

VALLEY RIDGE FARMS

SECTION

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KNOW ALL MEN BY THESE PRESENTS THAT VALLEY RIDGE FARMS INC., AN INDIANA CORPORATION, BEING THE OWNER IN FEE SIMPLE OF THE FOLLOWING DESCRIBED REAL ESTATE IN MARION COUNTY, STATE OF INDIANA, TO WIT:

A PART OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 14 NORTH, RANGE 3 EAST, SITUATED IN PERRY TOWNSHIP, MARION COUNTY, INDIANA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER, THENCE SOUTH 88°22'14" WEST ALONG THE NORTH LINE OF SAID QUARTER SECTION 740.00 FEET, TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE SOUTH 0°16'03" EAST PARALLEL TO THE EAST LINE OF SAID QUARTER SECTION 290.00 FEET, THENCE NORTH 88°22'14" EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 410.00 FEET, THENCE SOUTH 0°16'03" EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 370.00 FEET, THENCE SOUTH 69°23'47" WEST 61.84 FEET, THENCE SOUTH 88°22'14" WEST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 613.84 FEET, THENCE SOUTH 1°37'46" EAST 384.82 FEET, THENCE NORTH 89°44'37" EAST 46.05 FEET, THENCE SOUTH 0°15'23" EAST 200.00 FEET, THENCE SOUTH 28°23'52" EAST 168.79 FEET, THENCE SOUTH 35°29'32" EAST 130.65 FEET, THENCE SOUTH 21°41'06" EAST 130.65 FEET, THENCE SOUTH 7°52'40" EAST 130.65 FEET, THENCE SOUTH 6°35'26" EAST 220.71 FEET, THENCE SOUTH 52°47'44" EAST 73.62 FEET, THENCE SOUTH 26°17'41" WEST 262.81 FEET TO A POINT ON THE NORTH LINE OF RIDGE HILL TRAILS SECTION 2 SUBDIVISION, THENCE SOUTH 88°43'34" WEST ALONG THE NORTH LINE OF SAID SUBDIVISION 408.41 FEET, THENCE NORTH 0°33'30" WEST 19.13 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER, THENCE SOUTH 88°27'46" WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 4.36 FEET, THENCE SOUTH 88°42'42" WEST ALONG THE SOUTH LINE OF SAID QUARTER SECTION 342.55 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF SAID NORTHWEST QUARTER, THENCE NORTH 0°15'23" WEST ALONG THE WEST LINE OF THE EAST HALF OF SAID NORTHWEST QUARTER 2366.85 FEET, THENCE NORTH 88°22'14" EAST PARALLEL TO THE NORTH LINE OF SAID NORTHWEST QUARTER 330.00 FEET, THENCE NORTH 0°16'46" WEST 290.00 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER, THENCE NORTH 88°22'14" EAST ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER 266.65 FEET, TO THE POINT OF BEGINNING, CONTAINING ~~39.46~~ ACRES MORE OR LESS. CONTAINING LOTS NUMBERED 1 THROUGH 77 INCLUSIVELY.

SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

WE HEREBY MAKE PLAT, SUBDIVIDE, LAY OFF AND DEDICATE SAID DESCRIBED REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAT HERETO ATTACHED, WHICH ADDITION SHALL BE KNOWN AS VALLEY RIDGE FARMS, MARION 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 RESTRICTION 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. NO BUILDING SHALL BE ERRECTED, ALTERED, PLACED, OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN AS STATED UNDER THE D-2 ZONING AS SPECIFIED IN THE MARION COUNTY ZONING ORDINANCE 58-40-13 AS AMENDED, AND NOW EFFECTIVE IN MARION COUNTY.
2. NO BUILDING SHALL BE ERRECTED, PLACED OR ALTERED ON ANY LOT UNTIL THE CONSTRUCTION PLAN AND SPECIFICATIONS AND A PLAN SHOWING THE LOCATION OF THE STRUCTURE HAVE BEEN APPROVED BY THE ARCHITECTURAL CONTROL COMMITTEE AS TO QUALITY OF WORKMANSHIP AND MATERIALS, HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES, AND AS TO LOCATION WITH RESPECT TO TOPOGRAPHY AND FINISH GRADE ELEVATION. SAID COMMITTEE APPROVAL SHALL BE OBTAINED AND GOVERNED BY THE PROVISIONS OF PARAGRAPHS (7) SEVEN AND (8) EIGHT OF THESE COVENANTS.
  - (A) NO FENCE OR WALL SHALL BE ERRECTED, PLACED, OR ALTERED ON ANY LOT NEARER TO THE STREET THAN THE MINIMUM BUILDING SET-BACK LINE UNLESS SIMILARLY APPROVED, AND IN NO CASE SHALL BE GREATER THAN THREE AND ONE HALF (3 1/2) FEET IN HEIGHT. APPROVAL SHALL BE AS PROVIDED IN PART (10) TEN.
  - (B) NO SINGLE STORY DWELLING SHALL HAVE A GROUND FLOOR AREA LESS THAN 1500 SQUARE FEET AND NO TWO STORY DWELLING SHALL HAVE A GROUND FLOOR AREA LESS THAN 1200 SQUARE FEET.
  - (C) EACH DWELLING SHALL HAVE AT LEAST A TWO CAR GARAGE BUT OPEN SIDED CARPORTS ARE SPECIFICALLY PROHIBITED.
  - (D) EACH DWELLING SHALL BE REQUIRED TO INCLUDE AN ELECTRIC OR GAS INCINERATOR AND A GARBAGE DISPOSAL UNIT IN ITS INITIAL CONSTRUCTION.
3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LINE THAN THE MINIMUM BUILDING SET-BACK LINES SHOWN ON THE RECORDED PLAT. 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 ON A LOT TO ENCRPOACH UPON ANOTHER LOT.

