

PLATS - SECTION I

8800062894

LEGAL DESCRIPTION THE TRAILS SUBDIVISION SECTION I

Part of the Southeast Quarter of Section 22, Township 14 North, Range 3 East of the Second Principal Meridian, located in Perry Township, Marion County, Indiana, described as follows:

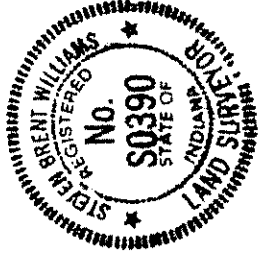
Commencing at the Southeast corner of the Southeast Quarter of Section 22, Township 14 North, Range 3 East, thence South 89 degrees 01 minutes 05 seconds West (South 89 degrees 01 minutes 35 seconds West, platted bearing The Depot, Section I) along the South line of said quarter section 1118.32 feet to the POINT OF BEGINNING; thence South 89 degrees 01 minutes 05 seconds West along said south line 222.89 feet; thence North 00 degrees 00 minutes 26 seconds East parallel to the East line of said quarter section 305.00 feet; thence South 89 degrees 01 minutes 05 seconds West parallel to the said southline 305.07 feet; thence North 00 degrees 00 minutes 23 seconds West parallel west line of said quarter section 322.76 feet; thence South 89 degrees 59 minutes 34 seconds East 497.93 feet; thence North 00 degrees 00 minutes 26 seconds East parallel to the said east line 20.37 feet; thence South 89 degrees 59 minutes 34 seconds East 190.00 feet to a point on the west line of The Depot-Section I (Instrument No. 80-17097) and Section II (Instrument No. 80-17098) thence South 00 degrees 00 minutes 26 seconds West along said West line 365.00 feet; thence South 89 degrees 01 minutes 05 seconds West parallel to the said south line 160.00 feet; thence South 00 degrees 00 minutes 26 seconds West parallel to the east line 271.25 feet to the Point of Beginning, containing 6.776 acres, more or less. Subject to all legal right-of-ways, easements and restrictions of record.

This subdivision consists of 19 lots; with the streets as shown on the Plat. All lot corners are as shown thereon, with the dimensions in feet and decimals parts thereof.

I certify that I am a Registered Land Surveyor Licensed under the Laws of Indiana; that this represents a survey made under my direction on the 2nd day of November, 1987; and that the above plat and description are a true and accurate representation of the described real estate.


STEVEN BRENT WILLIAMS

REGISTERED LAND SURVEYOR # S0390
STATE OF INDIANA
STEVE WILLIAMS AND ASSOCIATES, INC.



The undersigned, Newtowne Developments, Inc., Robert K. Yeager, President and Virginia M. Yeager, Secretary owners of the real estate described in the Plat of The Trail, Section One, does hereby lay off, plat and subdivide the same in accordance with the plat and description. The Trails, Section One consists of nineteen (19) lots numbered one (1) to nineteen (19) inclusive. The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained in such plat.

1. The foregoing plat shall be known and designated as The Trails, Section One.
2. Streets as designated on the plat if not heretofore dedicated are hereby dedicated to the public.
3. All numbered lots in this subdivision are reserved for residential purposes only.
4. There are front yard building lines as shown on the plat and no structure or part thereof shall be erected or maintained between such building lines and the property lines of the lot. The minimum side yards of any lot would be an aggregate of 16', provided, however, no side yard shall be less than 6'.
5. No lot shall hereafter be subdivided into parcels for additional residential purposes.
6. No trailer, tent, garage or other out building erected in the subdivision shall be used as a residence, temporarily or permanently, nor shall any building of a temporary character be erected.
7. No noxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
8. Not more than one building shall be erected or used for residential purposes on any lot in this addition.

14. Architectural plans, specifications, and other structural details shall be approved by the Planning Commission. The applicant shall submit a site plan, plat, and other documents as may be required by the Commission. The Commission may require the applicant to provide a bond to cover the cost of any required approvals. The Commission may also require the applicant to provide a bond to cover the cost of any required approvals.

15. Unless otherwise provided in the plat, the following shall apply:
A. The minimum lot area shall be not less than 10,000 square feet.
B. The minimum lot width shall be not less than 100 feet.
C. The minimum lot depth shall be not less than 100 feet.

17. The Metropolitan Council shall have no right to restrict or restrict the use of the property in favor of the applicant or the applicant's heirs, assigns, or assigns.

18. The Metropolitan Council shall have no right to restrict or restrict the use of the property in favor of the applicant or the applicant's heirs, assigns, or assigns.

19. Recreational facilities shall be provided on the property in accordance with the plat and description.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the State of Indiana, this 2nd day of November, 1987.

NEWTOWNE DEVELOPMENTS, INC.

