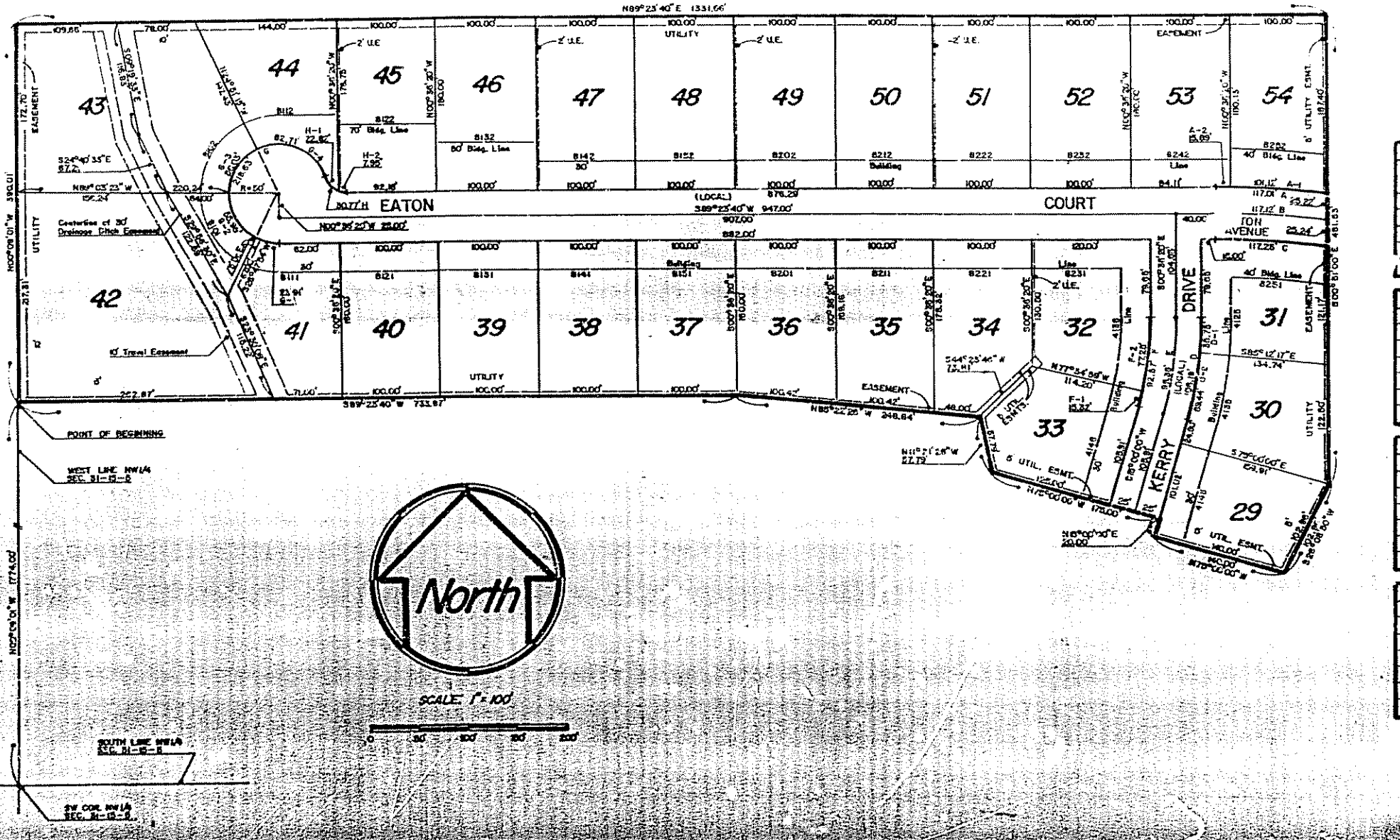
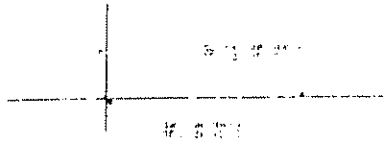


