



# RIDGE

770084843

146TH STREET

1ST LINE, 1/4 NW & NE 1/4, SEC 16-19-2

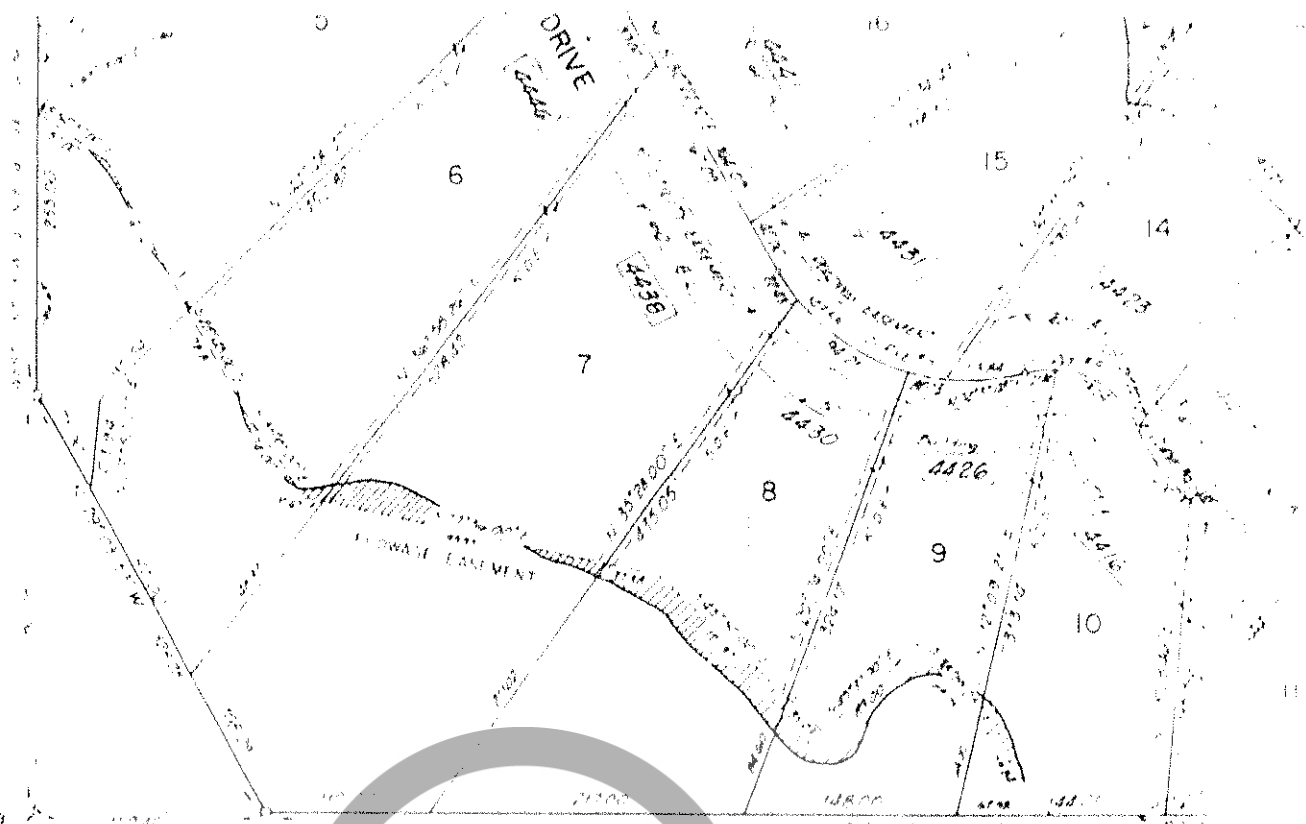
112 COR. 151 & NE 1/4  
Twp 16-19-2  
Point of Beginning



CHICAGO TITLE

### LEGEND

- DE - DRAINAGE EASEMENT
- SHADED AREA REPRESENTS AREA BETWEEN DEEDED B15 CONTOUR LINE AND PHYSICAL B15 CONTOUR LINE AS EXIST.



CURVE DATA

CURVE	Δ	D	R	L	T	E
1	21° 14' 01"	56° 00' 00"	102.31'	37.92'	19.18'	1.78'
2	21° 14' 01"	56° 00' 00"	102.31'	37.92'	19.18'	1.78'
3	42° 40' 00"	36° 00' 00"	159.16'	116.52'	62.16'	11.71'
4	67° 00' 00"	62° 20' 30"	91.91'	107.47'	60.83'	18.31'
5	17° 30' 37"	24° 00' 00"	238.73'	72.96'	36.77'	2.81'
6	11° 20' 37"	16° 00' 00"	358.10'	70.90'	35.57'	1.76'
7	75° 00' 00"	38° 00' 00"	150.78'	197.37'	115.70'	39.27'
8	85° 00' 00"	90° 00' 00"	63.66'	94.44'	58.34'	22.69'
9	28° 00' 00"	50° 00' 00"	114.59'	56.00'	28.57'	3.51'
10	42° 16' 07"	118° 35' 30"	50.00'	36.89'	19.33'	3.61'
11	42° 16' 07"	118° 35' 30"	50.00'	36.89'	19.33'	3.61'
12	34° 43' 01"	60° 00' 00"	95.49'	57.86'	29.85'	4.56'
13	34° 43' 01"	60° 00' 00"	95.49'	57.86'	29.85'	4.56'
14	45° 00' 00"	60° 00' 00"	95.49'	75.00'	39.56'	7.87'

NOTES:

1. STREET NOT CLOSED WITHIN A CERTAIN EITHER MAY ULTIMATELY
2. THIS TRACT 72 LOTS, NUMBERED 1-72 ON THE SIZE OF THE
3. LOT AND ACTS AND SETS THE

AREA OF LOTS (Sq Ft)

LOT NR	AREA	LOT NR	AREA	LOT NR	AREA	LOT NR	AREA
1	39,166	9	37,511	17	41,591	25	36,782
2	50,389	10	39,395	18	56,570	26	40,434
3	54,895	11	53,337	19	50,631	27	70,681
4	53,578	12	63,306	20	54,911	28	108,546
5	73,068	13	33,830	21	42,500	29	62,830
6	70,143	14	34,134	22	40,500	30	54,262
7	32,184	15	37,909	23	41,132	31	50,149
8	52,666	16	41,281	24	35,999	32	49,853

77008443

77008443

BEFORE



# THE RIDGE

77081913

## LEGAL DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 16 NORTH, RANGE 2 EAST, IN MARION COUNTY, STATE OF INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