Robert K. Yeager,
Secretary

Virginia M. Yeager,
Secretary

STATE OF INDIANA

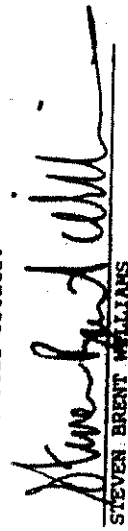
COUNTY OF MARION

Before me, a Notary Public in and for the State of Indiana, appeared Robert K. Yeager, Secretary of Newtowne Developments, Inc., and Virginia M. Yeager, Secretary of Newtowne Developments, Inc., and they acknowledged to me that they are the persons whose names are subscribed to the foregoing instrument and that they executed the same for the purposes and consideration therein expressed.

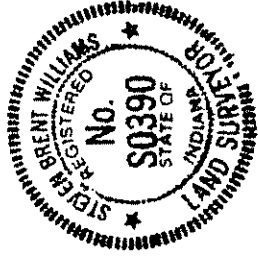
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This subdivision consists of 19 lots; with the streets as shown on the Plat. All lot corners are as shown thereon, with the dimensions in feet and decimal parts thereof.

I certify that I am a Registered Land Surveyor Licensed under the Laws of Indiana; that this represents a survey made under my direction on the 2nd day of November, 1987; and that the above plat and description are a true and accurate representation of the described real estate.



STEVEN BRENT WILLIAMS
REGISTERED LAND SURVEYOR # 50390
STATE OF INDIANA
STEVE WILLIAMS AND ASSOCIATES, INC.



The undersigned, Newtowne Developments, Inc., Robert K. Yeager, President and Virginia M. Yeager, Secretary owners of the real estate described in the Plat of The Trails, Section One, does hereby lay off, plat and subdivide the same in accordance with the plat and description. The Trails, Section One consists of nineteen (19) lots numbered one (1) to nineteen (19) inclusive. The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained in such plat.

1. The foregoing plat shall be known and designated as The Trails, Section One.
2. Streets as designated on the plat if not heretofore dedicated are hereby dedicated to the public.

3. All numbered lots in this subdivision are reserved for residential purposes only.

4. There are front yard building lines as shown on the plat and no structure or part thereof shall be erected or maintained between such building lines and the property lines of the lot. The minimum side yards of any lot would be an aggregate of 16', provided, however, no side yard shall be less than 6'.

5. No lot shall hereafter be subdivided into parcels for additional residential purposes.

6. No trailer, tent, garage or other out building erected in the subdivision shall be used as a residence, temporarily or permanently, nor shall any building of a temporary character be erected.

7. No noxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.

8. Not more than one building shall be erected or used for residential purposes on any lot in this addition.

9. No fence, wall, hedge or shrub planting which obstructs site lines at between 2' and 6' above the street shall be placed or permitted to remain within the triangular area formed by the street, property lines and a line connecting points 25' from the intersection of said street lines. The same site line limitations shall apply to any lot within 10' from the intersection of the street line with the edge of a driveway. No trees shall be permitted to remain within such distance of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of site lines.

10. No animals, livestock or poultry shall be raised, bred or kept on any lot except that dogs, cats and other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose. A maximum number of dogs per household allowed is one.

11. All driveways in the subdivision shall be paved with either asphalt or concrete.
12. All sidewalks in the subdivision will be installed by the purchaser within one year of purchase or as required by Marion County Ordinance.

13. There are strips of ground as shown on the plat marked drainage, sanitary sewer and/or utility easements which are reserved as easements for the use of the municipality in which the addition is located and public utility companies for the installation, maintenance, use, repair and removal of sewers, water lines, gas mains, utility poles, wires and other facilities and utilities necessary or incident to the common welfare and the use and occupancy of residential purposes of the houses to be erected in this addition. No buildings or other structures except walks or driveways shall be erected or maintained upon any strip of ground or across any such utility strips for any use except as set forth herein and owners in this addition shall take title to the land contained in such utility strips subject to the perpetual easements hereby reserved.

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17. The Metropolitan have no right restriction covenants, c favor of the nothing herei Commission fr 56-10-3, as a the Plat Comm

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Secretary, of Newt
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NEWTOWNE DEVELOPME


ROBERT K. YEAGER,

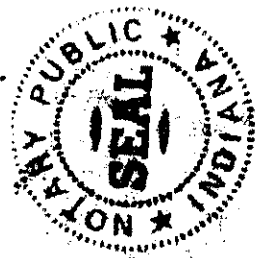

Virginia M. Yeager,

STATE OF INDIANA

COUNTY OF INDIAN

Before me, a Not appeared Robert K. Y Developments, Inc. a me known to be the O acknowledge the exte

WITNESS my hand



My Commission Expires

2-28-92

My County of Residence

Marion

PREPARED BY:
FRANKLIN ENGIN
151 W JEFFER
FRANKLIN, IN

14. Architectural Design and Environmental Control: No building, fence, wall or other structure shall be erected, placed or altered on any building plans, specifications and plot plan showing the location of such structures have been approved as to the conformity and harmony of external design with existing structure herein and as to the building with respect to topography and finished ground elevations by an Architectural Design and Environmental Control Committee. The destruction of trees and vegetation and any other such matter as may affect the environment and ecology of The Trails, Section One shall be the proper concern of the Committee. This committee shall be composed of the Robert K. Yeager or Virginia M. Yeager or their duly authorized representatives. In the event of the death or resignation of any member of said committee, the remaining member or members shall have full authority to approve or disapprove such design and locations or to designate a representative with like authority. The Committee's approval, or disapproval, as required in this covenant shall be in writing. In the event that said written approval is not received from the Committee within 14 days from the date of submission, it shall be deemed that the Committee has disapproved the present plan. Neither the Committee members nor the designated representative shall be entitled to any compensation for services performed pursuant to this covenant.

