

# VILLAGE OF MOUNT CARMEL

## FOURTH SECTION

THE UNDERSIGNED, JAMES E. McNAMARA, PRESIDENT, AND LEO C. McNAMARA, JR., SECRETARY, BEING DULY AUTHORIZED OFFICERS AND REPRESENTATIVES OF JOURNAL BOX SERVICING CORPORATION, OWNER OF THE FOREGOING DESCRIBED REAL ESTATE, HEREBY CERTIFIES THAT IT DOES HEREBY LAY OUT, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THE FOREGOING PLAT AND CERTIFICATE OF VILLAGE OF MOUNT CARMEL, FOURTH SECTION.

THE STREETS SHOWN ON THIS PLAT, IF NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE, AND ALL STREETS SHALL BE GRADED AND CONSTRUCTED TO THE SPECIFICATIONS SET UP BY THE HAMILTON COUNTY ROAD COMMISSIONERS, BY AND AT THE EXPENSE OF THE DEVELOPER OF THIS SUBDIVISION.

THERE ARE STRIPS OF GROUND 7½ FEET IN WIDTH AS SHOWN ON THIS PLAT WHICH ARE HEREBY RESERVED FOR USE OF PUBLIC UTILITIES, FOR INSTALLATION AND MAINTENANCE OF POLES, WIRES, MAINS, DUCTS, DRAINS, AND SEWERS, SUBJECT AT ALL TIMES TO THE AUTHORITY OF THE PROPER CIVIL AUTHORITIES AND TO THE EASEMENTS HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURE SHALL BE ERECTED OR MAINTAINED ON SAID STRIPS, BUT SUCH OWNERS SHALL TAKE THEIR TITLES SUBJECT TO THE RIGHTS OF SUCH PUBLIC UTILITIES AND TO THE RIGHTS OF OWNERS OF OTHER LOTS IN THIS SUBDIVISION, FOR INGRESS AND EGRESS, IN, ALONG, ACROSS AND THROUGH THE SEVERAL STRIPS SO RESERVED. FENCES MAY BE ERECTED ON SAID STRIPS.

ALL LOTS IN THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS RESIDENTIAL LOTS. NO STRUCTURE SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT HEREIN OTHER THAN A SINGLE FAMILY DWELLING AND A PRIVATE GARAGE FOR NOT MORE THAN THREE (3) CARS, AND RESIDENTIAL ACCESSORY BUILDINGS.

NO BUILDING, STRUCTURE OR APPURTENANCE THEREOF, EXCEPT FENCES, SHALL BE LOCATED NEARER THAN 10 FEET TO ANY SIDE LOT LINE, AND THE TOTAL OF BOTH SIDE LINES SHALL BE NOT LESS THAN 20% OF THE LOT WIDTH MEASURED AT THE BUILDING SET BACK LINE EXCEPT WHERE BUILDINGS ARE BUILT UPON MORE THAN ONE SINGLE LOT, THEN THIS RESTRICTION SHALL APPLY TO THE SIDE LOT LINES OF THE EXTREME BOUNDARIES OF THE MULTIPLE LOTS. DETACHED GARAGES MAY BE BUILT WITHIN 7 FEET OF THE REAR PROPERTY LINE PROVIDED NO PRIOR EASEMENT PROHIBITS SAME. NO LOT OR LOTS MAY BE RE-SUBDIVIDED FOR THE PURPOSE OF PROVIDING AN ADDITIONAL BUILDING SITE.

BUILDING LINES AS SHOWN ON THE FOREGOING PLAT IN FEET BACK FROM THE STREET PROPERTY LINE ARE HEREBY ESTABLISHED, BETWEEN WHICH LINE AND THE STREET PROPERTY LINE THERE SHALL BE ERECTED OR MAINTAINED NO STRUCTURE OF ANY KIND OR PART THEREOF.

NO HOTEL, BOARDING HOUSE, DOUBLE HOUSE, MERCANTILE BUILDING, FACTORY BUILDING OR BUILDING OF ANY KIND FOR COMMERCIAL USE SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION. NO TRAILERS, SHACKS, OR OUTHOUSES OF A PERMANENT NATURE SHALL BE ERECTED OR SITUATED ON ANY LOT EXCEPT DURING THE PERIOD OF CONSTRUCTION OF A PROPER STRUCTURE FOR USE BY THE BUILDER FOR HIS MATERIALS AND TOOLS.