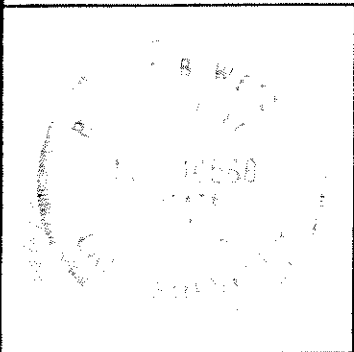
BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16, THENCE NORTH EIGHTY-NINE DEGREES FIFTY-TWO MINUTES TWELVE SECONDS WEST ( $N89^{\circ}52'12''W$ ) ON AND ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF THREE HUNDRED FORTY-EIGHT AND FORTY-EIGHT HUNDREDTHS FEET (348.48') TO A POINT; THENCE SOUTH ZERO DEGREES THIRTY-ONE MINUTES THIRTY-SIX SECONDS WEST ( $S00^{\circ}31'36''W$ ) ON AND ALONG A LINE PARALLEL TO THE EAST LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF THREE HUNDRED SEVENTY-FIVE FEET (375.00') TO A POINT; THENCE NORTH EIGHTY-NINE DEGREES FIFTY-TWO MINUTES TWELVE SECONDS WEST ( $N89^{\circ}52'12''W$ ) ON AND ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF ONE HUNDRED FIFTEEN AND SIXTEEN HUNDREDTHS FEET (116.16') TO A POINT; THENCE NORTH ZERO DEGREES THIRTY-ONE MINUTES THIRTY-SIX SECONDS EAST ( $N00^{\circ}31'36''E$ ) ON AND ALONG A LINE PARALLEL TO THE EAST LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF THREE HUNDRED SEVENTY-FIVE FEET (375.00') TO A POINT ON THE NORTH LINE OF SAID QUARTER-QUARTER SECTION; THENCE NORTH EIGHTY-NINE DEGREES FIFTY-TWO MINUTES TWELVE SECONDS WEST ( $N89^{\circ}52'12''W$ ) ON AND ALONG THE NORTH LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF EIGHT HUNDRED NINETY AND THIRTY-TWO HUNDREDTHS FEET (890.32') TO THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTH ZERO DEGREES ONE MINUTE ZERO SECONDS EAST ( $S00^{\circ}01'00''E$ ) ON AND ALONG THE WEST LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF ONE THOUSAND FORTY-EIGHT AND SEVENTEEN HUNDREDTHS FEET (1,048.17') TO A POINT, SAID POINT BEING NORTH TWENTY-NINE DEGREES THREE MINUTES FIFTY-THREE SECONDS WEST ( $N29^{\circ}03'53''W$ ) A DISTANCE OF TWENTY-SEVEN HUNDREDTHS FEET (0.27') FROM THE INDIANAPOLIS FLOOD CONTROL DISTRICT (I.F.C.D.) CONCRETE MONUMENT; THENCE SOUTH TWENTY-NINE DEGREES THREE MINUTES FIFTY-THREE SECONDS EAST ( $S29^{\circ}03'53''E$ ) A DISTANCE OF TWENTY-SEVEN HUNDREDTHS FEET (0.27') TO SAID MONUMENT; THENCE CONTINUING SOUTH TWENTY-NINE DEGREES THREE MINUTES FIFTY-THREE SECONDS EAST ( $S29^{\circ}03'53''E$ ) A DISTANCE OF THREE HUNDRED TWENTY-EIGHT AND ONE HUNDREDTH FEET (328.01') TO A POINT ON THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION, SAID POINT BEING NORTH TWENTY-NINE DEGREES THREE MINUTES FIFTY-THREE SECONDS WEST ( $N29^{\circ}03'53''W$ ) A DISTANCE OF FIFTEEN HUNDREDTHS FEET (0.15') FROM AN I.F.C.D. CONCRETE MONUMENT; THENCE SOUTH EIGHTY-NINE DEGREES FIFTY-SIX MINUTES TWENTY-SEVEN SECONDS EAST ( $S89^{\circ}56'27''E$ ) ON AND ALONG THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF NINE HUNDRED SEVENTY-SEVEN AND THIRTY-SIX HUNDREDTHS FEET (977.36') TO A POINT, SAID POINT BEING NORTH SIXTEEN DEGREES THIRTY-FIVE MINUTES FORTY-TWO SECONDS EAST ( $N16^{\circ}35'42''E$ ) A DISTANCE OF ONE AND SIXTY HUNDREDTHS FEET (1.60') FROM AN I.F.C.D. CONCRETE MONUMENT; THENCE NORTH SIXTEEN DEGREES THIRTY-FIVE MINUTES FORTY-TWO SECONDS EAST ( $N16^{\circ}35'42''E$ ) A DISTANCE OF ONE HUNDRED SEVENTY-SEVEN AND FIFTY-ONE HUNDREDTHS FEET (177.51') TO AN I.F.C.D. CONCRETE MONUMENT; THENCE SOUTH SEVENTY-EIGHT DEGREES FIFTY-THREE MINUTES THIRTY-EIGHT SECONDS EAST ( $S78^{\circ}53'38''E$ ) A DISTANCE OF SEVENTY-SIX AND THIRTY-THREE HUNDREDTHS FEET (76.33') TO AN I.F.C.D. MONUMENT; THENCE SOUTH TWO DEGREES THIRTEEN MINUTES SIX SECONDS EAST ( $S02^{\circ}13'06''E$ ) A DISTANCE OF ONE HUNDRED FIFTY-FIVE AND SIXTY-SIX HUNDREDTHS FEET (155.66') TO A POINT ON THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION, SAID POINT BEING NORTH TWO DEGREES THIRTEEN MINUTES SIX SECONDS WEST ( $N02^{\circ}13'06''W$ ) A DISTANCE OF ONE AND THIRTY-TWO HUNDREDTHS FEET (1.32') FROM AN I.F.C.D. MONUMENT; THENCE SOUTH EIGHTY-NINE DEGREES FIFTY-SIX MINUTES TWENTY-SEVEN SECONDS EAST ( $S89^{\circ}56'27''E$ ) ALONG THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF SEVENTY-THREE AND

