

CURVE DATA			
CURVE NO	DELTA	TANGENT	RADIUS
1	34°09'38"	165.00' 172.68' 180.36'	537.00' 567.00' 587.00'
2	5°46'15"	140.50' 153.45' 166.40'	259.27' 268.22' 321.22'
			LENGTH
			320.17' 335.07' 349.98'
			259.27' 283.17' 307.07'

THREE NOTCH VILLAGE

THIRD SECTION TO THE TOWN OF BARGERSVILLE, IND.

SE COR SE 1/4
35-13-3

KNOW ALL MEN BY THESE PRESENTS, THAT FOR AND IN FULL CONSIDERATION OF THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) TO BE PAID BY THE FOLLOWING DESCRIBED REAL ESTATE IN JOHNSON COUNTY, INDIANA, TO WIT:
PART OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 13 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 1211.31 FEET NORTH 00 DEGREES 00 MINUTES 28 SECONDS EAST OF AND 449.84 FEET NORTH 89 DEGREES 59 MINUTES 32 SECONDS WEST OF THE SOUTHEAST CORNER THEREOF, SAID POINT BEING A NORTHEAST CORNER OF THREE NOTCH VILLAGE, FIRST SECTION, AS RECORDED IN PLAT BOOK 7, PAGE 481, THENCE NORTH 89 DEGREES 59 MINUTES 32 SECONDS WEST 100.00 FEET, ON AND ALONG THE NORTH LINE OF THE SAID FIRST SECTION; THENCE NORTH 79 DEGREES 14 MINUTES 07 SECONDS WEST 50.89 FEET, ON AND ALONG THE NORTH LINE OF THE SAID FIRST SECTION; THENCE NORTH 14 DEGREES 09 MINUTES 00 SECONDS WEST 10.00 FEET, ON AND ALONG THE NORTH LINE OF THE SAID FIRST SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 61.91 FEET, ON AND ALONG THE NORTH LINE OF THE SAID FIRST SECTION; THENCE NORTH 89 DEGREES 28 MINUTES 32 SECONDS WEST 111.12 FEET, ON AND ALONG THE NORTH LINE OF THE SAID FIRST SECTION; THENCE NORTH 53 DEGREES 51 MINUTES 00 SECONDS WEST 100.00 FEET, ON AND ALONG THE NORTH LINE OF THE SAID FIRST SECTION; THENCE NORTH 71 DEGREES 27 MINUTES 46 SECONDS WEST 140.17 FEET, ON AND ALONG THE NORTH LINE OF THE SAID FIRST SECTION; THENCE NORTH 64 DEGREES 28 MINUTES 28 SECONDS WEST 141.95 FEET, ON AND ALONG THE NORTH LINE OF THE SAID SECOND SECTION; THENCE NORTH 56 DEGREES 14 MINUTES 46 SECONDS WEST 70.21 FEET, ON AND ALONG THE NORTH LINE OF THE SAID SECOND SECTION; THENCE NORTH 64 DEGREES 28 MINUTES 28 SECONDS WEST 141.95 FEET, ON AND ALONG THE NORTH LINE OF THE SAID SECOND SECTION; THENCE NORTH 43 DEGREES 15 MINUTES 00 SECONDS WEST 70.21 FEET, ON AND ALONG THE NORTH LINE OF THE SAID SECOND SECTION; THENCE NORTH 79 DEGREES 09 MINUTES 00 SECONDS WEST 80.00 FEET, ON AND ALONG THE NORTH LINE OF THE SAID SECOND SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS WEST 80.00 FEET; THENCE SOUTH 89 DEGREES 28 MINUTES 32 SECONDS EAST 111.12 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS WEST 10.00 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS WEST 100.00 FEET; THENCE NORTH 79 DEGREES 14 MINUTES 07 SECONDS EAST 51.09 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 32 SECONDS EAST 100.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 28 SECONDS WEST 320.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 8.20 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL RIGHTS OF WAY AND EASEMENTS.

