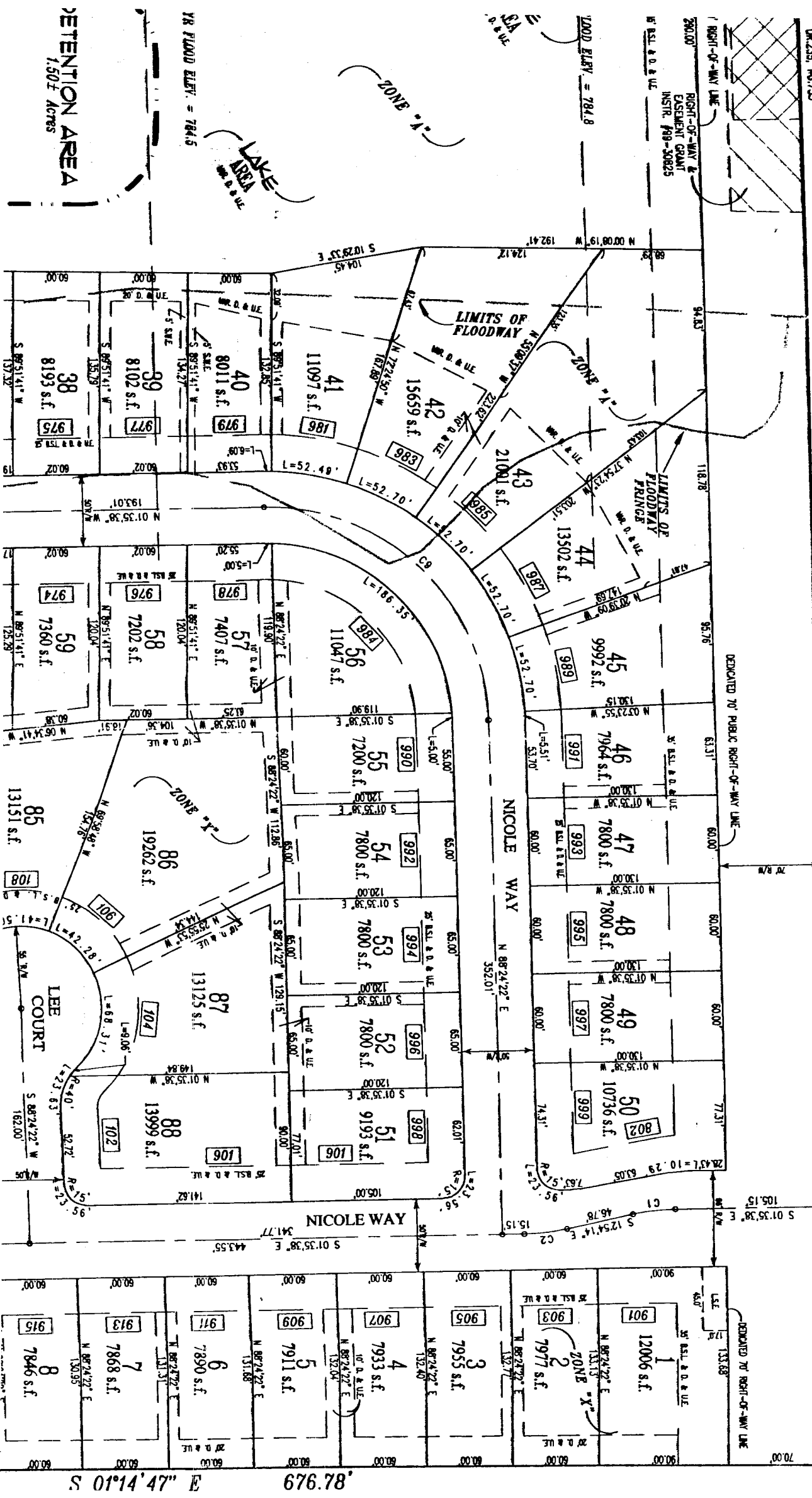


TRACY COMMONS SUBDIVISION

PLEASANT TOWNSHIP
NEW WHELAND, JOHNSON COUNTY, INDIANA

INDIANA GAS
OR-235, PG-733
RIGHT-OF-WAY & EASEMENT GRANT INSTR. #89-30825
NORTH LINE SECTION 20 T-13-N, R-4-E
26°16'16" N 89°24'22" E 1118.33' TRACY ROAD (Co. Road 600 North)
3122