THREE MINUTES FIFTY-THREE SECONDS EAST (S29°03'53"E) A DISTANCE OF TWENTY-SEVEN HUNDREDTHS FEET (0.27') TO SAID MONUMENT; THENCE CONTINUING SOUTH TWENTY-NINE DEGREES THREE MINUTES FIFTY-THREE SECONDS EAST (S29°03'53"E) A DISTANCE OF THREE HUNDRED TWENTY-EIGHT AND ONE HUNDREDTH FEET (328.01') TO A POINT ON THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION, SAID POINT BEING NORTH TWENTY-NINE DEGREES THREE MINUTES FIFTY-THREE SECONDS WEST (N29°03'53"W) A DISTANCE OF FIFTEEN HUNDREDTHS FEET (0.15') FROM AN I.F.C.D. CONCRETE MONUMENT; THENCE SOUTH EIGHTY-NINE DEGREES FIFTY-SIX MINUTES TWENTY-SEVEN SECONDS EAST (S89°56'27"E) ON AND ALONG THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF NINE HUNDRED SEVENTY-SEVEN AND THIRTY-SIX HUNDREDTHS FEET (977.36') TO A POINT, SAID POINT BEING NORTH SIXTEEN DEGREES THIRTY-FIVE MINUTES FORTY-TWO SECONDS EAST (N16°35'42"E) A DISTANCE OF ONE AND SIXTY HUNDREDTHS FEET (1.60') FROM AN I.F.C.D. CONCRETE MONUMENT; THENCE NORTH SIXTEEN DEGREES THIRTY-FIVE MINUTES FORTY-TWO SECONDS EAST (N16°35'42"E) A DISTANCE OF ONE HUNDRED SEVENTY-SEVEN AND FIFTY-ONE HUNDREDTHS FEET (177.51') TO AN I.F.C.D. CONCRETE MONUMENT; THENCE SOUTH SEVENTY-EIGHT DEGREES FIFTY-THREE MINUTES THIRTY-EIGHT SECONDS EAST (S78°53'38"E) A DISTANCE OF SEVENTY-SIX AND THIRTY-THREE HUNDREDTHS FEET (76.33') TO AN I.F.C.D. MONUMENT; THENCE SOUTH TWO DEGREES THIRTEEN MINUTES SIX SECONDS EAST (S02°13'06"E) A DISTANCE OF ONE HUNDRED FIFTY-FIVE AND SIXTY-SIX HUNDREDTHS FEET (155.66') TO A POINT ON THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION, SAID POINT BEING NORTH TWO DEGREES THIRTEEN MINUTES SIX SECONDS WEST (N02°13'06"W) A DISTANCE OF ONE AND THIRTY-TWO HUNDREDTHS FEET (1.32') FROM AN I.F.C.D. MONUMENT; THENCE SOUTH EIGHTY-NINE DEGREES FIFTY-SIX MINUTES TWENTY-SEVEN SECONDS EAST (S89°56'27"E) ALONG THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF SEVENTY-THREE AND NINETY-THREE HUNDREDTHS FEET (73.93') TO THE SOUTHEAST CORNER OF SAID QUARTER-QUARTER SECTION; THENCE NORTH ZERO DEGREES THIRTY-ONE MINUTES THIRTY-SIX SECONDS EAST (N00°31'36"E) ON AND ALONG THE EAST LINE OF SAID QUARTER-QUARTER SECTION A DISTANCE OF ONE THOUSAND THREE HUNDRED THIRTY-THREE AND THIRTY-TWO HUNDREDTHS FEET (1,333.32') TO THE POINT OF BEGINNING, CONTAINING 39.390 ACRES, SUBJECT, HOWEVER, TO A FLOWAGE EASEMENT AS SET FORTH IN RESOLUTION 15, 1966, AND RECORDED IN THE OFFICE OF THE MARION COUNTY RECORDER AS INSTRUMENT NUMBER 66-56639 ON NOVEMBER 3, 1966, AND SHOWN ON THE PLAT; ALSO SUBJECT TO ALL OTHER LEGAL HIGHWAYS, RIGHTS-OF-WAY, AND EASEMENTS.

DUE TO THE MATHEMATICAL INACCURACY OF THE 815 FLOWAGE EASEMENT LINE AS SET OUT IN INSTRUMENT NUMBER 66-2449 AND INSTRUMENT NUMBER 66-56639 AND DUE TO THE FINDINGS OF MONUMENTATION EXISTING IN THE FIELD THERE ARE SEVERAL VARIATIONS FROM THE RECORDED CALLS THAT WERE REQUIRED TO BE MADE. ALL CHANGES THAT WERE MADE ARE SHOWN ON THE PLAT AS EITHER MEASURED OR CALCULATED CALLS.

CERTIFIED THIS 16<sup>th</sup> DAY OF December, 1977.

Richard B. Wetzel  
RICHARD B. WETZEL  
INDIANA LAND SURVEYOR NO. 10568



## COVENANTS

THE UNDERSIGNED, OWNERS OF RECORD OF THE FOREGOING REAL ESTATE LOCATED IN MARION COUNTY, STATE OF INDIANA, TO BE KNOWN AS THE RIDGE, HEREBY PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THE PLAT AND CERTIFICATE.

THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS THE RIDGE, AN ADDITION IN MARION COUNTY, INDIANA.

THERE ARE AREAS SHOWN ON THE PLAT, ALONG WEST 40TH STREET AND ALONG MCCURDY ROAD LABELED AS PUBLIC RIGHT-OF-WAY. THE AREAS SO LABELED, IF NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

THERE ARE STRIPS OF GROUND MARKED UTILITY EASEMENTS SHOWN ON THE 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 UTILITY EASEMENTS HEREBY CREATED, AND SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES TO SERVICE THE UTILITY FACILITIES 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 UTILITY EASEMENTS.

THERE ARE STRIPS OF GROUND MARKED DRAINAGE EASEMENTS SHOWN ON THE PLAT WHICH ARE HEREBY RESERVED TO THE CITY OF INDIANAPOLIS, AND ITS DEPARTMENT OF PUBLIC WORKS, FOR THE INSTALLATION AND MAINTENANCE OF SWALES, DITCHES, PIPES, DRAINS, MANHOLES, DETENTION OR RETENTION AREAS, OR OTHER DRAINAGE FACILITIES. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED AND SUBJECT AT ALL TIMES TO THE RIGHT OF PROPER AUTHORITIES TO SERVICE AND MAINTAIN THE DRAINAGE FACILITIES AND EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND, AND NO PART THEREOF, EXCEPT FENCES WHICH DO NOT RETARD OR IMPEDE THE FLOW OF DRAINAGE WATER SHALL BE BUILT, ERECTED OR MAINTAINED ON SAID DRAINAGE EASEMENTS. IT SHALL BE THE RESPONSIBILITY OF THE OWNERS OF THE AREAS ENCLOSED WITHIN THE DRAINAGE EASEMENTS TO MAINTAIN SUCH AREAS IN SUCH CONDITION THAT THE FLOW OF STORM DRAINAGE WATERS ON, ACROSS, AND FROM SUCH AREAS SHALL NOT BE IMPEDED, DIVERTED OR ACCELERATED. SUCH USE FOR STORM WATER MOVEMENT OR RETENTION OR DETENTION IS HEREBY DECLARED TO BE AN EASEMENT AND SERVITUDE UPON SUCH LAND FOR THE BENEFIT OF THE OWNERS OF OTHER LAND INCLUDED WITHIN THE PLAT, UPSTREAM OR DOWNSTREAM, AFFECTED BY SUCH USE, AND FOR ANY PROPER AGENCY OR DEPARTMENT OF THE CITY OF INDIANAPOLIS. THE CITY OF INDIANAPOLIS IS HEREBY GIVEN THE RIGHT TO OBTAIN ACCESS TO SUCH AREAS TO PERFORM MAINTENANCE, AND TO PERFORM SUCH MAINTENANCE AS MAY BE NECESSARY TO PROTECT SAID EASEMENT AND SERVITUDE RIGHTS.