# • WANAMAKER VILLAGE - 10th Section





LAND SURVEYOR'S CERTIFICATE

I, the undersigned, Henry L. Best, a Professional Land Surveyor, Registered in the State of Indiana, do hereby certify that the within plat is true and correct and represents a subdivision of a part of the fractional Northwest quarter of Section 31, Township 15 North, Range 5 East of the Second Principal Meridian in Franklin Township, Marion County, Indiana, more particularly described as follows: Commencing at the Southwest corner of said fractional quarter section, thence North 00 degrees 09 minutes 0 seconds West on and along the West line of said fractional quarter section for a distance of 1774.00 feet to the Point of Beginning of this Legal Description; thence continuing North 0 degrees 09 minutes 01 seconds West on and along the West line of said fractional quarter section for a distance of 390.01 feet; thence North 05 degrees 23 minutes 40 seconds East for a distance of 1331.66 feet to the Northwest corner of Lot 54, in Wapakar Village, 6th Section, a subdivision of Marion County, Indiana, as recorded in Plat Book 29, Page 10, in the records of the Recorder of Marion County, Indiana; thence South 00 degrees 51 minutes 00 seconds East on and along the West line of said Wapakar Village, 6th Section, for a distance of 481.53 feet; thence South 26 degrees 08 minutes 50 seconds West for a distance of 1002.96 feet; thence North 75 degrees 00 minutes 00 seconds West for a distance of 120.00 feet; thence North 15 degrees 00 minutes 00 seconds East for a distance of 20.00 feet; thence North 75 degrees 10 minutes 00 seconds West for a distance of 175.00 feet; thence North 11 degrees 21 minutes 28 seconds West for a distance of 57.79 feet; thence North 05 degrees 22 minutes 26 seconds West for a distance of 248.64 feet; thence South 89 degrees 23 minutes 40 seconds West for a distance of 733.87 feet to the Point of Beginning, containing 13.058 acres, more or less.

This subdivision consists of 26 lots numbered consecutively from 29 to 54, both inclusive. The dimensions of the lots and the width of streets are shown in figures denoting feet and decimal parts thereof.

Witness my signature and seal this 11th day of October, 1967.

*Henry L. Best*  
 Henry L. Best, Professional Land Surveyor, Indiana Registration No. 111897.



PROTECTIVE COVENANTS

The undersigned, Robert R. Carriger and Mary O. Carriger, husband and wife, owners of the above described real estate hereby lay off, plat and subdivide said real estate in accordance with this plat and certificate into lots and streets.

This subdivision shall be known and designated as "Wapakar Village - 6th Section", a subdivision in Marion County, Indiana.

- A. The streets shown and now heretofore dedicated are hereby dedicated to the public.
- B. All numbered lots in this subdivision shall be designated as residential lots. Only one detached single family dwelling with accessory buildings and not exceeding two and one half stories in height and private garage for not more than three (3) cars may be erected or maintained on said lots.
- C. Front and side building lines are established as shown on this plat between which lines and the property lines of the street there shall be erected and maintained no structure or part other than an open one story porch, and provided that where the side porch or part of a building is erected, the same shall be erected on the lot on which it is erected and shall not be erected across the dividing line or to coincide therewith. No fence shall be erected closer to the property line of an abutting street than the building thereon. Fences of decorative nature not exceeding three feet, six inches (3' 6") in height.
- D. No one-story house shall be erected on any lot in this subdivision having a ground floor area of less than 1200 square feet and no one and one half or two-story house having a ground floor area of less than 900 square feet, exclusive of open porches, garages or basements.
- E. No trailer, tent, wheel, basement, storage barn or other non-residential temporary structure shall be used for temporary or permanent residential purposes on any lot in this subdivision.
- F. No hotels, boarding houses, rooming houses, clubs or other commercial buildings shall be erected or maintained on any lot in this subdivision, nor shall any business or offensive trade be carried on upon any lot in this subdivision.
- G. No poultry, swine, hogs, sheep, goats, horses, dogs, cats, birds or other animals shall be kept on any lot in this subdivision. This restriction shall not prohibit a resident from keeping a usual pet animal or bird.
- H. No signs shall be erected on any lot in this subdivision which would be an obstruction to the view of any person on any highway, street, or road.
- I. No utility poles, lines, wires, towers and other structures shall be erected on any lot in this subdivision. The easements for such lots in this subdivision shall be reserved for the use of public utility companies, which are reserved for the use of public utility companies, and shall be subject to the easements of such companies.

*Mary O. Carriger*  
Mary O. Carriger, Professional Land Surveyor, Indiana Registration No. 11177

**PROTECTIVE COVENANTS**

Understand, Robert M. Carriger and Mary O. Carriger, husband and wife, owners of the above described real estate hereby lay off, plat and subdivide said real estate in accordance with this plat and certificate into lots and a subdivision shall be known and designated as "Wenawacker Village - 10th Section", a subdivision in Marion County, Indiana.