RETENTION AREA
1.50± Acres

FLOOD ELEV. = 784.5

LAKE AREA

ZONE "A"

FLOOD ELEV. = 784.8

ZONE "X"

S 01°14'47" E 676.78'

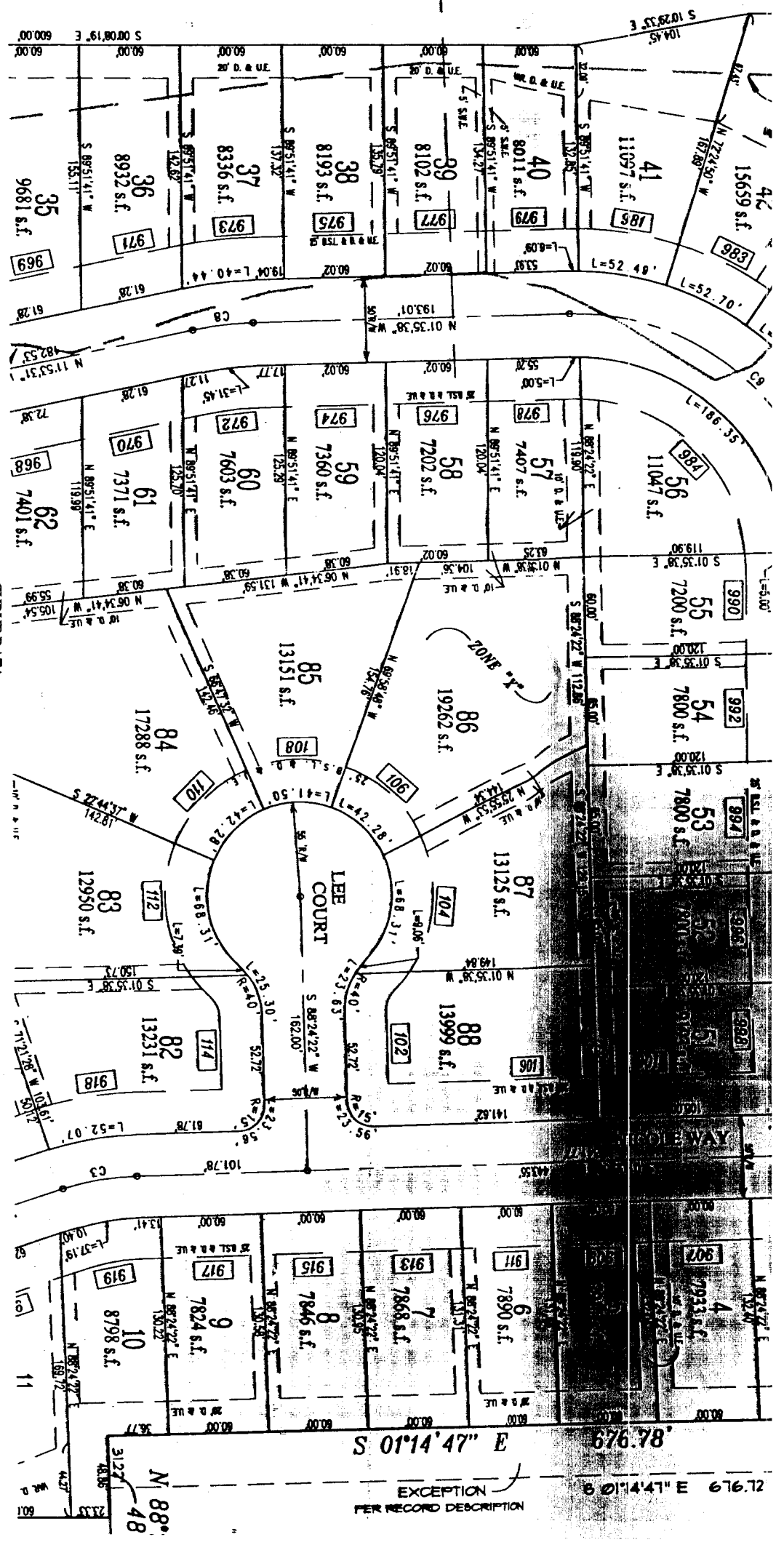
ONE "A"