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4. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT.
5. NO NOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT. NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
6. NO STRUCTURE OF A TEMPORARY NATURE, OR OUTBUILDING OF ANY KIND NOT CONNECTED TO THE MAIN RESIDENCE, INCLUDING, BUT NOT NECESSARILY LIMITED TO ANY TRAILER, TENT, BASEMENT, SHACKS, GARAGE, BARN OR OTHER OUTBUILDING, SHALL BE CONSTRUCTED, MOVED ONTO OR USED ON ANY LOT AT ANY TIME, FOR ANY PURPOSE.
  - (A) NO TRAILER, BOAT, CAMPER, CAMPING EQUIPMENT, DISABLED MOTOR VEHICLE OR SIMILAR PERSONAL PROPERTY SHALL BE STORED OR PARKED IN ANY MANNER WHATSOEVER IN FRONT OF THE HOUSE OR DWELLINGS ERECTED ON THESE LOTS. THE RESIDENTS SHALL MAKE EVERY EFFORT TO KEEP THEIR YARD AND LOT IN AN ATTRACTIVE MANNER AND IN SUCH A CONDITION THAT IT SHALL NOT DETRACT FROM THE PROPERTY VALUE OF THE ADDITION AND THE SOLE JUDGE AS TO WHETHER OR NOT IT IS BEING SO KEPT SHALL REMAIN IN THE ARCHITECTURAL CONTROL COMMITTEE, MEMBERS OF WHICH ARE PROVIDED HEREFTER.
7. THE ARCHITECTURAL CONTROL COMMITTEE (COMMITTEE) SHALL BE COMPOSED OF THREE (3) PERSONS - ALL APPOINTED FROM TIME TO TIME BY THE UNDERSIGNED OWNERS OF THIS DEVELOPMENT. A MAJORITY OF THE COMMITTEE MAY DESIGNATE A REPRESENTATIVE TO ACT ON BEHALF OF THE COMMITTEE. THE COMMITTEE SHALL HAVE COMPLETE AUTHORITY TO FILL ITS MEMBERSHIP IN THE EVENT OF THE DEATH, RESIGNATION OR REPLACEMENT OF ANY MEMBER. PLANS, SPECIFICATIONS AND THE SITE PLAN OF EACH RESIDENCE TO BE CONSTRUCTED SHALL BE SUBMITTED TO THE COMMITTEE BY UNITED STATES MAIL OR PERSONAL DELIVERY AT POST OFFICE BOX 428, GREENWOOD, INDIANA, PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OF ANY SUCH IMPROVEMENTS. THE COMMITTEE'S APPROVAL OR DISAPPROVAL SHALL BE IN WRITING. IN THE EVENT THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVES SHALL FAIL TO APPROVE OR DISAPPROVE THE PROPOSED CONSTRUCTION WITHIN THIRTY (30) DAYS AFTER PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT, OR IN ANY EVENT, IF NO SUIT HAS BEEN COMMENCED TO ENJOIN THE CONSTRUCTION PRIOR TO THE COMPLETION THEREOF, APPROVAL WILL NOT BE REQUIRED AND THE APPLICABLE COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH. FAILURE OF THE COMMITTEE TO ACT UPON ANY PLAN SUBMITTED SHALL NOT BE CONSIDERED A WAIVER OF THE REQUIREMENTS OF THESE COVENANTS AS TO ANY SUBSEQUENT CONSTRUCTION ON ANY OTHER LOT IN THIS DEVELOPMENT OR OF THE COMMITTEE'S AUTHORITY TO APPROVE ALL SUCH CONSTRUCTION IN ACCORDANCE HEREWITH.
8. UPON THE SALE AND CONVEYANCE OF THIRTY PERCENT (30%) OF ALL OF THE LOTS IN THIS DEVELOPMENT THE ARCHITECTURAL CONTROL COMMITTEE SHALL CONSIST OF FOUR (4) MEMBERS, A MAJORITY OF WHICH SHALL BE FEE SIMPLE OWNERS OF A LOT OR LOTS IN THIS DEVELOPMENT. THE MEMBERSHIP AND PROCEDURE OF THE COMMITTEE SHALL THEREAFTER BE DETERMINED AND GOVERNED AS THE COMMITTEE AND A MAJORITY OF THE LOT OWNERS AND RESIDENTS SHALL DETERMINE FROM TIME TO TIME. NOTHING HEREIN, HOWEVER, SHALL BE CONSTRUED SO AS TO LESSEN THE REQUIREMENTS OF THESE COVENANTS OR THE STANDARDS OF CONSTRUCTION PREVIOUSLY ESTABLISHED BY THE COMMITTEE.
9. ALL DRIVES INTO THESE LOTS SHALL BE HARD SURFACED AND CONSTRUCTED IN A MANNER BEFITTING THE OTHER LOTS IN THE NEIGHBORHOOD. SAID DECISION AND JUDGEMENT ON CONSTRUCTION AND MAINTENANCE OF THESE DRIVES SHALL BE UNDER THE CONTROL OF THE ARCHITECTURAL CONTROL COMMITTEE.
10. NO DOWNSPOUT SHALL BE CONNECTED TO OR CAUSED TO DISCHARGE RAINWATER INTO ANY SANITARY SEWER.
11. 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.

