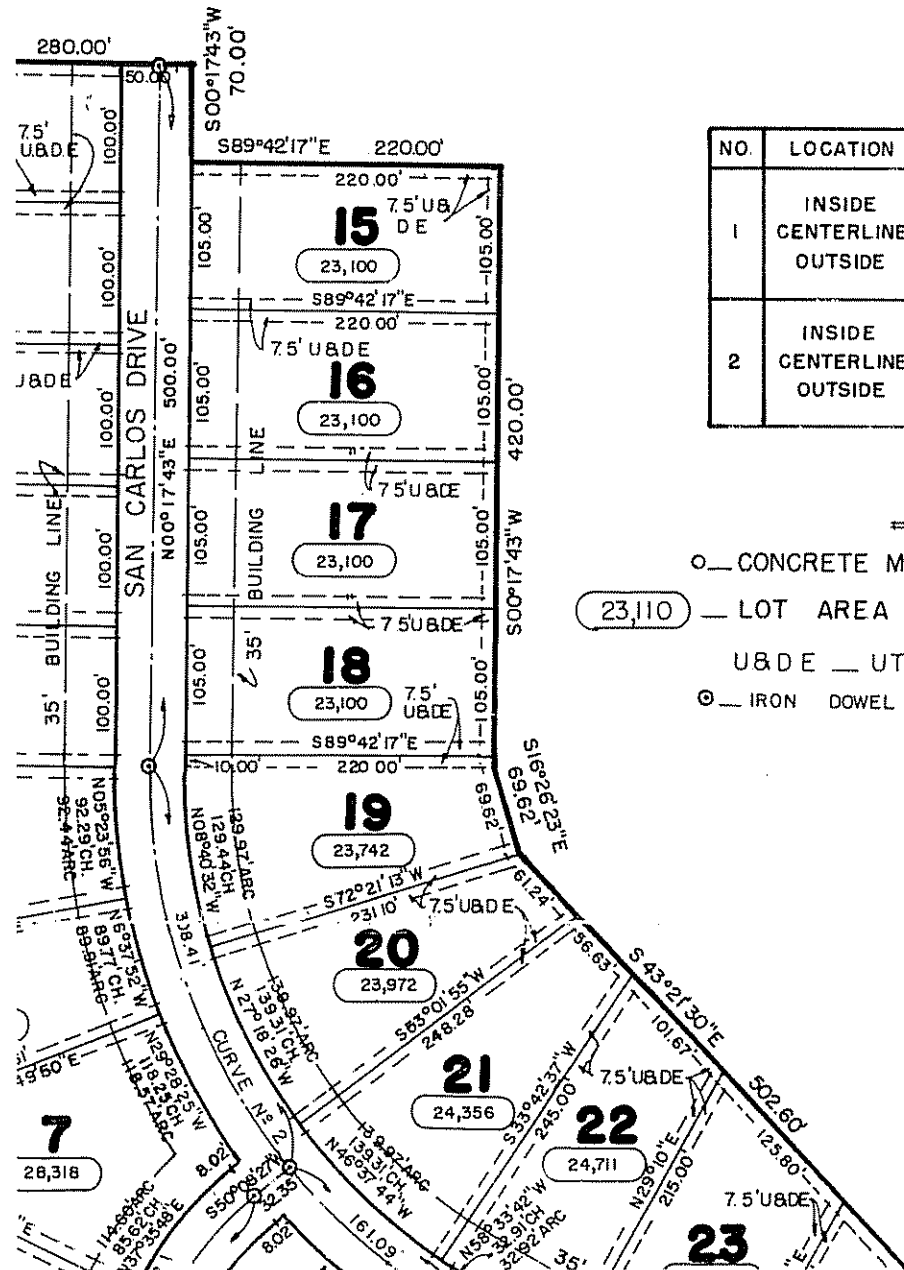


# THE VILLAS II - FIRST SECTION

WHITE RIVER TOWNSHIP, JOHNSON COUNTY, INDIANA



NO.	LOCATION	DELTA	RADIUS	TANGENT	LENGTH
1	INSIDE	49°50'24"	211.76'	98.39	184.20'
	CENTERLINE		236.76'	110.00'	205.95'
	OUTSIDE		261.76'	121.62'	227.70'
2	INSIDE	61°07'43"	415.06'	245.12'	442.83'
	CENTERLINE		440.06'	259.88'	469.50'
	OUTSIDE		465.06'	274.64'	496.17'