LAKE AREA
B.S.L. & U.E.

EV. = 784.5

ION AREA
7 Acres

Approx. Shore Line



CURVE DATA

NUMBER	DELTA	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C1	11°18'36"	S 07°14'56" E	14.85	150.00	29.61	29.56
C2	11°18'36"	S 07°14'56" E	14.85	150.00	29.61	29.56
C3	17°02'54"	S 10°07'05" E	22.48	150.00	44.63	44.47
C4	18°30'13"	S 09°23'26" E	24.43	150.00	48.44	48.23
C5	90°00'00"	S 44°51'41" W	150.00	150.00	235.62	212.13
C6	90°00'00"	N 45°08'19" W	150.00	150.00	235.62	212.13
C7	11°45'11"	N 06°00'55" W	20.59	200.00	41.03	40.95
C8	10°17'53"	N 06°44'34" W	18.02	200.00	35.95	35.90
C9	90°00'00"	N 43°24'22" E	150.00	150.00	235.62	212.13

LEGEND

10 - LOT NUMBER

12,345 s.f. - LOT SQUARE FOOTAGE

723 - LOT ADDRESS

D. & U. E. - DRAINAGE & UTILITY BAS

B.S.L. - BUILDING SETBACK LINE

S.W.E. - SIDEWALK EASEMENT

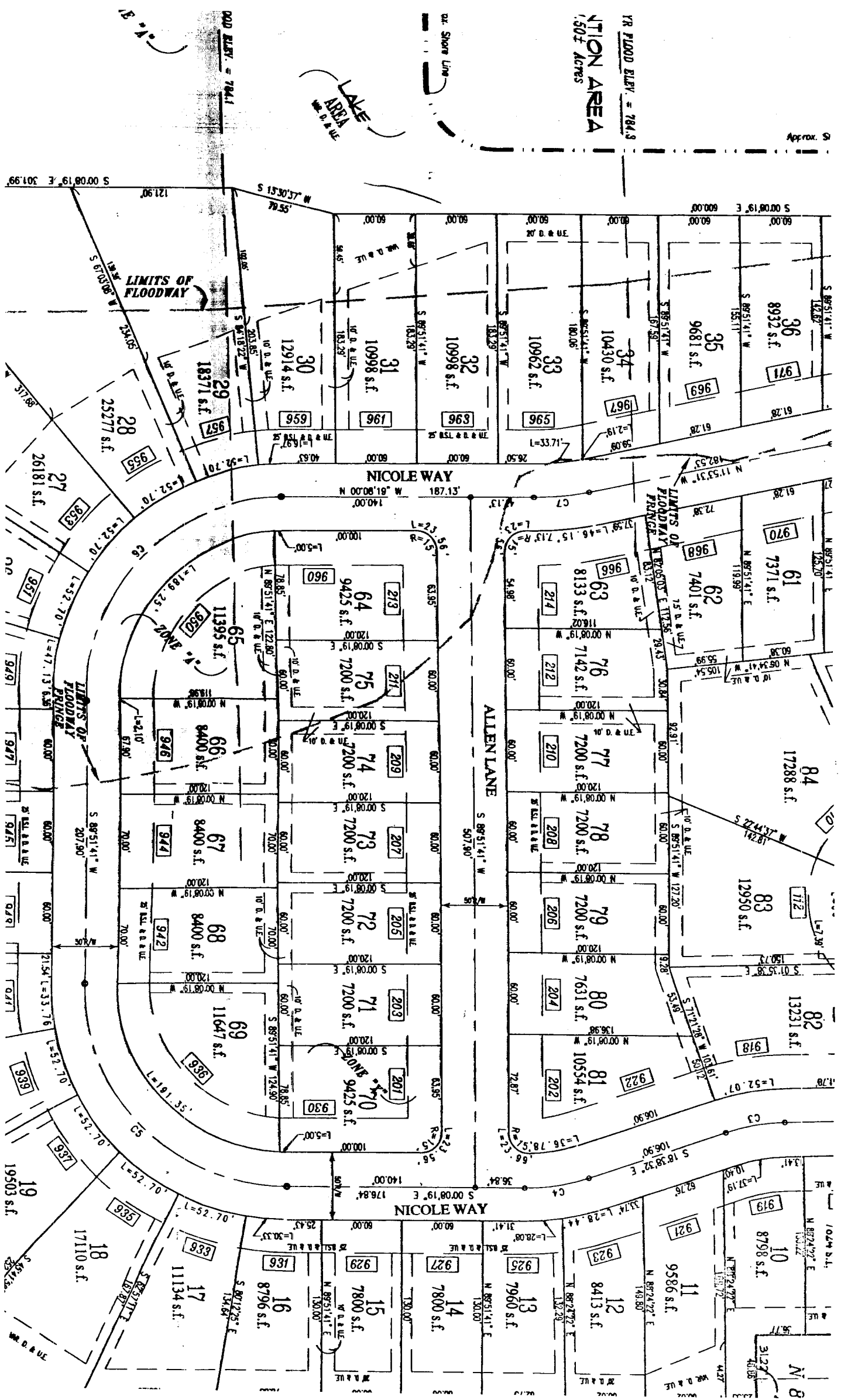
L.S.E. - LANDSCAPE EASEMENT

-5/8" COPPERWELD

CLATES, INC.
 BUILDERS SERVICES
 Greenwood, IN 46142
 (317) 881-4088

TRACY COMMONS SUBDIVISION

PLEASANT TOWNSHIP
NEW WHITELAND, JOHNSON COUNTY, INDIANA



approx. Shore Line

LAKE AREA
M.D. & U.E.

