGE RETENTION AREAS ALONG DEDICATED ROADWAYS AND WITHIN THE RIGHT-OF-WAY, OR ON DEDICATED EASEMENTS ARE NOT TO BE ALTERED, DUG OUT, FILLED IN, FLEED, OR OTHERWISE CHANGED WITHOUT THE WRITTEN PERMISSION OF THE INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS AND THE ARCHITECTURAL CONTROL COMMITTEE. PROPERTY OWNERS MUST MAINTAIN THESE SWALES AS SPOOLED GRASS AREAS OVER OTHER NON-BEARING SURFACES. WATER FROM ROOFS OR PARKING AREAS MUST BE CONTAINED ON THE PROPERTY LONG ENOUGH SO THAT SUCH WATER SWALES OR DITCHES WILL NOT BE DAMAGED BY SUCH WATER. DRAINWAYS MAY BE CONSTRUCTED OVER THESE SWALES OR DITCHES ONLY WHEN APPROPRIATELY SIZED CULVERTS OR OTHER APPROVED STRUCTURES HAVE BEEN PERMITTED BY THE INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS. ANY PROPERTY OWNER ALTERNATELY CHANGING OR DAMAGING SWALES OR DITCHES WILL BE HELD RESPONSIBLE FOR SUCH REPAIRS AND WILL BE GIVEN TEN (10) DAYS TO COMPLY. IF SUCH ACTION IS NOT TAKEN WITHIN TEN (10) DAYS, THE INDIANAPOLIS DEPARTMENT OF PUBLIC WORKS WILL BE RESPONSIBLE FOR THE REPAIRS TO BE COMPLETED AND THE STATEMENT OF THE USE OF THE SAID REPAIRS WILL BE SENT TO THE AFFECTED PROPERTY OWNER FOR IMMEDIATE PAYMENT.

UNDEVELOPED ANY/LUX ASSOCIATION SHALL HAVE STANDING AND AUTHORITY TO SEEK AN INJUNCTION OR ORDER FOR THE APPROVAL OF ALL MATERIALS AND PARTIALLY COMPLETED STRUCTURES IN VIOLATION OF THIS COVENANT.

22. ALL COST OF LITIGATION AND ATTORNEY'S FEES RESULTING FROM VIOLATION OF THESE COVENANTS SHALL BE THE FINANCIAL RESPONSIBILITY OF THE LOT OWNER OR OWNERS FOUND TO BE IN VIOLATION.

23. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE 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 THAT PERIOD THESE COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS, UNLESS AT ANY TIME AFTER REPLYING (15) YEARS FOLLOWING THE DATE OF RECORPATION ANY INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

24. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES AND EITHER TO RESTRAIN VIOLATION OR TO BY ADJUDICATED OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT. FAILURE TO ENFORCE ANY SUCH REQUIREMENT OF THE COVENANTS SHALL NOT BE CONSIDERED AS A WAIVER OF THE RIGHT TO ENFORCE ANY COVENANT HEREIN, THEREAFTER.

25. THE METROPOLITAN DEVELOPMENT COMMISSION, ITS SUCCESSIONS AND ASSIGNS SHALL HAVE NO RIGHT, POWER, AUTHORITY, TO ENFORCE ANY COVENANT CONTAINED IN THIS PLAN, OR RESTRICTIONS OR OTHER LIMITATIONS CONTAINED IN THIS PLAN, OR OTHER THAN THOSE COVENANTS, COMMITMENTS, RESTRICTIONS OR LIMITATIONS THAT EXPRESSLY RUN IN FAVOR OF THE METROPOLITAN DEVELOPMENT COMMISSION. PROVIDED FURTHER THAT NOTHING IN THIS COVENANT SHALL BE CONSTRUED TO PREVENT THE METROPOLITAN DEVELOPMENT COMMISSION FROM ENFORCING ANY PROVISIONS OF THE SUPERSEDED ORDINANCE 92-40-3, AS AMENDED, OR ANY COVENANTS ATTACHED TO APPROVAL OF THIS PLAN BY THE PLAT COMMITTEE.

WITNESSES TO THE SIGNATURE OF THE DAY OF JULY 1992
BY [Signature] ROBERT J. COOK
BY [Signature] RUDOLPH SCHWARTZ

STATE OF INDIANA)
COUNTY OF BARREN)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED ROBERT J. COOK AND RUDOLPH SCHWARTZ, THE OWNERS OF RECORD OF THE REAL ESTATE CONTAINED WITHIN THIS SUBDIVISION, WHO ACKNOWLEDGED THE EXECUTION OF THE FOREGOING CONSENT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND OFFICE IN BARREN COUNTY, INDIANA, THIS 17th DAY OF JULY 1992.

[Notary Seal: Notary Public, State of Indiana]
[Signature: Linda R. K. Fox]
Linda R. K. Fox
Notary Public
Resident of Warren County
My Commission Expires 5/12/2001

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APPROVED THIS 14th DAY OF July 19 92
FELTY TOWNSHIP ASSESSOR
[Signature]
DRAFTSMAN

PROJECTS plus
GREENWOOD SURVEYING COMPANY
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - CONSTRUCTION MANAGEMENT
420 South Emerson Ave. - Greenwood, Indiana 46143
(317)-882-5003

MARCH 29, 1996
DATE
2 SHEETS