



# **DAVID BRENTON'S TEAM**

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## **RE/MAX Select, REALTORS**

**48 N Emerson Ave Suite 600 Greenwood, IN 46143-8895**

**(317) 882-7210 Office • (317) 888-7201 Fax**

**[www.move2indy.com](http://www.move2indy.com)**

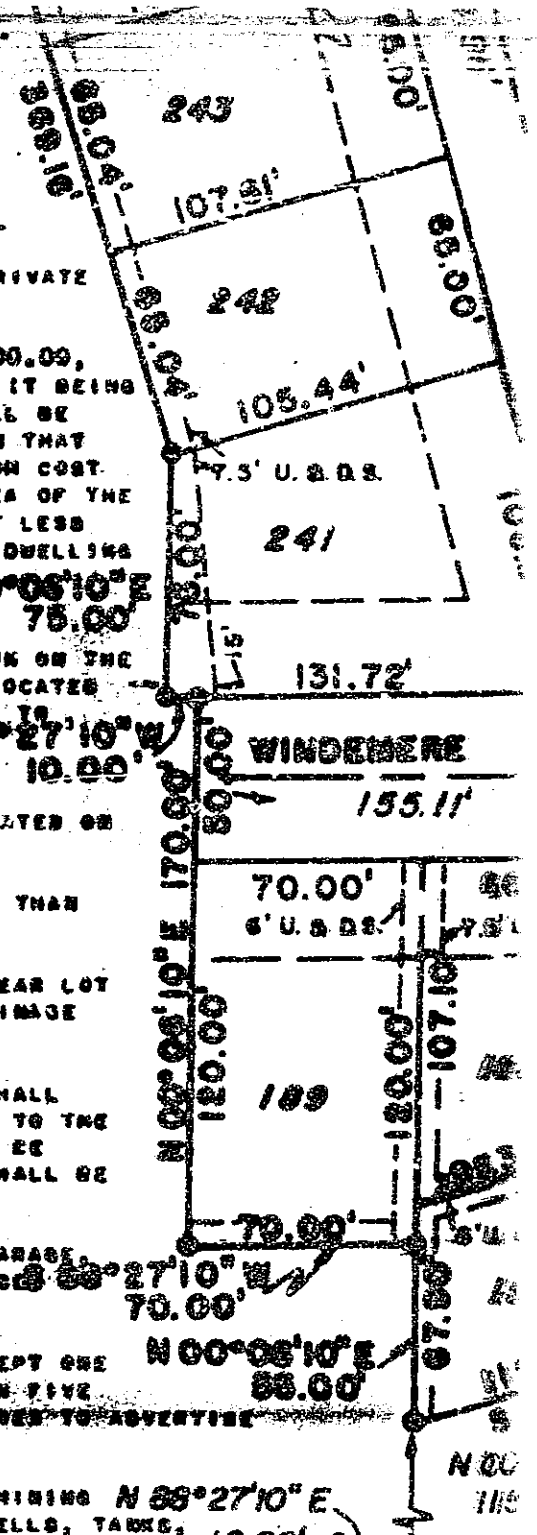
The covenants provided may or may not include any amendments made due to governing agencies (ie: national, state, city, local and neighborhood agencies). Please contact the Recorder's office for the county where the property is located to receive updated information.

**The information is deemed reliable, but not guaranteed.**

EXCEPT PERCEP, SHALL BE BUILT, ERECTED OR PLACED ON THE LOT.

THE LOTS IN THIS SUBDIVISION AND THE USE OF THE LOTS IN THIS SUBDIVISION BY PRESENT AND FUTURE OWNERS OR OCCUPANTS SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS AND RESTRICTIONS, WHICH SHALL RUN WITH THE LANDS.

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERECTED ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY LOT OTHER THAN ONE DETACHED SINGLE FAMILY DWELLING NOT TO EXCEED TWO STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN TWO CARS.
2. NO DWELLING SHALL BE PERMITTED ON ANY LOT AT A COST OF LESS THAN \$ 10,000.00, BASED UPON COST LEVELS PREVAILING ON THE DATE THESE COVENANTS ARE RECORDED, IT BEING THE INTENTION AND PURPOSE OF THE COVENANTS TO ASSURE THAT ALL DWELLINGS SHALL BE A QUALITY OF WORKMANSHIP AND MATERIALS SUBSTANTIALLY THE SAME OR BETTER THAN THAT WHICH CAN BE PRODUCED ON THE DATE THESE COVENANTS ARE RECORDED AT THE MINIMUM COST. STATED HEREIN FOR THE MINIMUM PERMITTED DWELLING SIZE. THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE-STORY OPEN PORCHES AND GARAGES SHALL BE NOT LESS THAN 950 SQUARE FEET FOR A ONE-STORY DWELLING, NOR LESS THAN 750 FEET FOR A DWELLING OF MORE THAN ONE STORY.
3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SET BACK LINES SHOWN ON THE RECORDED PLAT. IN ANY EVENT NO BUILDING OR AN ACCESSORY BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN 30 FEET TO THE FRONT LOT LINE, OR NEARER THAN 30 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THAN 5 FEET TO AN INTERIOR LOT LINE, EXCEPT THAT A 5 FOOT SIDE YARD SHALL BE REQUIRED FOR A GARAGE OR OTHER PERMITTED ACCESSORY BUILDING LOCATED 30 FEET OR MORE FROM THE MINIMUM BUILDING SET BACK LINE. NO ACCESSORY BUILDING SHALL BE LOCATED ON ANY INTERIOR LOT NEARER THAN 7-1/2 FEET TO THE REAR LOT LINE.
4. NO DWELLING SHALL BE ERECTED OR PLACED ON ANY LOT HAVING AN AREA OF LESS THAN 6,000 SQUARE FEET.
5. ALL GRADES FOR DRAINAGE OF LOTS THAT ARE LOCATED ON SIDE LOT LINES AND REAR LOT LINES SHALL BE PRESERVED AND NOT OBSTRUCTED IN ACCORDANCE WITH A GENERAL DRAINAGE PLAN ON FILE WITH THE TOWN OF NEW WHITELAND, INDIANA.
6. NO NOISY OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN OBSTACLE OR NUISANCE TO THE NEIGHBORHOOD. NO TREES OR BUSHES PLANTED OF OVER 35 INCHES IN HEIGHT SHALL BE PERMITTED FROM THE BUILDING SET BACK LINE TO THE FRONT LOT LINE. NO TREES SHALL BE LOCATED NEARER THAN 5 FEET TO THE FRONT LOT LINE OF ANY LOT.
7. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, SHED, TENT, SNACK, GARAGE, BARN OR OTHER OUT-BUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.
8. 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 CONTRACTORS TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALE PERIOD.
9. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OR 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



