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RESTRICTIVE COVENANTS FOR VICTORIA WOODS  
SECTION THREE

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JOHN E SMITH ENTERPRISES, INC., AN INDIANA CORPORATION, BEING THE OWNER OF ALL REAL ESTATE PLATTED AS VICTORIA WOODS, SECTION 3, AN ADDITION TO THE CITY OF INDIANAPOLIS, MARION COUNTY, INDIANA, DOES HEREBY DEDICATE FOREVER, FOR PUBLIC USE ALL THE STREETS AND WAYS SHOWN ON SAID PLAT, AND THE EASEMENTS SHOWN ON THE RECORDED PLAT ARE HEREBY RESERVED FOR THE PURPOSE THEREON INDICATED.

SAID OWNER DOES HEREBY ESTABLISH THE FOLLOWING CONDITIONS, COVENANTS AND RESTRICTIONS TO GOVERN THE USE AND OCCUPANCY OF THE LOTS IN SAID ADDITION:

- A. NO STRUCTURE SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY RESIDENTIAL BUILDING PLOT OTHER THAN A DWELLING NOT TO EXCEED 2 & 1/2 STORIES IN HEIGHT AND MUST INCLUDE A PRIVATE ATTACHED GARAGE FOR NOT LESS THAN ONE CAR NOR MORE THAN THREE CARS. NO DUPLEXES SHALL BE BUILT ON ANY LOTS.
- B. NO BUILDING SHALL BE LOCATED NEARER TO THE FRONT LOT LINE, NOR NEARER TO A SIDE STREET LINE, THAN THE BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY BUILDING LOT NEARER THAN TWENTY-FIVE (25) FEET FROM THE DEDICATED RIGHT-OF-WAY OF THE STREETS OR TWENTY (20) FEET FROM THE DEDICATED CUL-DE-SAC VEHICULAR TURNAROUND, NOR SHALL ANY BUILDING BE LOCATED NEARER THAN ~~FOUR (4)~~ FIVE (5) FEET TO ANY SIDE LOT LINE WITH MINIMUM AGGREGATE SIDEYARDS OF ~~TEN (10)~~ THIRTEEN (13) FEET.
- C. NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATION BETWEEN TWO (2) AND SIX (6) FEET ABOVE THE ROADWAYS SHALL BE PLACED OR PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET PROPERTY LINES AND A LINE CONNECTING THEM AT POINTS TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED.  
THE SAME SIGHT LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN TEN (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 INTERSECTION UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES. NO FENCE OR SHRUB PLANTING (TREES EXCEPTED) OF OVER 36" IN HEIGHT SHALL BE PERMITTED ON ANY LOT FROM FRONT LOT TO BUILDING SETBACK LINE.
- D. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE PERMITTED UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE, OR BECOME, AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
- E. NO TRAILER, TENT, SHACK, OR OTHER OUTBUILDING ERECTED ON ANY LOT IN THE ADDITION SHALL AT ANY TIME BE USED AS A RESIDENCE, TEMPORARILY OR PERMANENTLY, NOR SHALL ANY STRUCTURE OF A TEMPORARY CHARACTER BE USED AS A RESIDENCE. NO BOAT, OR TRAVEL TRAILER, OR MOTOR HOME OF ANY DESCRIPTION SHALL BE STORED ON ANY LOT EXPOSED TO VIEW FROM THE STREET OR NEIGHBORING LOT.
- F. ALL LOTS IN THIS SUBDIVISION SHALL BE DESIGNATED AS RESIDENTIAL LOTS. ONLY ONE SINGLE FAMILY DWELLING NOT EXCEEDING TWO AND ONE HALF (2 1/2) STORIES OR THIRTY-FIVE (35) FEET IN HEIGHT WITH THE USUAL ACCESSORY BUILDINGS SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION.
- G. NO RESIDENCE SHALL BE ERECTED ON A LOT WITHIN THE SUBJECT REAL ESTATE SHOULD SAME BE PLATTED WHICH HAS A MAIN FLOOR AREA EXCLUSIVE OF GARAGE LESS THAN 900 SQUARE FEET IF A ONE STORY STRUCTURE, OR IF A MULTI-STORY STRUCTURE THEN A MINIMUM OF 1200 SQUARE FEET FOR ALL FLOORS.
- H. ALL DRIVEWAYS BUILT ON ANY LOT IN THIS ADDITION SHALL BE PAVED. A FOUR (4) FOOT CONCRETE PUBLIC SIDEWALK PARALLEL TO THE STREET(S) SHALL BE INSTALLED ON THE EAST SIDE OF PRAIRIE DEPOT BY THE BUYERS OF LOTS 96-110 AND LOTS 148 & 149 CONCURRENT WITH THE INSTALLATION OF DRIVEWAY(S). PROVIDED, HOWEVER, IN ANY EVENT, SAID BUYER SHALL INSTALL SAID SIDEWALK(S) NO LATER THAN ONE YEAR FROM DATE THAT PREMISES ARE DEEDED TO HIM.
- I. NO BUILDING, WALL, FENCE, OR OTHER STRUCTURE SHALL BE ERECTED, OR PLACED ON ANY BUILDING PLOT IN THIS ADDITION, UNTIL PLANS AND SPECIFICATIONS OF SUCH BUILDING, WALL, FENCE, OR OTHER STRUCTURE AND THE PLOT PLAN SHOWING THE LOCATION OF THE SAME, HAVE BEEN APPROVED IN WRITING AS TO THE CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES IN SAID ADDITION, AND AS TO LOCATION OF SUCH STRUCTURE OR STRUCTURES WITH RESPECT TO TOPOGRAPHY AND FINISHED GROUND ELEVATION, BY A COMMITTEE TO BE APPOINTED BY THE OWNER. SAID COMMITTEE MAY BE ABOLISHED AT ANY TIME AT THE OWNER'S DISCRETION, PROVIDED A WRITTEN DOCUMENT IS RECORDED ACCORDINGLY.
- J. IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF ANY LOT OR PARCEL OF LAND WITHIN THE AREA OF THIS PLAT TO COMPLY AT ALL TIMES WITH THE PROVISIONS OF THE DRAINAGE PLAN AS APPROVED FOR THIS PLAT BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF INDIANAPOLIS AND THE REQUIREMENTS OF ALL DRAINAGE PERMITS FOR THIS PLAT ISSUED BY SAID DEPARTMENT.

THE FOREGOING COVENANTS, RESTRICTIONS AND CONDITIONS SHALL RUN WITH THE LAND AND SHALL BE BINDING UPON ALL PARTIES OWNING, OR CLAIMING ANY INTEREST IN ANY LOT, OR PART THEREOF, IN SAID ADDITION, AND ALL PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2008, AT WHICH TIME THEY SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS BY VOTE OF THE MAJORITY OF THE THEN OWNERS OF THE LOTS OF THE ADDITION, IT IS AGREED TO CHANGE OR ABOLISH SAID COVENANTS IN WHOLE, OR IN PART.

IF ANY PARTIES OWNING OR CLAIMING AN INTEREST IN ANY LOT, OR PART THEREOF, IN THE ADDITION, OR ANY PERSON OR PERSONS HOLDING UNDER THEM, OR OCCUPYING ANY LOT, OR PART THEREOF, VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS, OWNING ANY REAL ESTATE IN SAID ADDITION TO PROSECUTE ANY PROCEEDINGS AS MAY BE NECESSARY TO ENFORCE THE SAME.