FURTHER, THERE ARE EASEMENTS AND SERVITUDES UPON THE LAND WITHIN THE PLAT IN FAVOR OF SURFACE WATER RUNOFF ALONG NATURAL VALLEYS AND DRAINAGE CHANNELS, RUNNING TO OWNERS OF OTHER LAND CONTAINED WITHIN THE PLAT, UPSTREAM AND DOWNSTREAM. IT SHALL BE THE RESPONSIBILITY OF THE OWNERS OF THESE NATURAL VALLEYS AND CHANNELS TO USE THEIR LAND AND MAINTAIN SAID NATURAL VALLEYS AND CHANNELS IN SUCH MANNER AND CONDITION THAT THE FLOW OF STORM DRAINAGE WATERS ON, ACROSS, FROM, AND TO SUCH AREAS SHALL NOT BE IMPEDED, DIVERTED, OR ACCELERATED.

ROADWAY EASEMENTS ARE HEREBY ESTABLISHED AS SHOWN ON THE PLAT FOR PURPOSES OF PROVIDING ACCESS TO THE LOTS ABUTTING SUCH EASEMENTS. THE ROADWAY FACILITIES CONSTRUCTED ON SAID ROADWAY EASEMENTS SHALL BE OWNED BY THE OWNERS OF LOTS 2 THROUGH 20 INCLUSIVE, AND 27 THROUGH 32 INCLUSIVE, HEREINAFTER REFERRED TO AS LOTS SERVED BY ROADWAY EASEMENTS. THE STREETS AND EASEMENTS MAY BE DEDICATED TO THE PUBLIC BY THE ARCHITECTURAL REVIEW COMMITTEE, ACTING ON BEHALF OF THE LOTS SERVED BY ROADWAY EASEMENTS IF THE STREETS ARE ACCEPTABLE TO THE PUBLIC AUTHORITY RECEIVING THEM, AND PROVIDED FURTHER THAT IMPROVEMENTS FOR THE PURPOSES OF DEDICATION AND THE ASSESSMENT FOR THE COSTS OF CONSTRUCTION OF SAID IMPROVEMENTS TO SAID OWNERS SERVED BY ROADWAY EASEMENTS SHALL BE SUBJECT TO THE APPROVAL OF TWO-THIRDS OF THE OWNERS OF LOTS SERVED BY ROADWAY EASEMENTS. THE OWNERS OF LOTS SERVED BY ROADWAY EASEMENTS SHALL MAINTAIN THE STREETS IN A CLEAN, SAFE, REPAIRED AND SANI-

ABLE TO THE PUBLIC AUTHORITIES HEREBY AND THE ASSESSMENT FOR THE IMPROVEMENTS FOR THE PURPOSES OF DEDICATION AND THE ASSESSMENT FOR THE COSTS OF CONSTRUCTION OF SAID IMPROVEMENTS TO SAID OWNERS SERVED BY ROADWAY EASEMENTS SHALL BE SUBJECT TO THE APPROVAL OF TWO-THIRDS OF THE OWNERS OF LOTS SERVED BY ROADWAY EASEMENTS. THE OWNERS OF LOTS SERVED BY ROADWAY EASEMENTS SHALL MAINTAIN THE STREETS IN A CLEAN, SAFE, REPAIRED AND SANITARY CONDITION AT ALL TIMES AND EACH OWNER SHALL BEAR 1/25 OF THE COST THEREOF. THE ARCHITECTURAL REVIEW COMMITTEE MAY, BUT SHALL NOT BE OBLIGATED TO ASSUME RESPONSIBILITY FOR THE MAINTENANCE OF THE STREETS, BUT THE COST THEREOF SHALL REMAIN THE RESPONSIBILITY OF THE OWNERS SERVED BY ROADWAY EASEMENTS. IF THE ARCHITECTURAL REVIEW COMMITTEE SO DETERMINES IT MAY ASSESS THE COST OF SUCH MAINTENANCE TO SUCH OWNERS BY ROADWAY EASEMENTS, AND COLLECT THE AMOUNTS SO ASSESSED IN A MANNER HERINAFTER PROVIDED IN THE CASE OF SUCH ASSESSMENTS.

FURTHER, THE PERMANENT ROADWAY EASEMENTS AS SHOWN ON THE PLAT, INCLUDING THE EMERGENCY ROADWAY EASEMENT AS SHOWN ON THE PLAT, ARE HEREBY DEDICATED TO THE USE OF EMERGENCY VEHICLES. NO OWNER SHALL DO ANYTHING TO RESTRICT THE USE OF SUCH EASEMENTS FOR THEIR INTENDED PURPOSES, AND SHALL BUILD NO FENCES THEREON.

THERE ARE AREAS OF GROUND SHOWN ON THIS PLAT MARKED "RECREATION EASEMENT" AND "WALKWAY EASEMENT". SAID EASEMENTS ARE HEREBY RESERVED FOR THE EXCLUSIVE USE AND ENJOYMENT OF THE OWNERS OF LOTS WITHIN THIS SUBDIVISION, THE IMMEDIATE MEMBERS OF THEIR FAMILY, AND THEIR INVITERS.

THERE EXISTS A FLOWAGE EASEMENT IN FAVOR OF THE CITY OF INDIANAPOLIS, BOARD OF FLOOD CONTROL COMMISSIONERS, AS SET OUT IN RESOLUTION 15, 1966, RECORDED IN THE OFFICE OF THE MARION COUNTY RECORDER AS INSTRUMENT NUMBER 66-56639, OVER PARTS OF THE AREA INCLUDED WITHIN THIS SUBDIVISION. NO OWNER OF ANY LOT WITHIN THIS SUBDIVISION SHALL PERFORM ANY ACTION IN VIOLATION OF THIS FLOWAGE EASEMENT.