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12. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATION 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 ERRECTED, MAINTAINED, OR PERMITTED UPON ANY LOT.
13. NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED, OR KEPT ON 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 CARGAGE. OTHER WASTE 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.
15. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINE AT ELEVATIONS BETWEEN TWO AND SIX 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 TREES SHALL BE PERMITTED TO REMAIN WITHIN SUCH DISTANCES OF SUCH INTERSECTION UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.
16. 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 25 YEARS FROM THE DATE THESE COVENANTS ARE RECORDED. AFTER WHICH TIME SAID 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 HAS BEEN PREVIOUSLY RECORDED, AGREEING TO CHANGE THEM IN WHOLE OR IN PART.
17. INVALIDATION 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.
18. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES WITHOUT THE NECESSITY OF PROVING ACTUAL DAMAGES AND THE RIGHT AND AUTHORITY TO ENFORCE THESE COVENANTS AND RESTRICTIONS SHALL BE RESERVED UNTO THE METROPOLITAN DEVELOPMENT COMMISSION OF INDIANAPOLIS, HARION COUNTY, INDIANA, AS WELL AS ALL PERSONS OWNING PROPERTY WITHIN THIS SUBDIVISION.
19. THE ABOVE COVENANTS ARE SUBJECT TO ALL THE PREVAILING RULES AND REGULATIONS OF THE METROPOLITAN DEVELOPMENT COMMISSION, DIVISION OF PLANNING AND ZONING, HARION COUNTY, INDIANA, ITS ASSIGNS AND/OR SUCCESSORS.

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IN WITNESS WHEREOF, THIS INSTRUMENT HAS BEEN EXECUTED BY THE UNDERSIGNED, WILLIAM F. VAN HOY AS PRESIDENT AND MICHAEL J. KIAS AS SECRETARY RESPECTIVELY, OF VALLEY RIDGE FARMS INC., FOR AND IN BEHALF OF SUCH OWNERSHIP, 18 DAY OF February 1977

BY Michael J. Kias  
MICHAEL J. KIAS  
William F. Van Hoy, Jr.  
WILLIAM F. VAN HOY, JR.,

STATE OF INDIANA )  
                          ) SS  
COUNTY OF JOHNSON )

I, THE UNDERSIGNED, A NOTARY PUBLIC, DULY COMMISSIONED TO TAKE ACKNOWLEDGEMENTS AND ADMINISTER OATHS IN THE STATE OF INDIANA, CERTIFY THAT MICHAEL J. KIAS AND WILLIAM F. VAN HOY, JR. THE OWNERS OF VALLEY RIDGE FARMS, PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, AS THEIR DULY AUTHORIZED ACTS, THIS 18 DAY OF February 1977.

Roanney T. Wynn  
NOTARY PUBLIC

MY COMMISSION EXPIRES September 24, 1980

I, ROGER L. PARK, 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 UNDER MY DIRECTION IN FEBRUARY, 1977, AND THAT THE MONUMENTS SHOWN ACTUALLY EXIST AND THEIR LOCATIONS ARE ACCURATELY INDICATED.

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FILED

11/21/77

ROGER L. PARK  
ROGER L. PARK - L.S.#80029  
DATE: February 19, 1977