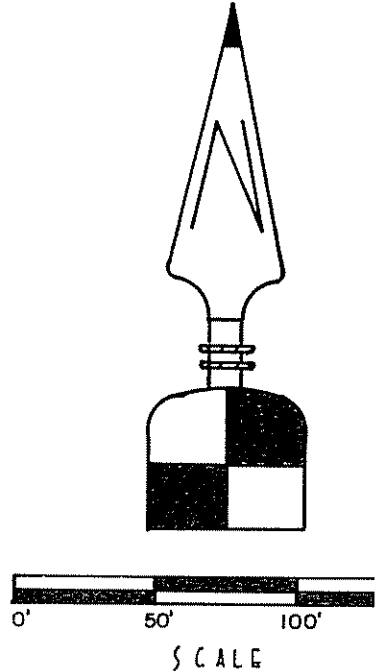
### LEGEND

○ — CONCRETE MONUMENT (4" X 4" PRECAST)

23,110 — LOT AREA IN SQUARE FEET

U&DE — UTILITY & DRAINAGE EASEMENT

⊙ — IRON DOWEL



11. NO FIRE, DEFILING, OR DEVELOPMENT CRITERIA, OR OTHER INTERFERING, OBSTRUCTIVE, OR HINDERFUL USES SHALL BE PERMITTED ON ANY LOT, NOR SHALL ANY WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS, PERMITTED OR NOT IN ANY LOT. NO DERRIS OR OTHER PESTICIDES OR OTHER TOXIC SUBSTANCES SHALL BE APPLIED, MAINTAINED OR PERMITTED ON ANY LOT.

12. NO NOISY OR OBSTRUCTIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE BLOWN, ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. FIREWORKS, BOATS, AND OTHERS NOT BE STORED IN THE FRONT OR REAR YARD.