THE LOTS OF THIS 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. FRONT BUILDING LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE FOREGOING PLAT. BETWEEN WHICH LINES AND THE RIGHT-OF-WAY LINES OR ROADWAY EASEMENT LINES THERE SHALL BE ERECTED, PLACED OR ALTERED NO STRUCTURE OR PART THEREOF. THE BUILDING LINES WHICH ARE FROM PUBLIC RIGHT-OF-WAY LINES ARE PARALLEL TO AND MEASURED PERPENDICULARLY FROM THOSE PUBLIC RIGHT-OF-WAY LINES. BUILDING LINES WHICH ARE FROM THE ROADWAY EASEMENTS ARE PARALLEL TO AND MEASURED PERPENDICULARLY FROM THE CENTERLINE OF THE ROADWAY EASEMENT UNLESS OTHERWISE DIMENSIONED.

2. LOTS MAY BE USED ONLY FOR RESIDENTIAL PURPOSES, AND ONLY ONE SINGLE-FAMILY DWELLING, A PRIVATE GARAGE AND OTHER SUCH OUT BUILDINGS USUAL AND INCIDENTAL TO THE USE OF A RESIDENTIAL LOT MAY BE CONSTRUCTED THEREON. NO PORTION OF ANY LOT MAY BE SOLD OR SUBDIVIDED SUCH THAT THERE WILL BE THEREBY A GREATER NUMBER OF HOUSES THEREON THAN THE NUMBER OF LOTS ORIGINALLY PLATTED. NO MULTI-FAMILY DWELLINGS SHALL BE CONSTRUCTED, AND NO FURTHER DEVELOPMENT SHALL BE PERMITTED BEYOND THIRTY-TWO SINGLE-FAMILY RESIDENCES.

3. ALL LOTS IN THIS SUBDIVISION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. WITH RESPECT TO LOTS 1, 2, 20, 21, 22, 23, 24, AND 25, NO SINGLE FAMILY RESIDENCE SHALL BE ERECTED, PLACED OR ALTERED TO EXCEED TWO STORIES IN HEIGHT.

4. EVERY SINGLE FAMILY DWELLING ERECTED, PLACED OR ALTERED ON ANY LOT WITHIN THIS SUBDIVISION SHALL HAVE A MINIMUM LIVING AREA, EXCLUSIVE OF OPEN PORCHES, UNFINISHED BASEMENTS, AND ATTACHED GARAGES OR CARPORTS OF 1,700 SQUARE FEET. IN THE CASE OF A STRUCTURE OF MORE THAN ONE STORY, AT LEAST 1,000 SQUARE FEET OF THE REQUIRED MINIMUM LIVING AREA SHALL BE ON THE FIRST FLOOR.



# THE RIDGE

77081843

## COVENANTS (CON'T.)

5. EACH SINGLE FAMILY RESIDENCE CONSTRUCTED ON ANY LOT WITHIN THE SUBDIVISION SHALL INCLUDE AT A MINIMUM AN ATTACHED TWO CAR GARAGE. WITH RESPECT TO LOTS 1, 2, 20, 21, 22, 23, 24 AND 25, THE MEANS OF INGRESS AND EGRESS TO SAID ATTACHED GARAGE SHALL BE OVER A HARD SURFACE DRIVEWAY CONSTRUCTED OF EITHER ASPHALT OR CONCRETE, AND NO DETACHED GARAGE SHALL BE ERECTED, PLACED OR ALTERED ON SAID LOTS. WITH RESPECT TO ALL OTHER LOTS, THE FIRST TEN FEET OF THE INDIVIDUAL DRIVEWAY, MEASURED LONGITUDINALLY FROM THE EDGE OF THE ACCESS ROADWAY PAVEMENT, SHALL BE A HARD SURFACE CONSTRUCTED OF EITHER ASPHALT OR CONCRETE.
6. WITH RESPECT TO LOTS 1, 2, 20, 21, 22, 23, 24, AND 25, THE EXTERIOR OF EACH STRUCTURE CONSTRUCTED ON SAID LOTS SHALL BE BRICK, CEDAR, STONE, STUCCO, REDWOOD, VINYL SIDING, NATURAL WOOD (NOT HOWEVER, A PRODUCT DERIVED FROM NATURAL WOOD SUCH AS COMPOSITION BOARD, FLAKE BOARD, WEATHER BOARD OR THE LIKE) OR A COMBINATION THEREOF.
7. NO STRUCTURE OF A TEMPORARY CHARACTER, TENT, SHACK, BASEMENT, GARAGE, BARN, OR OTHER OUT BUILDING SHALL BE ERECTED, PLACED, OR ALTERED UPON ANY LOT FOR USE AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY, OR AT ANY TIME BE USED FOR SUCH PURPOSE.
8. THE REPAIR OR STORAGE OF INOPERATIVE MOTOR VEHICLES OR MATERIAL ALTERATION OF MOTOR VEHICLES SHALL NOT BE PERMITTED ON ANY LOT UNLESS ENTIRELY WITHIN A GARAGE PERMITTED TO BE CONSTRUCTED BY THESE COVENANTS.
9. OWNERS OF UNDEVELOPED OR UNOCCUPIED LOTS SHALL AT ALL TIMES KEEP AND MAINTAIN SUCH LOTS IN AN ORDERLY MANNER, CAUSING WEEDS AND OTHER GROWTHS TO BE REASONABLY CUT AND PREVENT THE ACCUMULATION OF RUBBISH AND DEBRIS THEREON.
10. NO NOXIOUS OR OFFENSIVE ACTIVITIES SHALL BE CARRIED ON OR BE PERMITTED TO EXIST ON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE. ANY STRUCTURE OR BUILDING PERMITTED TO BE CONSTRUCTED ON ANY LOT BY THESE COVENANTS WHICH MAY BE IN WHOLE OR IN PART DESTROYED BY FIRE, WINDSTORM OR FOR ANY OTHER REASON, SHALL BE REBUILT AND RESTORED TO ITS PREVIOUS CONDITION WITHIN A REASONABLE LENGTH OF TIME AND ALL DEBRIS ACCUMULATED IN CONNECTION THEREWITH SHALL BE REMOVED WITHIN A REASONABLE TIME AFTER ANY SUCH OCCURRENCE.
11. ANY TANK FOR THE STORAGE OF FUEL, ERECTED, PLACED OR ALTERED ON ANY LOT OUTSIDE OF ANY STRUCTURE OR BUILDING PERMITTED BY THESE COVENANTS SHALL BE CONCEALED OR OTHERWISE LOCATED BELOW THE SURFACE OF THE GROUND.
12. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY LOT, EXCEPT DOGS, CATS OR OTHER ANIMALS GENERALLY AND CUSTOMARILY RECOGNIZED AS HOUSEHOLD PETS, PROVIDED THAT THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.
13. NO SIGNS OF ANY NATURE, KIND OR DESCRIPTION (INCLUDING INCIDENTAL SIGNS AS REGULATED IN SECTION 2.18 OF THE DWELLING DISTRICT ZONING ORDINANCE OF MARION COUNTY, INDIANA, 66-AO-2, AS AMENDED) SHALL BE ERECTED, PLACED OR MAINTAINED ON ANY LOT WHICH IDENTIFY, ADVERTISE OR IN ANY WAY DESCRIBE THE EXISTENCE OR CONDUCT OF A HOME OCCUPATION WHICH MAY OTHERWISE BE PERMITTED BY LAW TO EXIST ON ANY SUCH LOT. FURTHER, NO HOME OCCUPATION SHALL BE CONDUCTED OR MAINTAINED ON ANY LOT OTHER THAN ONE WHICH IS INCIDENTAL TO A BUSINESS, PROFESSION OR OCCUPATION OF THE OWNER OR OCCUPANT OF ANY LOT AND WHICH IS GENERALLY AND REGULARLY CONDUCTED AT ANOTHER LOCATION AWAY FROM SUCH LOT.
14. NO USE SHALL BE MADE OF ANY LOT IN THIS PROJECT EXCEPT AS PERMITTED BY THE DWELLING DISTRICT ONE REGULATIONS OF THE DWELLING DISTRICTS ZONING ORDINANCE OF MARION COUNTY, AS AMENDED.