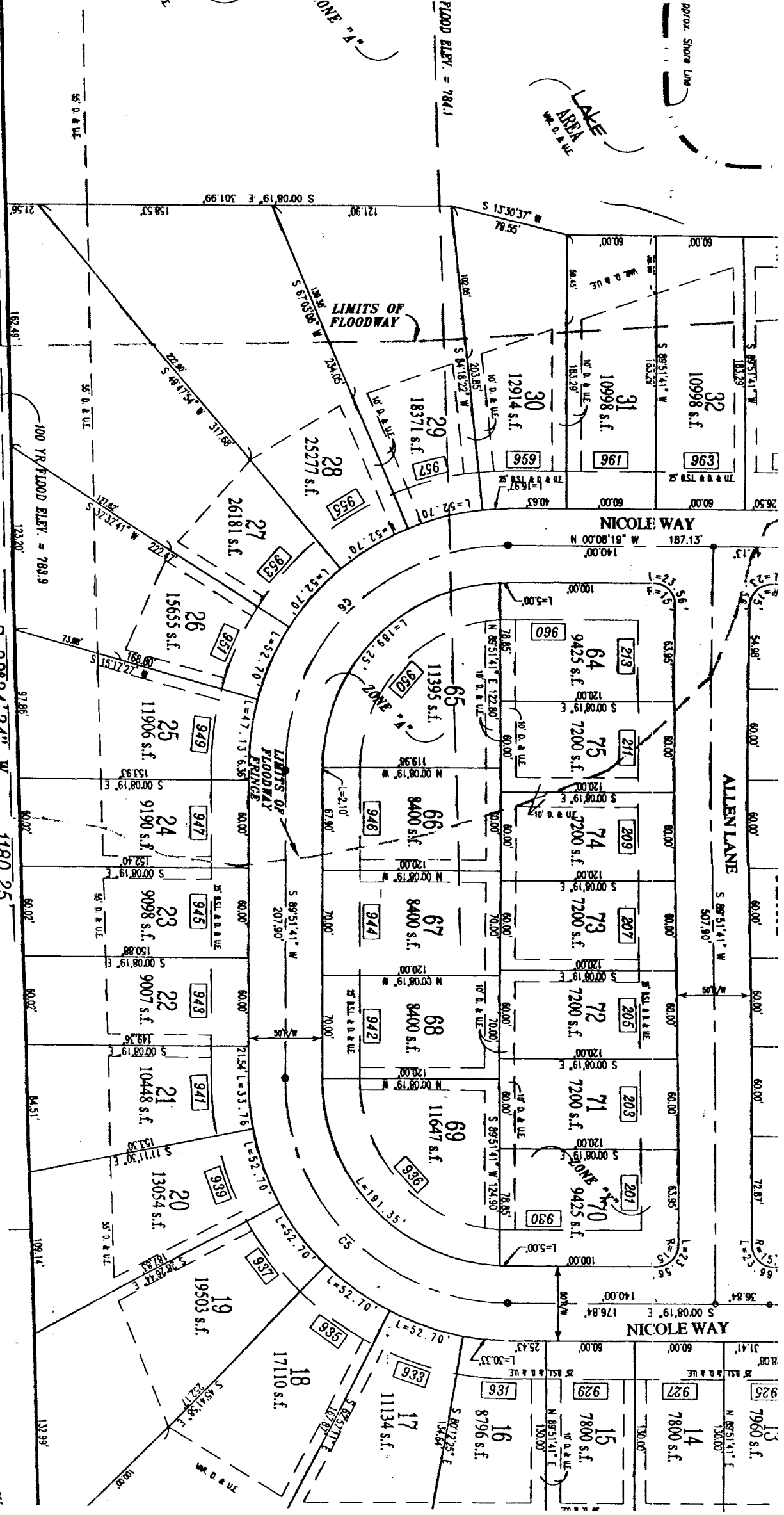
FLOOD ELEV. = 784.1

ONE "A"

SOUTH LINE N. 1/2, NE. 1/4, SECTION 20, T-19-N, R-4-E

BREAK-O-DAY SUBDIVISION
SECTION FOUR
(Plat Book C, Page 586 "B")

NOTE:
ALL BASEMENTS ARE 7.5' D. & U.E.
UNLESS NOTED OTHERWISE.



CURVE DATA

NUMBER	DELTA	CHORD DIRECTION	TANGENT	RADIUS	ARC LENGTH	CHORD LENGTH
C1	11°18'36"	S 07°14'56" E	14.85	150.00	29.61	29.56
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C8	10°17'53"	N 06°44'34" W	18.02	200.00	35.95	35.90
C9	90°00'00"	N 43°24'22" E	150.00	150.00	235.62	212.13



MAURER & ASSOCIATES
LAND DEVELOPMENT, SURVEYING, and BUILD
3425 West County Line Road • Greenwood
Ph. (317) 881-3688 • Fax (317) 881-

TRACY COMMONS SUBDIVISION

Part of the North Half of the Northeast Quarter of Section 20, Township 13 North, Range 4 East of the Second Principal Meridian located in Pleasant Township, Johnson County, Indiana being more particularly described as follows:

Beginning at the Northwest Corner of said Half Quarter Section; thence North 88 degrees 24 minutes 22 seconds East (assumed bearings) along the North line of said Half Quarter Section 1118.33 feet; thence South 01 degrees 14 minutes 47 seconds East 676.78 feet; thence North 88 degrees 17 minutes 41 seconds East 48.86 feet to the west line of the land of Clark-Pleasant Community School Corporation recorded as Deed Record 273 Page 403 in the Office of the Johnson County Recorder; thence South 00 degrees 08 minutes 19 seconds East parallel with the West line of said Half Quarter Section and along said west line of Clark-Pleasant Community School Corporation 667.59 feet to the South line of said Half Quarter Section; thence South 88 degrees 24 minutes 24 seconds West along said South Line 1180.25 feet to the Southwest Corner of said Half Quarter Section; thence North 00 degrees 08 minutes 19 seconds West along the West line of said Half Quarter Section 1344.47 feet to the Point of Beginning containing 35.56 acres more or less.