13. AT NO TIME SHALL ANY UNLICENSED, UNREGISTERED, AUTOMOBILE OR TRUCK BE PERMITTED ON A LOT.

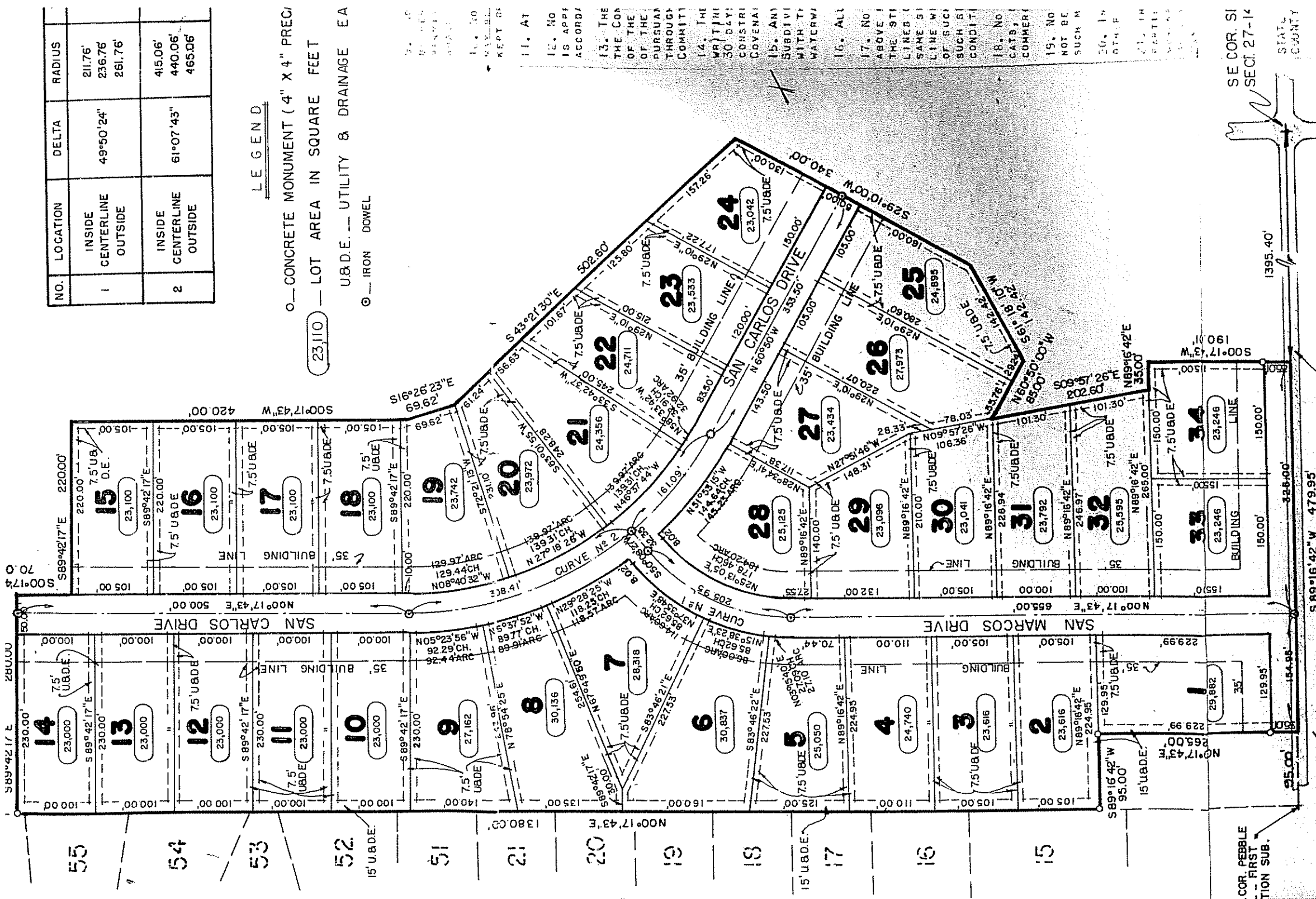
14. NO WATER SUPPLY SYSTEM OR INDIVIDUAL SEWER TREATMENT SYSTEM SHALL BE PERMITTED UNLESS IT IS APPROVED BY JOHNSON COUNTY AUTHORIZED OFFICIALS IN WRITING, AND IS LOCATED, MAINTAINED ACCORDANCE WITH REGULATIONS, STANDARDS, AND RECOMMENDATIONS OF THE INDIANA STATE BOARD OF HEALTH.

15. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF TWO MEMBERS APPOINTED BY THE DEED. THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. IN THE EVENT OF DEATH OR RESIGNATION OF THE COMMITTEE, THE REMAINING MEMBER SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR OF THE COMMITTEE, NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION PURSUANT TO THIS COVENANT. AT ANY TIME, THE THEN RECORDED OWNER OF A MAJORITY OF LOTS THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHANGE THE MEMBERSHIP OF THE COMMITTEE OR RESTATE TO IT ANY OF ITS POWERS.