14. NO USE SHALL BE MADE OF ANY LOT IN THIS PROJECT EXCEPT AS PERMITTED BY THE DWELLING DISTRICT ONE REGULATIONS OF THE DWELLING DISTRICTS ZONING ORDINANCE OF MARION COUNTY, AS AMENDED.

15. ANY USE OF ANY LOT IN THIS PROJECT SHALL BE IN CONFORMITY WITH THE DEVELOPMENT STANDARDS OF THE DWELLING DISTRICT ONE REGULATIONS OF THE DWELLING DISTRICTS ZONING ORDINANCE OF MARION COUNTY, AS AMENDED, TOGETHER WITH SUCH FURTHER OR HIGHER DEVELOPMENT STANDARDS AS ARE SPECIFICALLY CONTAINED IN THIS PLAT OR OTHERWISE REQUIRED BY THESE COVENANTS.

16. NO TREES OR VEGETATION SHALL BE REMOVED BELOW THE EIGHT HUNDRED FIFTEEN (815) FOOT ELEVATION MARK WITHOUT THE PRIOR APPROVAL OF THE ADMINISTRATOR OF THE DIVISION OF PLANNING AND ZONING.

17. AT THE TIME OF CONSTRUCTION OF ANY RESIDENCE, PROTECTIVE BARRIERS, CONSISTING OF SNOW FENCES OR BALED STRAW, SHALL BE PROVIDED AT A LOCATION FROM TEN (10) TO FIFTEEN (15) FEET FROM THE PERIMETER OF SAID PROPOSED RESIDENCES TO PROTECT EXISTING TREES AND VEGETATION FROM CONSTRUCTION DAMAGE. NO MACHINERY OR EQUIPMENT EXCEPT AS SHALL BE NECESSARY TO INSTALL UTILITY SERVICE AND SEPTIC SYSTEMS SHALL BE DRIVEN UPON OR THROUGH THE PROTECTED AREA, NOR SHALL MACHINERY, EQUIPMENT OR MATERIALS BE PARKED OR STORED THEREIN.

18. AN ARCHITECTURAL REVIEW COMMITTEE IS HEREBY CREATED, WHICH COMMITTEE WILL CONSIST OF NOT LESS THAN THREE MEMBERS. THE ORIGINAL MEMBERS WILL BE ERNEST W. BOODT, RONALD J. SCOTT, AND THE OWNER OF AN INTERNAL LOT IN THE PROJECT. IN THE EVENT OF THE DEATH, DISABILITY OR RESIGNATION OF ANY OF THE AFOREMENTIONED MEMBERS, THE REMAINING MEMBERS WILL BE AUTHORIZED TO SELECT THE SUCCESSOR TO FILL THE VACANCY CREATED. THE ARCHITECTURAL REVIEW COMMITTEE SHALL HAVE THE RIGHT TO EXPAND MEMBERSHIP UPON THE COMMITTEE. A MAJORITY, BUT NOT LESS THAN TWO OF THE MEMBERS OF THE COMMITTEE WILL BE AUTHORIZED TO DETERMINE WHETHER THE PROPOSED STRUCTURE PLANS AND SPECIFICATIONS SHOW CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES AND THE DEVELOPMENT, AND WHETHER THE BUILDING AND PROPERTY SET BACK LINES ARE IN CONFORMITY WITH APPLICABLE PLAT REQUIREMENTS AND THESE COVENANTS. THE COMMITTEE SHALL ALSO UNDERTAKE SUCH OTHER DUTIES AND RESPONSIBILITIES AS ARE ASSIGNED TO IT. NO CHARGES WILL BE MADE TO ANY PURCHASER OF A LOT FOR EXAMINATION OF PLANS OR FOR GIVING APPROVAL FOR CONSTRUCTION THEREON. IN THE EVENT THE COMMITTEE DOES NOT INDICATE IN WRITING ITS APPROVAL OR DISAPPROVAL OF PLANS SUBMITTED FOR ITS REVIEW WITHIN A PERIOD OF FIFTEEN CALENDAR DAYS AFTER SUBMISSION, THE COMMITTEE WILL BE DEEMED TO HAVE APPROVED SUCH PLANS. UNTIL THE FIRST INTERNAL LOT HAS BEEN SO DEEMED, THE COMMITTEE SHALL CONSIST SOLELY OF ERNEST W. BOODT AND RONALD J. SCOTT. ACTIONS OF THE COMMITTEE NEED NOT BE AT A FORMAL MEETING BUT MAY BE EVIDENCED INFORMALLY IN WRITING SIGNED BY A MAJORITY THEREOF.

19. PRIOR TO CONSTRUCTION OF ANY STRUCTURE UPON A LOT, THE BUILDING PLANS THEREFORE, INCLUDING PLOT PLANS, SPECIFICATIONS, PLANS FOR LANDSCAPING, AND ANY OTHER DATA OR INFORMATION WHICH MAY BE REQUESTED MUST BE SUBMITTED TO THE ARCHITECTURAL REVIEW COMMITTEE FOR ITS APPROVAL. APPROVAL OF THE ARCHITECTURAL REVIEW COMMITTEE WILL BE EVIDENCED BY A WRITTEN INSTRUMENT AND EXECUTED BY A MAJORITY BUT NOT LESS THAN TWO MEMBERS, AND DELIVERED TO THE PERSON OR PERSONS REQUESTING SUCH APPROVAL.