Subject to all easements, restrictions and rights-of-way.

THIS SUBDIVISION CONTAINS EIGHTY-EIGHT (88) LOTS NUMBERED ONE (1) THROUGH EIGHTY-EIGHT (88), INCLUSIVE; TOGETHER WITH STREETS, RIGHTS-OF-WAY, AND EASEMENTS AS SHOWN ON THE PLAT HEREWITH.

ALL MONUMENTS SHOWN HEREON WILL EXIST, AND THEIR LOCATION IS ACCURATELY SHOWN; AND THIS PLAT COMPLIES WITH 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.

CERTIFIED THIS 22nd DAY OF MAY, 2002.



Paul Maurer
PAUL MAURER
REG. LAND SURVEYOR NO. 880006
STATE OF INDIANA

PLAT COVENANTS, RESTRICTIONS AND EASEMENTS FOR TRACY COMMONS SUBDIVISION

The undersigned, Tracy Commons Development, Inc., (the "Developer"), owner of the real estate shown and described herein, hereby certifying that it has laid off, platted and subdivided, and does hereby lay off, plat and subdivide said real estate in accordance with this plat and certificate. This subdivision shall be known and designated as Tracy Commons Subdivision, an addition to the Town of New Whiteland, Johnson County, Indiana. In addition to the covenants and restrictions hereinafter set forth and contained in this plat, the real estate described in this plat is also subject to certain additional covenants and restrictions contained in that certain "Declaration of Covenants and Restrictions for Tracy Commons Subdivision" recorded on the 22 day of May, 2002, as Instrument No. 2002-019126, in the office of the Recorder of Johnson County, Indiana (the "Declaration"), and to the rights, powers, duties and obligations of the Tracy Commons Homeowners Association, Inc. (the "Homeowners Association") and the Tracy Commons Architectural Control Committee (the "Committee") as set forth in the Declaration. Any conflicting covenant or restriction contained in this plat shall govern and control to the extent only of an irreconcilable conflict with any of the covenants and restrictions contained in the Declaration, it being the intent hereof that all such covenants and restrictions shall be applicable to said real estate to the greatest extent possible. All of the terms, provisions, covenants, conditions and restrictions contained in the Declaration are hereby incorporated herein by reference. In order to provide adequate protection to all present and future owners of lots in this subdivision, the following covenants, restrictions and limitations, in addition to those set forth in the Declaration, are hereby imposed upon and shall run with the land included in this subdivision and shall be binding upon the Developer and anyone at anytime owning any part or portion of such land.

1. DEDICATION - PUBLIC STREETS. The streets and public right-of-ways shown hereon, subject to construction standards and acceptance, are hereby dedicated to the public use, to be owned and maintained by the governmental body having jurisdiction.

2. EASEMENTS: "Drainage and Utility Easement": The strips of ground or areas indicated as "Drainage & Utility Easement" (D. & U. E. or Drainage & Utility Esmt.) are reserved for the use of the Public Utilities, Tracy Commons Homeowners Association, and the Town of New Whiteland Board of Public Works and Safety, its successors and assigns, to install, inspect, repair, replace, and maintain water mains, sanitary and storm lines, pipes, poles, ducts, lines, wires, and drainage facilities, subject at all times to the proper authorities and to the easement herein reserved; no permanent or other structures are to be erected or maintained upon said strips or areas of land; owners of lots in this subdivision shall take title to their lots subject to said easement rights.