NO.	LOCATION	DELTA	RADIUS
1	INSIDE CENTERLINE OUTSIDE	49°50'24"	211.76' 236.76' 261.76'
2	INSIDE CENTERLINE OUTSIDE	61°07'43"	415.06' 440.06' 465.06'

LEGEND

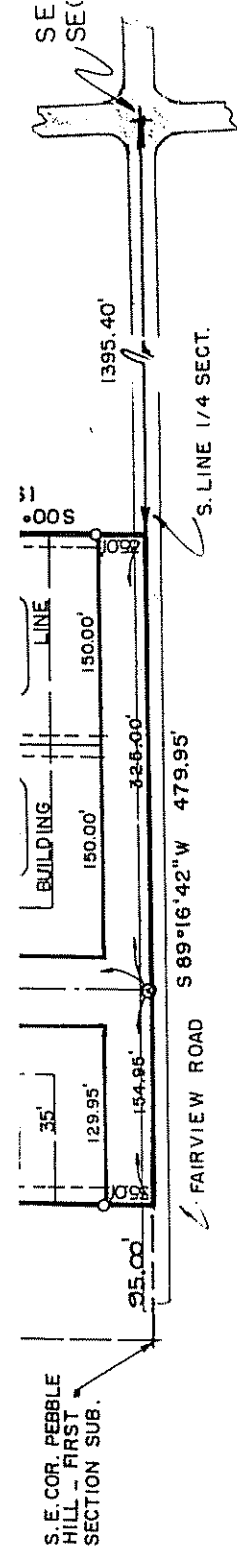
- — CONCRETE MONUMENT (4" X 4" PREC.)
- — LOT AREA IN SQUARE FEET
- U.D.E. — UTILITY & DRAINAGE EA
- ⊙ — IRON DOWEL



SE COR. SI  
SECT. 27-14  
STATE  
COUNTY

COR. PEBBLE  
FIRST  
TITION SUB.

11. AT  
12. No  
IS APPL  
ACCORDA  
13. THE  
THE CON  
OF THE  
OF THE  
PURSUAN  
THROUGH  
COMMITT  
14. THE  
15. AN  
SUBDIVI  
WITH T  
WATERW  
16. ALL  
17. No  
ABOVE I  
THE ST  
LINE S  
SAME S  
LINE W  
OF SUCH  
SUCH S  
CONDIT  
18. No  
CATS,  
COMMERC  
19. No  
NOT BE  
SUCH M  
20. In  
ST. P  
21. IN  
PARTI  
22. IN  
PARTI



DESCRIPTION

THE QUARTER QUARTER OF SECTION 27, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WELLS COUNTY, IOWA, DESCRIBED AS FOLLOWS:

BEING THAT PART OF THE SOUTH LINE OF SAID QUARTER SECTION 1395.40 FEET SOUTH 69 DEGREES 10 MINUTES 40 SECONDS WEST 150.00 FEET ALONG THE SOUTHWEST CORNER THEREOF; THENCE SOUTH 14 DEGREES 15 MINUTES 40 SECONDS WEST 150.00 FEET ALONG THE SOUTH LINE 479.95 FEET TO A POINT THAT IS 95.00 FEET NORTH 69 DEGREES 10 MINUTES 40 SECONDS WEST FROM THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 69 DEGREES 10 MINUTES 40 SECONDS WEST 150.00 FEET TO A POINT ON THE LAST LINE OF SAID PEBBLE HILL SUBDIVISION; THENCE NORTH 80 DEGREES 17 MINUTES 18.80 SECONDS WEST 70.00 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES 17 SECONDS EAST 280.00 FEET; THENCE SOUTH 80 DEGREES 17 MINUTES 18.80 SECONDS WEST 420.00 FEET; THENCE SOUTH 16 DEGREES 26 MINUTES 13 SECONDS EAST 69.60 FEET; THENCE SOUTH 43 DEGREES 30 MINUTES 30 SECONDS WEST 302.60 FEET; THENCE SOUTH 25 DEGREES 50 MINUTES 00 SECONDS WEST 304.00 FEET; THENCE SOUTH 16 DEGREES 18 MINUTES 10 SECONDS WEST 147.42 FEET; THENCE NORTH 70 DEGREES 30 MINUTES 00 SECONDS WEST 48 SECONDS EAST 35.00 FEET; THENCE SOUTH 00 DEGREES 17 MINUTES 43 SECONDS WEST 180.00 FEET TO THE POINT OF BEGINNING, CONTAINING APPROXIMATELY MORE OR LESS.