20. EVERY BUILDING OR PART THEREOF SHALL BE SO LOCATED AS TO PROVIDE A SIDE YARD ON EACH SIDE OF SAID BUILDING, IN ACCORDANCE WITH MARION COUNTY ZONING ORDINANCE 66-AC-2 AS AMENDED IN D-1 CLASSIFICATION, EXCEPT IN A CASE WHERE THE SAME PERSON OR PERSONS OWN TWO ADJOINING LOTS NOT SEPARATED BY A UTILITY EASEMENT AS SHOWN ON THIS PLAT, THEN THIS RESTRICTION SHALL APPLY TO THE LOT LINES OF THE EXTREME BOUNDARIES OF THOSE MULTIPLE LOTS.

21. NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 6 FEET ABOVE THE ROADWAY EASEMENT SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY LOT IN THE TRIANGULAR AREA FORMED BY THE ROADWAY EASEMENT LINE AND THE EDGE OF AN INDIVIDUAL DRIVEWAY, AND A LINE CONNECTING POINTS 10 FEET FROM THE INTERSECTION OF SAID LINES. 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. NO FENCES SHALL BE PERMITTED TO BE CONSTRUCTED BETWEEN THE FRONT BUILDING LINES AND THE ROADWAY EASEMENT LINE.

22. AN ELEVATION 815 M.S.L. GRADE LINE, SHOWN ON THE PLAT, IS HEREBY ESTABLISHED AS A MINIMUM GRADE LINE FOR EACH LOT, AND NO IMPROVEMENTS SHALL BE CONSTRUCTED AT A LOWER ELEVATION WITHOUT THE WRITTEN CONSENT OF THE ARCHITECTURAL REVIEW COMMITTEE AND THE BOARD OF PUBLIC WORKS OF THE CITY OF INDIANAPOLIS. BEFORE CONSTRUCTION COMMENCES, SAID ELEVATION 815 LINE SHALL BE PHYSICALLY ESTABLISHED ON THE LOT AND CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER OR A LICENSED LAND SURVEYOR.

23. THE ARCHITECTURAL REVIEW COMMITTEE MAY MAKE ASSESSMENTS TO COVER ANY COSTS INCURRED IN ENFORCING THESE COVENANTS OR IN UNDERTAKING ANY MAINTENANCE OR OTHER ACTIVITY WHICH IS THE RESPONSIBILITY OF A LOT OWNER HEREUNDER (PROVIDED THAT 2/3 OF THE OWNERS MUST APPROVE THE ACTION OF THE ARCHITECTURAL REVIEW COMMITTEE IF THE ACTION IS FOR IMPROVING THE STREETS FOR PURPOSES OF DEDICATION, BUT ACTION BY THE ARCHITECTURAL REVIEW COMMITTEE SHALL NOT OTHERWISE BE SUBJECT TO SUCH APPROVAL). ANY SUCH ASSESSMENT SHALL BE ASSESSED ONLY AGAINST THOSE LOT OWNERS WHOSE FAILURE TO COMPLY WITH THE REQUIREMENTS OF THESE COVENANTS NECESSITATED THE ACTION TO ENFORCE THESE COVENANTS OF THE UNDERTAKING OF THE MAINTENANCE OF OTHER ACTIVITY.

24. EACH OWNER OF A LOT BY ACCEPTANCE OF A DEED IS DEEMED TO COVENANT AND AGREE TO PAY ASSESSMENTS AS THE SAME BECOME DUE IN THE MANNER HEREIN PROVIDED. ALL SUCH ASSESSMENTS, TOGETHER WITH THE INTEREST THEREON AND COSTS OF COLLECTION THEREOF AS HEREIN PROVIDED, SHALL BE A CHARGE ON THE LAND AND SHALL BE CONTINUING LIEN UPON THE LOT AGAINST WHICH EACH SUCH ASSESSMENT IS MADE UNTIL PAID IN FULL. SUCH ASSESSMENTS SHALL ALSO BE THE PERSONAL OBLIGATION OF THE OWNER OF THE LOT AT THE TIME WHEN THE ASSESSMENT BECAME DUE AND PAYABLE. ANY ASSESSMENT NOT PAID WITHIN THIRTY (30) DAYS AFTER THE DATE THE SAME BECAME DUE AND PAYABLE SHALL BEAR INTEREST FROM THE DUE DATE AT A PERCENTAGE RATE NOT GREATER THAN TWELVE PERCENT (12%) PER ANNUM. THE ARCHITECTURAL REVIEW COMMITTEE OR ANY MEMBER THEREOF SHALL BE ENTITLED TO INSTITUTE IN ANY COURT OF COMPETENT JURISDICTION SUCH PROCEDURES, AT LAW OR IN EQUITY, BY FORECLOSURE OR OTHERWISE, TO COLLECT THE DELINQUENT ASSESSMENT, PLUS ANY EXPENSES OR COSTS, INCLUDING ATTORNEYS' FEES, INCURRED BY THE ARCHITECTURAL REVIEW COMMITTEE OR SUCH MEMBER IN COLLECTING THE SAME. IF THE ARCHITECTURAL REVIEW COMMITTEE HAS PROVIDED FOR COLLECTION OF ANY ASSESSMENT, IN INSTALLMENTS, UPON DEFAULT IN PAYMENT OF ANY ONE OR MORE INSTALLMENTS, THE ARCHITECTURAL REVIEW COMMITTEE MAY ACCELERATE PAYMENT AND DECLARE THE ENTIRE BALANCE OF SAID ASSESSMENT DUE AND PAYABLE IN FULL. NO OWNER MAY WAIVE OR OTHERWISE ESCAPE LIABILITY FOR THE ASSESSMENTS PROVIDED FOR HEREIN BY ABANDONMENT OF HIS LOT OR OTHERWISE. THE LIEN OF THE ASSESSMENTS PROVIDED FOR HEREIN SHALL BE SUBORDINATE TO THE LIEN OF ANY RECORDED FIRST MORTGAGE COVERING SUCH LOT AND TO ANY VALID TAX OR SPECIAL ASSESSMENT LIEN ON SUCH LOT IN FAVOR OF ANY GOVERNMENTAL TAXING OR ASSESSING AUTHORITY. SALE OR TRANSFER OF ANY LOT SHALL NOT AFFECT THE ASSESSMENT LIEN. HOWEVER, THE SALE OR TRANSFER OF ANY LOT PURSUANT TO MORTGAGE FORECLOSURE OR ANY PROCEEDING IN LIEU THEREOF SHALL EXTINGUISH THE LIEN OF SUCH ASSESSMENTS AS TO PAYMENTS WHICH BECAME DUE PRIOR TO SUCH SALE OR TRANSFER. NO SALE OR TRANSFER SHALL RELIEVE SUCH LOT FROM LIABILITY FOR ANY ASSESSMENTS THEREAFTER BECOMING DUE OR FROM THE LIEN THEREOF. THE ARCHITECTURAL REVIEW COMMITTEE SHALL, UPON DEMAND, AT ANY TIME, FURNISH A CERTIFICATE IN WRITING SIGNED BY A MEMBER OF THE ARCHITECTURAL REVIEW COMMITTEE THAT THE ASSESSMENTS ON A LOT HAVE BEEN PAID OR THAT CERTAIN ASSESSMENTS REMAIN UNPAID, AS THE CASE MAY BE. SUCH CERTIFICATES SHALL BE CONCLUSIVE EVIDENCE OF PAYMENT OF ANY ASSESSMENT THEREIN STATED TO HAVE BEEN PAID. ANY EASEMENT GRANTED HEREIN OR ANY PROPERTY SHOWN ON THE WITHIN PLAT IF DEDICATED AND INTENDED FOR ACCEPTANCE BY THE LOCAL PUBLIC AUTHORITY AND DEVOTED FOR PUBLIC USE SHALL BE EXEMPT FROM THE ASSESSMENTS, CHARGES AND LIEN CREATED HEREIN.