NEW WHITELAND, JOHNSON COUNTY, INDIANA

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"Landscape Easement": The strips of ground or areas indicated as "Landscape Easement" (L.S.E.) are reserved for the use of the Tracy Commons Homeowners Association for limited access to the Landscape areas within the Building Setback Areas along Tracy Road and Nicole Way; said access being limited to that necessary to utilize, maintain, replace, regrade, reconstruct, and/or repair the landscaping, fences, walls, signs, street signs, and other items requiring maintenance within the easement areas. No permanent or other structures (except walls, sidewalks, fences, etc., otherwise permitted hereby or by the Homeowners Association) are to be erected or maintained upon said strips or areas of land; owners of lots in this subdivision shall take title to their lots subject to said easement rights.

"Sidewalk Easement": The strips of ground or areas indicated as "Sidewalk Easement" (S.W.E.) are reserved for the use of the Town of New Whiteland Board of Public Works and Safety to construct, improve, alter, and maintain concrete sidewalks; owners of lots in this subdivision shall take title to their lots subject to said easement rights.

3. LAKE AREA. There are portions of ground labeled "LAKE AREA" which, upon final constructions or provision therefore, shall be conveyed by the Developer to the Town of New Whiteland. Once conveyed to the Town, such property shall not be subject to the Declaration nor any prohibition against structures on such property, and the use of such property may include, but is not limited to, park and water utility facilities.

4. DRAINAGE SWALES. Drainage swales (ditches) along dedicated roadways and within the right-of-way or on dedicated easements are not to be altered, dug out, filled in, tiled, or otherwise changed without the written permission of the Town of New Whiteland. Property owners must maintain these swales as sodded grassways or other non-eroding surfaces. Water from roofs or parking areas must be contained on the property long enough so that said drainage swales or ditches will not be damaged by such water. Driveways may be constructed over these swales or ditches only when appropriate sized culverts and other approved structures have been permitted by the Town of New Whiteland.

Any property owner altering, changing, damaging, or failing to maintain these drainage swales or ditches will be held responsible for such action and will be given 10 days notice by certified mail to repair said damage, after which time, if no action is taken, the Town of New Whiteland will cause said repairs to be accomplished and the bill for said repairs will be sent to the affected property owner for immediate payment. Failure to pay will result in a lien against the property.

5. PERPETUATION OF DRAINAGE. Any field tile or underground drain which is encountered in construction of any improvements 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.

6. OBSTRUCTIONS. No fence, wall, hedge, tree or shrub planting or other similar items which obstruct sight lines at elevations between 2.5 and 8.0 feet above the street, shall be permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 25 feet from the intersection of said street lines (25 feet for a minor street and 50 feet for arterial streets), or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended. The same sight line limitations shall apply to any lot within 10 feet from the intersection of a street right-of-way line with the edge of a driveway pavement or alley line. No driveway shall be located within 40 feet of the intersection of two street centerlines or within 70 feet for corner lots.

7. SIDEWALKS. Sidewalks shall be constructed as required by the sidewalk plan approved by the Town of New Whiteland, which construction shall be the responsibility of the lot owner upon whose lot the sidewalk is to be constructed, provided, however, that any Common Area sidewalks shall be constructed by the Developer as designated on the final development-sidewalk plan. All sidewalks shall be completed at the same time as the driveway is constructed on the lot by the lot owner. All sidewalks shall be poured concrete, with expansion joints, such construction to be perpetual and continuous along the street frontages and across the driveway of each lot.

8. COVENANTS APPURTENANT TO LAND. These covenants are to run 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, at which time said covenants shall be automatically extended for successive periods of ten (10) years each, unless at any time after fifteen (15) years a majority of the then owners of the lots in this subdivision agree to change (or terminate) said covenants in whole or in part and on the condition that an instrument to that effect signed by the lot owners voting in favor of change has been recorded; provided, however, that no change or termination of said covenant shall affect any easement hereby created or granted unless all persons entitled to the beneficial use of such easement shall consent thereto. Notwithstanding the foregoing, no covenant established for the benefit of the Town of New Whiteland may be discontinued by a vote of the owners of the lots in this subdivision, without the consent of the Town of New Whiteland.