WITNESSED ON THIS 15th DAY OF JULY, A.D. 1927, PRESIDENT AND ROBERT J. LANE, SECRETARY-MEASURER, OFFICERS OF THE WELLS COUNTY REAL ESTATE BOARD, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBMIT TO THE REAL ESTATE IN ACCORDANCE WITH THE PLAT.

THE SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS "THE VILLAS II-PLANS SECTION", IN WELLS COUNTY, IOWA, JOPLIN COUNTY, IOWA. ALL STREETS, ALLEYS, AND PUBLIC OPEN SPACES SHOWN AND NOT HERETOFORE DESIGNATED ARE HEREBY DEDICATED TO THE PUBLIC.

WHEREAS THE SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN THE LINES AND PROPERTY LINE OF ANY STREET THERE SHOWN TO BE CREATED OR MAINTAINED NO BUILDING OR STRUCTURE, THE SIDING OR BRIDGE SHOWN ON THIS PLAT AND MARKED "RESERVED" ARE RESERVED FOR THE USE OF THE PUBLIC UTILITIES FOR THE INSTALLATION OF WATER MAINS, SEWER MAINS, GAS, TELEPHONE LINES AND ALLEYS, DRAINAGE FACILITIES SUBJECT AT ALL TIMES TO THE PROPER AUTHORITY; AND TO THE BARRIERS HEREBY RESERVED. IN ADDITION A SEWER AND ONE HALF INCH DRAINAGE EASEMENT IS RESERVED IN BOTH LINES OF SAID LOT LINES. NO GARAGE OR OTHER STRUCTURES ARE TO BE CREATED OR MAINTAINED ON ANY LOT OR PORTION OF LAND, BUT OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF THE PUBLIC UTILITIES, AND THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THE SUBDIVISION.

THE LOTS IN 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. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERECTED, ALTERED OR PLACED OR RELOCATED ON ANY LOT OTHER THAN THE SINGLE-FAMILY DWELLING, NOT TO EXCEED TWO (2) STORIES IN HEIGHT AND AN ATTACHED GARAGE FOR TWO (2) CARS, AND A STORAGE BUILDING NOT TO EXCEED ONE STORY IN HEIGHT AND 160 SQUARE FEET OF FLOOR AREA, SAID STORAGE BUILDING SHALL CONFORM TO THE DESIGN AND EXTERIOR MATERIALS OF THE DWELLING. NO OTHER STORAGE BUILDINGS OR DETACHED GARAGES ARE PERMITTED.
2. NO BUILDING SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE BUILDER'S CONSTRUCTION PLAN, SPECIFIED FOR EACH LOT PLAN HAS BEEN APPROVED BY THE ARCHITECTURE CONTROL COMMITTEE TO THE APPROPRIATE CITY AND COUNTY DEPARTMENT OF WORKMANSHIP AND MATERIALS, HARMONY OF EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATION. NO FENCE OR WALL SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT NEARER TO ANY STREET THAN THE MINIMUM BUILDING SETBACK LINE, UNLESS HEREBY APPROVED. APPROVAL SHALL BE AS PROVIDED IN COVENANT NO. 14.
3. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES SHALL BE NOT LESS THAN 1200 SQUARE FEET FOR A ONE STORY DWELLING, NOT LESS THAN 800 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.
4. THE MINIMUM SETBACKS SHALL BE OF BRICK, STONE, CEDAR, OR A COMBINATION THEREOF.
5. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN 35 FEET TO THE FRONT LOT LINE, OR NEARER THAN 35 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN 10 FEET TO AN INTERIOR LOT LINE, FOR THE PURPOSES OF THIS COVENANT, SIDE PORCHES AND OPEN PORCHES SHALL NOT BE CONSIDERED AS A PART OF THE BUILDING, PROVIDED HOWEVER, THAT THEY SHALL NOT BE CONSTRUCTED TO PERMIT ANY PORTION OF A BUILDING, OR A LOT TO ENCLOSE UPON ANOTHER LOT.
6. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, GOAT, BASEMENT, TENT, SHACK, GARAGE, BARN, OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME, A PERMITS FINDER TEMPORARILY OR PERMANENTLY FOR SMALL PARTIALLY COMPLETED DWELLINGS BE PERMITTED.
7. DWELLINGS SHALL NOT BE PLACED IN, NOR BE PERMITTED TO REMAIN IN AREAS DESIGNATED AS "SEWERED" EASEMENTS. THESE AREAS SHALL BE PRESERVED AND MAINTAINED AS PERMANENT DRAINAGE EASEMENTS, AS SHOWN ON THE PLAT AND DEVELOPMENT PLAN, OR FILE WITH THE JOPLIN COUNTY PLANNING COMMISSION.
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 A BUILDING TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.

9. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL MINING, GUARDING, OR MINING OPERATIONS OF ANY KIND SHALL BE PERMITTED UPON OR IN ANY LOT, NOR SHALL OIL WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS, OR SHAFTS BE PERMITTED UPON OR IN ANY LOT, NO DEPICTED OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR GAS SHALL BE PERMITTED, MAINTAINED OR PERMITTED TO BE ON ANY LOT.

10. NO NOTICES OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE BY THE OWNER WHICH MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD. TRAILERS, BOATS, AND SIMILAR EQUIPMENT SHALL NOT BE KEPT OR STORED IN THE FRONT OR REAR YARD.

11. AT NO TIME SHALL ANY UNLICENSED, UNOPERATIVE AUTOMOBILE OR TRUCK BE PERMITTED ON ANY LOT.

12. NO WATER SUPPLY SYSTEM OR INDIVIDUAL SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT UNLESS SUCH SYSTEM IS APPROVED BY JOHNSON COUNTY AUTHORIZED HAVING JURISDICTION, AND IS LOCATED, DESIGNED, AND CONSTRUCTED IN ACCORDANCE WITH REQUIREMENTS, STANDARDS, AND RECOMMENDATIONS OF THE INDIANA STATE BOARD OF HEALTH.

13. THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF TWO MEMBERS APPOINTED BY THE DEVELOPER. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT FOR IT. IN THE EVENT OF DEATH OR RESIGNATION OF ANY MEMBER OF THE COMMITTEE, THE REMAINING MEMBER SHALL HAVE FULL AUTHORITY TO DESIGNATE A SUCCESSOR. NEITHER THE MEMBERS OF THE COMMITTEE, NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES RENDERED PURSUANT TO THE COVENANT. AT ANY TIME, THE THEN RECORD OWNER OF A MAJORITY OF LOTS SHALL HAVE THE POWER THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHARGE THE MEMBERSHIP OF THE COMMITTEE OR TO WITHDRAW FROM THE COMMITTEE OR REINSTATE IT AT ANY OF ITS DISCRETION AND DUTIES.

14. THE ARCHITECTURAL CONTROL COMMITTEE APPROVES THE APPROVALS REQUIRED IN THESE COVENANTS SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVE FAILS TO APPROVE OR DISAPPROVE WITHIN 30 DAYS AFTER PLANS AND SPECS HAVE BEEN SUBMITTED TO IT, OR IN ANY EVENT, IF NO SUIT YET EXISTS THE CONSTRUCTION HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE RELEVANT COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

15. ANY FIELD TILE OR UNDERGROUND DRAIN WITH CONNECTIONS OR INTERSECTIONS OF ANY IMPROVEMENT WITHIN THIS SUBDIVISION SHALL BE PERPETUATED AND ALL OWNERS OF LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1955; ANY ALL WORKMANSHIP, THERAPY, AND BUSINESS THAT PORTENDS OF NATURAL WATERWAYS THROUGH A LOT SHALL BE MAINTAINED BY THE OWNER THEREOF.