25. NO TREE IN EXCESS OF THREE INCHES IN DIAMETER MAY BE REMOVED FROM ANY LOT WITHOUT THE APPROVAL OF THE ARCHITECTURAL REVIEW COMMITTEE, AND SUCH REQUESTS SHALL BE MADE TO THE ARCHITECTURAL REVIEW COMMITTEE IN WRITING. IN THE EVENT THE ARCHITECTURAL REVIEW COMMITTEE DOES NOT INDICATE IN WRITING ITS APPROVAL OR DISAPPROVAL OF REQUEST FOR TREE REMOVAL WITHIN A PERIOD OF 30 DAYS AFTER SUBMISSION, THE ARCHITECTURAL REVIEW COMMITTEE IS DEEMED TO HAVE APPROVED SUCH REQUEST.

25. NO TREE IN EXCESS OF THREE INCHES IN DIAMETER MAY BE REMOVED FROM ANY LOT WITHOUT THE APPROVAL OF THE ARCHITECTURAL REVIEW COMMITTEE, AND SUCH REQUESTS SHALL BE MADE TO THE ARCHITECTURAL REVIEW COMMITTEE IN WRITING. IN THE EVENT THE ARCHITECTURAL REVIEW COMMITTEE DOES NOT INDICATE IN WRITING ITS APPROVAL OR DISAPPROVAL OF REQUEST FOR TREE REMOVAL WITHIN A PERIOD OF 30 DAYS AFTER SUBMISSION, THE ARCHITECTURAL REVIEW COMMITTEE IS DEEMED TO HAVE APPROVED SUCH REQUEST.

26. ANY SEPTIC SYSTEM OR OTHER MEANS OR METHOD ERECTED, PLACED OR INSTALLED ON ANY LOT FOR PURPOSES OF DISPOSING OF SANITARY WASTE SHALL BE MAINTAINED IN A STATE OF GOOD OPERATING CONDITION AND REPAIR SO AS NOT TO PERMIT THE ESCAPE OF SANITARY SEWAGE ON AND ALONG THE GROUND OR INTO ANY STREAM OR DITCH OR RESULT IN ANY OFFENSIVE ODOOR OR SMELL.

27. THE RIGHT TO ENFORCE EACH AND ALL OF THE LIMITATIONS, CONDITIONS, AND RESTRICTIONS SET FORTH HEREIN, TOGETHER WITH THE RIGHT TO CAUSE THE REMOVAL OF ANY BUILDING ERECTED OR ALTERED IN VIOLATION THEREOF, BY INJUNCTION OR ANY OTHER LEGAL PROCESS, IS HEREBY RESERVED TO THE ARCHITECTURAL REVIEW COMMITTEE, AND EACH AND EVERY OWNER OF THE SEVERAL LOTS IN THIS SUBDIVISION, THEIR GRANTEEES AND ASSIGNS, WHO SHALL BE ENTITLED TO SUCH INJUNCTIVE RELIEF WITHOUT BEING REQUIRED TO SHOW ANY DAMAGES, TOGETHER WITH REASONABLE ATTORNEYS' FEES. THE PLATS COMMITTEE OF THE METROPOLITAN DEVELOPMENT COMMISSION OF MARION COUNTY, INDIANA SHALL ALSO HAVE THE RIGHT OF ENFORCEMENT OF THE FOREGOING COVENANTS.

28. THESE RESTRICTIONS CONSTITUTE COVENANTS RUNNING WITH THE LAND AND SHALL BE IN EFFECT FOR A PERIOD OF TWENTY YEARS FROM THE DATE OF RECORDATION OF THE PLAT; PROVIDED THAT AT THE EXPIRATION OF SUCH TERM THESE RESTRICTIONS SHALL BE AUTOMATICALLY RENEWED THEREAFTER FOR PERIODS OF TEN YEARS EACH, UNLESS AT LEAST ONE YEAR PRIOR TO THE EXPIRATION OF EACH TEN-YEAR PERIOD THE OWNER OF THE MAJORITY OF THE LOTS IN THIS SUBDIVISION SHALL EXECUTE, AND ACKNOWLEDGE THE DECLARATION IN WRITING, WAIVING RENEWALS, AND SAID WRITTEN DECLARATION SHALL BE RECORDED IN LAND RECORDS OF MARION COUNTY, INDIANA, IN WHICH EVENT THE PROVISIONS AS ABOVE SET FORTH FOR RENEWALS SHALL BE NULL AND VOID.

29. INVALIDATIONS OF ANY ONE OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH WILL REMAIN IN FULL FORCE AND EFFECT.

WITNESS OUR SIGNATURE THIS 10th DAY OF December, 1977.

Oran W. Allen  
ORAN W. ALLEN

REBECCA JEAN ALLEN

BY Oran W. Allen  
ORAN W. ALLEN  
ATTORNEY-IN-FACT

Mary M. Allen  
MARY M. ALLEN

ROBERTA ANN ALLEN

BY Oran W. Allen  
ORAN W. ALLEN  
ATTORNEY-IN-FACT

STATE OF FLORIDA )  
                          ) SS:  
COUNTY OF Polk )

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED ORAN W. ALLEN, MARY M. ALLEN AND ORAN W. ALLEN AS ATTORNEY-IN-FACT FOR REBECCA JEAN ALLEN AND ROBERTA ANN ALLEN, AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING CONSENT.

IN WITNESS WHEREOF I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY NOTARIAL SEAL THIS 10th DAY OF December, 1977.

[Signature]  
NOTARY PUBLIC