- 1. The lots shown and not heretofore indicated are hereby dedicated to the public.
- 2. All lots in this subdivision shall be designated as residential lots. Only one detached single family dwelling with a garage, buildings and not exceeding two and one half stories in height and private garage for not more than one car may be erected or maintained on said lots.
- 3. Front and side building lines are established as shown on this plat between which lines and the property lines of the street there shall be erected and maintained no structure or part other than an open one story porch and provided that where the same person or persons owns two adjoining lots, each owner or owners may build a residence or dwelling house or apartment garage across the dividing line or to enclose therewith. No fence shall be erected higher to the street than such building lines other than a fence of decorative nature not exceeding three feet, six inches (3' 6") in height.
- 4. No one story house shall be erected on any lot in this addition having a ground floor area of less than 1000 square feet and no one and one half or two story house having a ground floor area of less than 1200 square feet, including porches, garages or basements.
- 5. No trailer, tent, shack, basement, garage, barn or other out-building or temporary structure shall be used for temporary or permanent residential purposes on any lot in this subdivision.
- 6. No hotel, boarding house, rooming house, double or duplex house or any kind of commercial building may be erected or maintained on any lot in this subdivision, nor shall any noxious or offensive trade be carried on any lot in this subdivision nor shall anything be done thereon which shall be or become a nuisance to the neighborhood.
- 7. No poultry or farm animals shall be raised or maintained on any lot in this subdivision. This restriction shall not prohibit a resident from keeping a usual pet, animal or bird.
- 8. No fence shall be erected on or along any lot line nor on any lot the purpose of which would be to obstruct viewable vision, light and air, and all fences shall be kept in good repair.
- 9. The strips of ground shown on the within plat marked Drainage and/or Utility Easements, which are reserved for the use of public utility companies for the installation and maintenance of mains, ducts, poles, lines, wires, covers and pipes, shall at all times be subject to the authority of the proper civil officials, and to the easement herein reserved. No permanent or other structure shall be erected or maintained on said strips. The owners of all lots in this subdivision, however, shall take their titles subject to the rights of the public utilities and to those of the owners of lots in this subdivision to said easements herein granted for ingress and egress in, along, across and through the strips of ground so reserved.
- 10. No fence, wall, hedge, or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the street shall be permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting points 25 feet from the intersection of said street lines or in the case of a rounded property corner, from the intersection of the street lines extended. The same sightline limitations shall apply to any lot within 10 feet from the intersection of a street line with the edge of a driveway pavement or alley line. No tree shall be permitted to remain at such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.
- 11. No structure shall be occupied for living purposes until the exterior of the house is visibly completed. Immediately upon purchase of a lot or lots in this subdivision, the buyer shall assume full responsibility for keeping weeds mowed at all times on said lot or lots.
- 12. A private water supply and/or sewage system may be located, constructed and maintained on each lot in this subdivision to serve that lot only, provided said systems are approved in writing by the proper public and/or civil authorities and installed according to acceptable engineering standards.
- 13. No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and platting showing the location of such building have been approved in writing as to conformity and hereby approved necessary by said members. In the event of death or resignation of any member of said committee, the remaining member or members shall have full authority to approve or disapprove such design or location, or to designate a representative contrary to any of the provisions, covenants, conditions or restrictions named in this instrument; and the failure of such committee to do so within 15 days shall be deemed an approval of the plans so submitted. The powers and duties of said committee shall cease after January 1, 1972. Thereafter the approval described in this instrument shall not be required, unless prior to said date and effective thereon, a written instrument shall be executed by the then record owners of a majority of the lots in this subdivision and duly appointing a representative or representatives, who shall exercise the same powers previously exercised by said committee.
- 14. The right to enforce the within provisions, restrictions and covenants by injunction, is hereby dedicated and reserved to the owners of the several lots in this subdivision, their heirs or assigns, who shall be entitled to such relief without being compelled for successive periods of 10 years unless by a vote of the then owners of the lots it is agreed to change the covenants in whole or in part. Invalidity of any one of the covenants or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.
- 15. The within covenants, limitations and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.
- 16. The right of enforcement of these covenants is hereby granted to the Metropolitan Plan Commission, its successors and assigns.

Witness my signatures this 1st day of March, 1968.

Note: Variance of 75 feet setback from McGeoughy-Hellerstein in Lots 11, 12 and 13, Wenawacker Village, 10th Section, approved by Marion County Drainage Board - 3-4-68. Said approval recorded 3-5-68 in Instrument No. 610173 in the Records of the Recorder of Marion County, Indiana.

STATE of Indiana)  
County of Marion)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Robert M. Carriger and Mary O. Carriger, Husband and Wife, and acknowledged the execution of the above and foregoing instrument as his and their voluntary act and deed for the purposes therein expressed.

*Maddeline L. Best*  
Notary Public



Certified this 5th day of March, 1968.  
*Mary O. Carriger*  
Mary O. Carriger,  
Professional Land Surveyor,  
Indiana Registration No. 11177.

*Robert M. Carriger*  
(Signed) Robert M. Carriger

*Mary O. Carriger*  
(Signed) Mary O. Carriger

My Commission expires Dec. 10, 1969.

APPROVED THIS DAY OF March 1968  
AUDITOR OF MARION COUNTY  
*Frank A. Jones* CLERK