16. ALL DRIVEWAYS SHALL BE RAMP-DRIVEWAYS.

17. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES BETWEEN VARIOUS BETWEEN 7 AND 5 FEET ABOVE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINE AND A LINE CONNECTING THEM AT THE 25 FEET FROM THE INTERSECTION OF THE STREET LINE OR IN THE CASE OF A ROUNDABOUT PROPERTY ADDRESS FROM THE INTERSECTION OF THE STREET LINES EXTENDED. THE SAME RIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WHICH IS A DEPT FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR WALKWAY.

18. ANY INTERSECTION OR INTERSECTIONS OF ANY IMPROVEMENT WITHIN SUCH DISTANCES OF FOUR INTERSECTIONS FROM THE EDGES OF THE DRIVEWAY SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH DRIVEWAY AND ALL LOTS IN THIS SUBDIVISION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF SUCH DRIVEWAY IN A CONDITION TO CONTAIN INTERSECTIONS BEING DRAINAGE.

19. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE KEPT OR KEPT ON ANY LOT EXCEPT THE DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT, KEPT OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

20. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING READING OR PLANTING GARDENS. OTHER WASTES SHALL NOT BE KEPT EXCEPT IN SANITARY CONTAINERS. ALL INCINERATION OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A PLACE WHERE IT IS NOT ACCESSIBLE TO CHILDREN.

21. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR STATUTE SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

22. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THIS 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 WHICH TIME THE COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS, AT ANY TIME FOLLOWING RECORDED AS INSTRUMENT ISSUED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED APPROVING THE TERMINATION OF SUCH COVENANTS IN WRITING IN DEED.

COR. SE 1/4  
27-14-3

STATE OF INDIANA ) SS:  
COUNTY OF JOHNSON)

WE, WILFRED L. DIAZ, PRESIDENT, AND ROBERT J. LANG, SECRETARY-TREASURER, OFFICERS OF A.O. DIAZ & Co., INC., DO HEREBY CERTIFY THAT WE ARE THE AGENTS OF THE OWNERS OF THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AND THAT AS SUCH AGENTS WE HAVE CAUSED THE SAID ABOVE DESCRIBED PROPERTY TO BE SURVEYED AND SUBDIVIDED AS SHOWN ON THE HERIN DRAWN PLAT, AS OUR OWN FREE AND VOLUNTARY ACT AND DEED.

Wilfred L. Diaz, President  
WILFRED L. DIAZ, PRESIDENT

Robert J. Lang, Secretary-Treasurer  
ROBERT J. LANG, SECRETARY-TREASURER

STATE OF INDIANA ) SS:  
COUNTY OF JOHNSON)

I, Marcella Baker, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE, DO HEREBY CERTIFY THAT WILFRED L. DIAZ, PRESIDENT, AND ROBERT J. LANG, SECRETARY-TREASURER OF A.O. DIAZ & Co., INC., PERSONALLY KNOWN TO BE TO BE THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE ABOVE CERTIFICATE APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT THEY SIGNED THE ABOVE CERTIFICATE AS THEIR OWN FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS 7 DAY OF June, 1970.

MY COMMISSION EXPIRES:

July 28, 1977

STATE OF INDIANA ) SS:  
COUNTY OF JOHNSON)

Marcella Baker  
MARCELLA BAKER, NOTARY PUBLIC

"THE VILLAS"

We the undersigned, Armando O. Diaz, President, and Carl R. Huber, Secretary, officers of Diaz and Diaz, Inc., owner of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the plat.

This subdivision shall be known and designated as "THE VILLAS", in White River Township, Johnson County, Indiana. All streets, alleys, and public open spaces shown and not heretofore dedicated are hereby dedicated to the public.

Front building setback lines are hereby established as shown on this plat, between which lines and property line of the streets there shall be erected or maintained no building or structure. The strips of ground shown on this plat and marked "Easement" are reserved for the use of the public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, drainage facilities subject at all times to the proper authorities and to the easement herein reserved. In addition a seven and one half foot drainage easement is reserved on both sides of side lot lines. No permanent or other structures are to be erected or maintained upon said strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and the rights of the owners of other lots in the subdivision.