NO RESIDENTIAL BUILDING SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THIS SUBDIVISION UNTIL THE BUILDING PLANS, SPECIFICATIONS AND FLOOR PLAN SHOWING THE LOCATION OF SUCH BUILDING HAVE BEEN APPROVED IN WRITING AS TO THE CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES IN THIS SUBDIVISION AND AS TO THE LOCATION OF THE BUILDING WITH RESPECT TO THE TOPOGRAPHY AND FINISHED GROUND ELEVATIONS, BY A COMMITTEE COMPOSED OF LEO C. McNAMARA, JR., EDGAR C. McNAMARA, RICHARD F. AND MICHAEL J. McNAMARA, OR A REPRESENTATIVE DESIGNATED BY THEM. IF THE COMMITTEE OR ITS DESIGNATED REPRESENTATIVE SHALL FAIL TO ACT UPON ANY PLAN SUBMITTED TO IT FOR ITS APPROVAL WITHIN A PERIOD OF 15 DAYS FROM THE SUBMISSION DATE OF SAME, THEN THE OWNER MAY PROCEED WITH THE BUILDING ACCORDING TO THE PLANS SUBMITTED, WHICH PLANS HOWEVER, SHALL NOT BE CONTRARY TO ANY PROVISION NAMED IN THIS INSTRUMENT, AND THE FAILURE OF SUCH COMMITTEE TO ACT WITHIN 15 DAYS SHALL BE DEEMED AN APPROVAL OF THE PLANS SO SUBMITTED. NEITHER THE MEMBERS OF SUCH COMMITTEE NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS INSTRUMENT.

NO PRIVATE WATER SUPPLY OR PRIVATE SEWAGE SYSTEMS WILL BE ALLOWED ON ANY LOT OR LOTS IN THIS SUBDIVISION. NO NOXIOUS TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT IN THIS SUBDIVISION, NOR SHALL ANYTHING BE DONE HEREIN WHICH MAY BECOME AN ANNOYANCE OR A NUISANCE TO THE NEIGHBORHOOD AT LARGE. NO FARM ANIMALS SHALL BE PERMITTED ON ANY LOT IN THIS SUBDIVISION AND NO PETS OR DOMESTIC ANIMALS FOR COMMERCIAL PURPOSES MAY BE RAISED OR KEPT THEREON.

IF THE PARTIES HERETO OR ANY OF THEM OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS, RESTRICTIONS, PROVISIONS OR CONDITIONS HEREIN, IT SHALL BE LAWFUL FOR ANY PERSON OWNING REAL ESTATE IN THIS SUBDIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, AND TO PREVENT HIM OR THEM FROM DOING SO, OR TO RECOVER DAMAGE OR OTHER DUES FOR SUCH VIOLATION.

THE FOREGOING RESTRICTIONS, COVENANTS AND PROVISIONS SHALL RUN WITH THE LAND AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL JANUARY 1ST, 1998, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS BY VOTE OF THE MAJORITY OF THE OWNERS OF THE LOTS IN THIS SUBDIVISION, IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

INVALIDATION OF ANY OF THE FOREGOING COVENANTS, PROVISIONS, RESTRICTIONS OR CONDITIONS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

WITNESS OUR SIGNATURES AND CORPORATE SEAL THIS 5<sup>th</sup> DAY OF Sept 1967.

JOURNAL BOX SERVICING CORPORATION

By James E. McNamara  
JAMES E. MCNAMARA, - PRESIDENT

ATTEST: Leo C. McNamara Jr  
LEO C. MCNAMARA, JR. - SECRETARY

STATE OF INDIANA:  
:55  
COUNTY OF HAMILTON:

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, APPEARED JOURNAL BOX SERVICING CORP., BY ITS DULY AUTHORIZED OFFICERS, JAMES E. MCNAMARA, PRESIDENT, AND LEO C. MCNAMARA, JR., SECRETARY, WHO SEPARATELY ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT OF THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSE THEREIN EXPRESSED, AND AFFIXED THEIR SIGNATURES THERETO.

WITNESS MY HAND AND SEAL THIS 5<sup>th</sup> DAY OF September 1967.

NOTARY PUBLIC - James M. Stahl Sr  
JAMES M. STAHL SR  
MY COMMISSION EXPIRES March 23, 1968