DO HEREBY MAKE, PLAT, SUBDIVIDE, LAY OFF AND DEDICATE SAID DESCRIBED REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HERETO ATTACHED, WHICH SUBDIVISION SHALL BE KNOWN AS "THREE NOTCH VILLAGE" IN THE TOWN OF BARGERSVILLE, JOHNSON COUNTY, INDIANA THAT THE STREETS AS SHOWN ON THE ATTACHED PLAT ARE HEREBY DEDICATED TO PUBLIC USE AND THAT ALL OF THE LOTS CONTAINED IN THE ABOVE PLAT OR ANY PORTION THEREOF SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH RESTRICTIONS SHALL BE CONSIDERED AND HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND, WHICH SAID RESTRICTIVE COVENANTS ARE AS FOLLOWS, TO WIT:


NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERRECTED, ALTERED, OR PLACED ON ANY LOT, OTHER THAN ONE OBTAINED BY THE FOLLOWING:


DO HEREBY MAKE, PLAT, SUBDIVIDE, LAY OFF AND DEDICATE SAID DESCRIBED REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HERETO ATTACHED, AND IN SUBDIVISION SHALL BE KNOWN AS "THREE NOTCH VILLAGE" IN THE TOWN OF BARGERSVILLE, JOHNSON COUNTY, INDIANA. THAT THE STREETS AS SHOWN ON THE ATTACHED PLAT ARE HEREBY DEDICATED TO PUBLIC USE AND THAT ALL OF THE LOTS SHOWN ON THE ABOVE PLAT OR ANY PORTION THEREOF SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS, WHICH RESTRICTIONS SHALL BE CONSIDERED AND HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND, WHICH SAID RESTRICTIVE COVENANTS ARE AS FOLLOWS, TO-WIT:

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 DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN TWO CARS, NO LOT SHALL BE FURTHER SUBDIVIDED TO MAKE ANOTHER LOT.
2. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN FLOOR, EXCLUDING THE STAIRS, PORCHES AND PATIOS, SHALL BE AT LEAST ONE HUNDRED TWENTY FEET FOR A DETACHED DWELLING NOT LESS THAN 720 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.
3. NO BUILDING SHALL BE LOCATED ANY NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE SET-BACK LINE SHOWN ON THE RECORDED PLAT. IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON THE LOT NEARER THAN 25 FEET TO THE FRONT LOT LINE, OR NEARER THAN 25 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN 12 FEET TO AN INTERIOR LOT LINE EXCEPT THAT NO SIDE YARD SHALL BE REQUIRED FOR A GARAGE OR OTHER PERMITTED ACCESSORY BUILDING LOCATED 30 FEET OR MORE FROM THE MINIMUM SET-BACK LINE. NO DWELLING SHALL BE LOCATED ON ANY LOT NEARER THAN 2 FEET TO THE REAR LOT LINE. FOR THE PURPOSES OF THIS COVENANT, EAVES, STEPS AND OPEN PORCHES SHALL NOT BE CONSIDERED AS A PART OF THE BUILDING PROVIDED, HOWEVER THAT THIS SHALL NOT BE CONSTRUED TO PERMIT ANY PORTION OF A BUILDING TO ENRICH UPON ANOTHER LOT.
4. NO DWELLING SHALL BE ERECTED OR PLACED ON ANY LOT HAVING A WIDTH OF LESS THAN 80 FEET AT A TRIANGULAR SET-BACK LINE, NOR SHALL ANY BUILDING BE ERECTED OR PLACED ON ANY LOT HAVING AN AREA LESS THAN THAT SHOWN ON THE RECORDED PLAT.
5. THERE ARE STRIPS OF GROUND, THE WIDTHS OF WHICH ARE SHOWN ON THE PLAT AND MARKED U.S.S. (UTILITY AND DRAINAGE STRIPS) WHICH ARE RESERVED FOR THE USE OF PUBLIC UTILITIES FOR THE INSTALLATION OF PIPES, POLES, DUCTS, LINES AND WIRES AND FOR DRAINAGE, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREBY RESERVED. NO PERMANENT OR TEMPORARY 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 TO THE RIGHTS OF THE OWNERS OF OTHER LOTS IN THIS SUBDIVISION.
6. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE UPON ANY LOT WHICH MAY BE OR MAY BECOME AN OBSTACLE OR NUISANCE TO THE NEIGHBORHOOD.
7. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENTS, TENT, SHACK, GARAGE, BARN OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.
8. NO DOWNSPOUT SHALL BE CONNECTED TO OR CAUSED TO DISCHARGE RAIN WATER INTO AN SANITARY SEWER.
9. NO BOAT, TRAILER, OR MOBILE LIVING FACILITY SHALL BE PARKED OR STORED ON ANY LOT EXCEPT BEHIND THE BUILDING SET-BACK LINE.
10. AT NO TIME SHALL ANY UNLICENSED, UNOPERATIVE, AUTOMOBILE OR TRUCK BE PERMITTED TO BE ON ANY LOT.
11. NO SIGN OF ANY KIND SHALL BE DISPLAYED TO THE PUBLIC VIEW ON ANY LOT, EXCEPT ONE SIGN TO BE PLACED ON THE FRONT YARD OF THE LOT ADVERTISING THE PROPERTY FOR SALE OR RENT, WHICH IS TO BE USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.
12. NO OIL DRILLING, OIL DEVELOPMENT OR 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 SHALTS BE PERMITTED UPON OR IN ANY LOT. NO BERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERECTED, MAINTAINED OR PERMITTED ON ANY LOT.
13. NO ANIMALS, LIVESTOCK, OR FOWLTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT IN ANY LOT, EXCEPT THAT DOGS, CATS OR OTHER HOUSEHOLD PETS MAY BE KEPT PROVIDED THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.
14. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR GARBAGE. WASTE MATTER OR MATERIALS SHALL BE KEPT ONLY IN SANITARY CONTAINERS, AND ALL INSTRUMENTS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.
15. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE SIGHT LINES AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE GROUND SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY OTHER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING AT POINTS 25 FEET FROM THE INTERSECTION OF THE STREET PROPERTY LINES, OR IN THE CASE OF A TRIANGULAR PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY OR ALLEY DRIVEWAY.
16. NO SCREEN PLANTING OR HEDGE MORE THAN 36 INCHES HIGH, NOR ANY FENCE SHALL BE PERMITTED ON SIDE LOT LINES BETWEEN THE FRONT LOT LINE AND THE BUILDING SET-BACK LINE.
17. ALL SWALES, FOR DRAINAGE OF LOTS, THAT ARE LOCATED ON SIDE LOT LINES AND ON REAR LOT LINES AND MARKED AS UTILITY STRIPS, SHALL BE PRESERVED AND NOT COVERED OR BUILT UPON, TOGETHER WITH A GENERAL DRAINAGE PLAN ON FILE WITH THE TOWN OF BARGERSVILLE, INDIANA.
18. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCLOSED IN CONSTRUCTION OF AN 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 THEREOF.

THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES, AND ON ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF 25 YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SUCH COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS IN THE PLAT AS RECORDED, AGREEING TO THE ALTERATION OF SUCH COVENANTS IN WHOLE OR IN PART.

INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER COVENANTS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT. THESE COVENANTS MAY BE ENFORCED BY PROCEEDING AT LAW OR IN EQUITY AGAINST ANY PERSONS VIOLATING OR ATTEMPTING TO VIOLATE AN COVENANT EITHER BY RESTRAINING INJUNCTION, BY WRIT OF HABEAS CORPUS OR BY OTHER MEANS. IN WITNESS WHEREOF, THIS INSTRUMENT HAS BEEN EXECUTED BY THE UNDERSIGNED OFFICERS OF BOB DUNN CORPORATION FOR AND IN BEHALF OF SUCH CORPORATION THIS 1st DAY OF August, 1974.

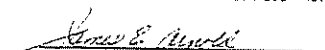
ATTEST:

 EMMA JEAN HELMOND, SECRETARY-TREASURER

BOB DUNN CORPORATION

 ROBERT E. DUNN, PRESIDENT

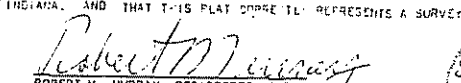
STATE OF INDIANA)
 COUNTY OF JOHNSON) SS

I, THE UNDERSIGNED, A NOTARY PUBLIC DULY COMMISSIONED TO TAKE ACKNOWLEDGMENTS AND ADMINISTER OATHS IN THE STATE OF INDIANA, CERTIFY THAT ROBERT E. DUNN, AND EMMA JEAN HELMOND, PRESIDENT AND SECRETARY-TREASURER, RESPECTIVELY, OF BOB DUNN CORPORATION, PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, FOR AND IN BEHALF OF SUCH CORPORATION, AS THEIR DULY AUTHORIZED AGENTS, THIS 1st DAY OF August, 1974.

WITNESS MY HAND AND NOTARIAL SEAL
 MY COMMISSION EXPIRES: September 29, 1975



 ANNA E. MURRELL
 NOTARY PUBLIC

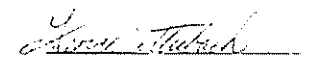
I, ROBERT M. MURRAY, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME IN FEBRUARY, 1972, AND THAT THE MONUMENTS SHOWN ACTUALLY EXIST AND THEIR LOCATION IS ACCURATELY SHOWN.


 ROBERT M. MURRAY, REGISTERED LAND SURVEYOR NO. 10194
 APR 19, 1974



APPROVED BY THE TOWN BOARD OF BARGERSVILLE, INDIANA, ON THE 2nd DAY OF July, 1974.


 MARVIN BAKER


 CHARLES F. FITCH

Charles F. Fitch
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