The lots in the 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. No lot shall be used except for residential purposes and no building shall be erected, altered or placed or permitted on any lot other than the single-family dwelling, not to exceed two (2) stories in height and an attached garage for two (2) cars, and a storage building not to exceed one story in height and 160 square feet of the floor area, said storage building shall conform to the design and exterior materials of the dwelling. No metal storage buildings or detached garages are permitted.
2. No building shall be erected, placed or altered on any lot until the Builder's Construction Plan, specifications and plot plan have been approved by the Architectural Control Committee as to the acceptability and quality of workmanship and materials, harmony of external design with existing structures, and as to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line unless similarly approved. Approval shall be as provided in Covenant No. 14.
3. No dwelling shall be permitted on any lot unless the ground floor area of the main structure, exclusive of one story open porches and garages shall be not less than 1200 square feet for a one story dwelling, not less than 900 square feet for a dwelling of more than one story.
4. All house exteriors shall be of brick, stone, cedar, or a combination thereof.
5. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. In any event, no building shall be located on any lot nearer than 35 feet to the front lot line, or nearer than 35 feet to any side street line. No building shall be located nearer than 10 feet to an interior lot line, for the purposes of this covenant, eaves, steps, and open porches shall not be considered as apart of the building, provided however, that this shall not be construed to permit any portion of a building, on a lot to encroach upon another lot.
6. No structure of a temporary character, trailer, boat, 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, nor shall a partially completed dwelling be permitted.
7. Obstructions shall not be placed in, nor be permitted to remain in areas designated as drainage easements, these areas shall be preserved and maintained as permanent drainage easements, as shown on the general development plan, on file with the Johnson County Plan Commission.
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 a builder to advertise the property during the construction and sales period.

(Continued)

9. No oil drilling, oil development operations, oil refining, quarrying, or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations, or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
10. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood. Trailers, boats, and similar equipment shall not be kept or stored in the front or side yard.
11. At no time shall any unlicensed, unoperative automobile or truck be permitted on any lot.
12. No water supply system or individual sewage disposal system shall be permitted on any lot unless such system is approved by Johnson County Authorities having jurisdiction, and is located, designed, and constructed in accordance with requirements, standards, and recommendations of the Indiana State Board of Health.
13. The Architectural Control Committee is composed of two members appointed by the Developer. A majority of the Committee may designate a representative to act for it. In the event of death or resignation of any member of the Committee, the remaining member shall have full authority to designate a successor. Neither of the members of the Committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this Covenant. At any time, the then recorded Owners of a majority of lots shall have the power through a duly recorded written instrument to change the membership of the Committee or to withdraw from the Committee or restore to it any of its powers and duties.
14. The Architectural Control Committee approval or disapproval as required in these covenants shall be in writing. In the event the Committee or its designated representatives, fails to approve or disapprove within 30 days after plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related Covenants shall be deemed to have been fully complied with.
15. Any field tile or underground drain which is encountered in construction of any improvement within this Subdivision shall be perpetuated, and all Owners of lots in this Subdivision and their successors shall comply with the Indiana Drainage Code of 1965, and all amendments thereto, and further, that portion of natural waterways through a lot shall be maintained by the Owner thereof.
16. All driveways shall be hard-surfaced.
17. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property line 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 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 alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstructions of such sight lines and all existing farm fences bordering on lots shall be maintained by the Lot Owners in a condition to contain livestock using contiguous land.
19. No lot shall be used or maintained as a dumping ground for rubbish, trash or garbage. Other wastes shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
20. Invalidity of any one of these covenants by judgement or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.
21. These restrictions are hereby declared to be Covenants running with this 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 which time said Covenants shall be automatically extended for successive periods of ten (10) years unless, at any time following recordation, an instrument signed by a majority of the then Owners of the lots has been recorded agreeing to change said Covenants in whole or in part.