15. Unless approved by the Architectural Control Committee:

1. All dwelling exteriors shall have one Hundred (100) percent masonry construction. Except gables and upper walls in two story homes can have wood siding.

2. There shall be no vinyl or aluminum siding on any dwelling.

16. All dwellings constructed upon any lot in this development shall conform to the following minimum living area requirements unless waived by the Architectural Design and Environmental Control Committee, to wit:

A. The ground floor living area of all single story dwellings shall contain not less than 1250 square feet, and no two (2) story dwelling shall contain less than 1000 feet of living area on the ground floor, provided the total living area shall not be less than 1800 square feet total on all two stories (exclusive of open porches, garages and other areas not considered living area).

B. All dwellings shall have at least a two (2) car attached garage.

C. All dwellings shall have a roof with a minimum of 6/12 pitch.

17. The Metropolitan Development Commission, its successors and assigns, shall have no right, power or authority to enforce any covenants, commitments, restriction or other limitations contained in this plat other than those covenants, commitments, restrictions or limitations that expressly run in favor of the Metropolitan Development Commission; provided further, that nothing herein shall be construed to prevent the Metropolitan Development Commission from enforcing any provisions of the subdivision control ordinance, 58-NO-3, as amended, or any conditions attached to approval of this plat by the Plat Committee.

18. The within covenants, limitations and restrictions shall run with the land and shall be binding on all parties and persons claiming under them. Such provisions shall be in full force and effect until January 1, 2010, at which time said covenants shall be automatically extended for successive periods of ten (10) years unless by vote of the majority of the then owners of the lots it is agreed to change the covenants by judgement or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

19. Recreational Vehicles, Boats and non-used Vehicles: All boats, non-motorized recreational vehicles and non-used or non-operational vehicles shall be kept in either the dwelling, garage or basement.

IN WITNESS WHEREOF, Robert K. Yeager, President and Virginia M. Yeager, Secretary, of Newtowne Developments, Inc. and Armando O. Diaz, President of the Real Estate Place, Inc., hereby dedicate this plat and hereby execute these Plat restrictions this 28 day of January, 1988.

NEWTOWNE DEVELOPMENTS, INC.

THE REAL ESTATE PLACE, INC.

Robert K. Yeager
Robert K. Yeager, President

Virginia M. Yeager
Virginia M. Yeager, Secretary

Armando O. Diaz
Armando O. Diaz, President

STATE OF INDIANA

COUNTY OF JANESBURG

SS:

Before me, a Notary Public in and for said County and State, personally appeared Robert K. Yeager, President and Virginia M. Yeager, Secretary, of Newtowne Developments, Inc. and Armando O. Diaz, President, The Real Estate Place, Inc. who are known to be the Owners, respectively, of the herein described real estate, who acknowledge the execution of the foregoing "Plat and Restrictions".

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DEPT. OF PUBLIC
MARION COUNTY RECORDER

17. The Metropolitan Development Commission, its successors and assigns, shall have no right, power or authority to enforce any covenants, commitments, restriction or other limitations contained in this plat other than those covenants, commitments, restrictions or limitations that expressly run in favor of the Metropolitan Development Commission; provided further, that nothing herein shall be construed to prevent the Metropolitan Development Commission from enforcing any provisions of the subdivision control ordinance, 58-AO-3, as amended, or any conditions attached to approval of this plat by the Plat Committee.

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NEWTOWNE DEVELOPMENTS, INC.

Robert K. Yeager
Robert K. Yeager, President

Armando O. Diaz
Armando O. Diaz, President

THE REAL ESTATE PLACE, INC.

Virginia M. Yeager
Virginia M. Yeager, Secretary

STATE OF INDIANA

COUNTY OF TAMMSON

SS:

Before me, a Notary Public in and for said County and State, personally appeared Robert K. Yeager, President and Virginia M. Yeager, Secretary, of Newtowne Developments, Inc. and Armando O. Diaz, President, the Real Estate Place, Inc., who are known to be the Owners, respectively, of the herein described real estate and who acknowledge the execution of the foregoing "plat and restrictions".

WITNESS my hand and notarial Seal this 28 day of JUNE, 1998.

880062894



Lisa J. Foley
Notary Public

Lisa J. Foley
(Printed Signature)

My Commission Expires:

2-28-92

My County of Residence:

Johnson



PREPARED BY:
FRANKLIN ENGINEERING CO.
151 W JEFFERSON ST.
FRANKLIN, INDIANA 46131

FOR:
KOE ENGINEERING INC.
70 EAST MAIN ST.
GREENWOOD, INDIANA 46143

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MARION COUNTY RECORDER

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