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THE UNDERSIGNED, HEREBY CERTIFY THE WITHIN PLAT TO BE TRUE AND CORRECT, REPRESENTING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 18 NORTH, RANGE 3 EAST, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION; RUNNING THENCE DUE SOUTH AND ALONG THE EAST LINE OF SAID SECTION 1256.38 FEET; THENCE DUE WEST 698.30 FEET TO THE NORTHEASTERLY CORNER OF LOT 89 IN VILLAGE OF MOUNT CARMEL, THIRD SECTION; THENCE SOUTH 42°52' WEST AND ALONG THE SOUTHEASTERLY LINE OF SAID LOT 89 A DISTANCE OF 199.70 FEET TO THE NORTHEASTERLY LINE OF VILLAGE DRIVE EAST; THENCE SOUTH 47°08' EAST AND ALONG SAID NORTHEASTERLY LINE 39 FEET TO THE POINT OF BEGINNING OF THE P.C. OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 665.40 FEET AND A DELTA ANGLE OF 58°28'; THENCE IN A SOUTHEASTERLY DIRECTION ALONG SAID CURVE 679 FEET TO THE P.T. THEREOF; THENCE SOUTH 11°20' WEST 45 FEET; THENCE NORTH 78°40' WEST 280 FEET; THENCE SOUTH 88°38' WEST 206.54 FEET; THENCE SOUTH 64°26' WEST 149.06 FEET; THENCE SOUTH 58°07' WEST 405.74 FEET; THENCE SOUTH 89°12' WEST 378.61 FEET; THENCE NORTH 60°00' WEST 140 FEET TO A POINT ON A CURVE,

COMMISSION CERTIFICATES

UNDER AUTHORITY PROVIDED BY CHAPTER 174-ACTS OF 1947-ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, AND AN ORDINANCE ADOPTED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF CARMEL, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE TOWN OF CARMEL AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD SEPTEMBER

19, 1967

CARMEL TOWN PLAN COMMISSION

*James C. Lewis*  
PRESIDENT

*Betty J. Davis*  
SECRETARY

INSTRUMENT PREPARED BY ROBERT SCHERSCHEL

HAVING A RADIUS OF 409.19 FEET, WHOSE RADIUS POINT LIES NORTH 60°00' WEST FROM SAID POINT; THENCE SOUTHWESTERLY ALONG SAID CURVE 39.99 FEET; THENCE NORTH 54°24' WEST 60 FEET TO A POINT ON A CURVE HAVING A RADIUS OF 369.19 FEET, WHOSE RADIUS POINT LIES NORTH 54°24' WEST FROM SAID POINT; THENCE IN A NORTHEASTERLY DIRECTION ALONG SAID CURVE 112.84 FEET TO THE P.T. OF SAID CURVE; THENCE NORTH 17°36' EAST 50 FEET; THENCE SOUTH 72°24' EAST AND ALONG THE SOUTHERLY LINE OF HARMONY ROAD AS RECORDED IN THE VILLAGE OF MOUNT CARMEL, THIRD SECTION A DISTANCE OF 143.85 FEET, TO THE P.C. OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 425 FEET AND A DELTA OF 60°00'; THENCE IN A SOUTHEASTERLY DIRECTION ALONG SAID CURVE 97.17 FEET; THENCE NORTH 4°30' EAST 135 FEET TO THE SOUTHWESTERLY CORNER OF LOT 76 IN SAID VILLAGE OF MOUNT CARMEL, THIRD SECTION; THENCE NORTH 47°36' EAST AND ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION 700 FEET; THENCE NORTH 60°05' EAST 215.58 FEET; THENCE NORTH 42°52' EAST 240 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 16.11 ACRES MORE OR LESS.

SUBJECT TO ALL LEGAL HIGHWAYS AND/OR RIGHTS OF WAY.

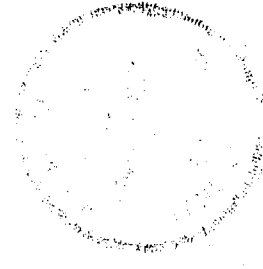
THIS SUBDIVISION CONSISTS OF 28 LOTS, NUMBERED FROM 20 TO 117, BOTH INCLUSIVE, WITH STREETS AS SHOWN HEREON.

THE SIZE OF THE LOTS AND WIDTHS OF THE STREETS ARE SHOWN IN FIGURES DENOTING FEET AND DECIMAL PARTS THEREOF.

WITNESS MY SIGNATURE AND SEAL THIS 24TH DAY OF AUGUST, 1967

*Robert Scherschel*

ROBERT SCHERSCHEL  
REGISTERED SURVEYOR NO. 3907  
STATE OF INDIANA



ONS

COMMISSION CERTIFICATES

UNDER AUTHORITY PROVIDED BY CHAPTER 174-ACTS OF 1947-ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THERETO, AND AN ORDINANCE ADOPTED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF CARMEL, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE TOWN OF CARMEL AS FOLLOWS:

ADOPTED BY THE TOWN PLAN COMMISSION AT A MEETING HELD SEPTEMBER  
19, 1967.

CARMEL TOWN PLAN COMMISSION

James O. Lewis  
PRESIDENT JAMES O. LEWIS

Bette J. Davis  
SECRETARY Bette J. Davis