*New Whiteland*  
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*[Signature]*

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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 BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND ONLY PERIOD.

9. NO OIL DRILLING, OIL DEVELOPMENT OPERATIONS, OIL REFINING, QUARRYING OR MINING OPERATIONS 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 BERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERRECTED, MAINTAINED, OR PERMITTED UPON ANY LOT.

10. 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.

11. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH. TRASH, GARBAGE, OR 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.

12. NO INDIVIDUAL WATER SUPPLY SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC WATER SYSTEM SHALL BE THE ONLY MEANS OF WATER SUPPLY.

13. NO INDIVIDUAL SEWAGE SYSTEM SHALL BE PERMITTED ON ANY LOT. THE PUBLIC SEWAGE SYSTEM SHALL BE THE ONLY MEANS OF SEWAGE DISPOSAL.

14. NO FENCE, WALL, HEDGE, OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 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 25 FEET FROM THE INTERSECTION OF THE STREET LINES, OR IN THE 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 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 DISTANCE OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

15. ALL OWNERS OF LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1965, AND ALL AMENDMENTS THERETO.

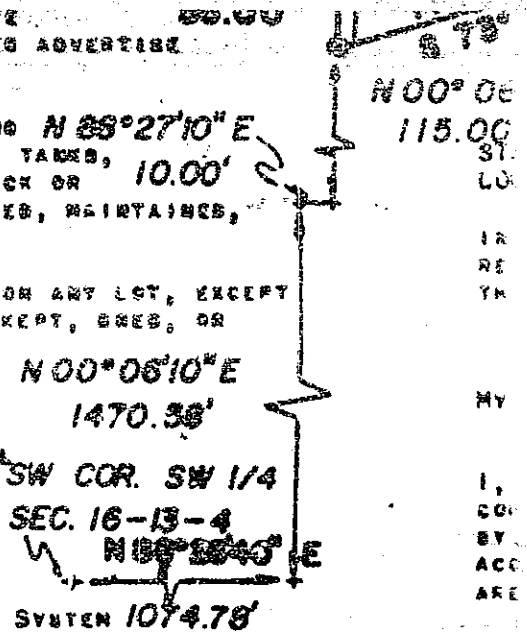
16. ANY MOTOR VEHICLE WHICH IS INOPERATIVE AND NOT BEING USED FOR NORMAL TRANSPORTATION SHALL NOT BE PERMITTED TO REMAIN ON ANY LOT.

17. 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 YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS IN WHOLE OR IN PART. 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. INVALIDATION BY ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF: THIS INSTRUMENT HAS BEEN EXECUTED BY NATIONAL HOMES DEVELOPMENT COMPANY, INC., THIS 2ND DAY OF JULY 1971.

*Dale F. Baker*  
DALE F. BAKER, PRESIDENT

*Robert H. Law*  
ROBERT H. LAW, ASST. SECRETARY



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SECOND SECTION

STATE OF INDIANA )  
COUNTY OF TIPPECANOE) SS:

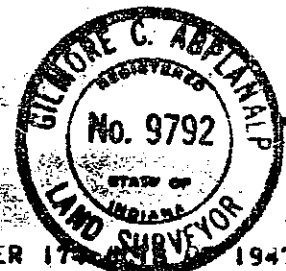
I, THE UNDERSIGNED, A NOTARY PUBLIC DULY COMMISSIONED TO TAKE ACKNOWLEDGEMENTS AND ADMINISTER OATHS IN THE STATE OF INDIANA, CERTIFY THAT DALE F. BAKER AND ROBERT M. LAWLIS, PRESIDENT AND ASSISTANT SECRETARY, RESPECTIVELY, PERSONALLY APPEARED BEFORE ME AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT, AS THEIR DULY AUTHORIZED ACTS, THIS 24<sup>th</sup> DAY OF July, 1971.

WITNESS MY HAND AND NOTARIAL SEAL.

MY COMMISSION EXPIRES: 7-24-71

Rudney Michael  
NOTARY PUBLIC

I, GILMORE C. ABPLANALP, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER AND LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME IN MARCH, 1971; THAT ALL THE MONUMENTS SHOWN THEREON WILL BE INSTALLED PRIOR TO ACCEPTANCE OF THE STREETS FOR MAINTENANCE BY THE TOWN. FURTHER THAT THEIR LOCATION AND TYPE OF MATERIAL ARE ACCURATELY SHOWN.



Gilmore C. Abplanalp

GILMORE C. ABPLANALP  
REG. LAND SURVEYOR No. 9792  
REG. ENGINEER No. 6726  
MARCH 12, 1971

UNDER AUTHORITY PROVIDED IN CHAPTER 17, SECTION 1-1, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA AND ORDINANCE ADOPTED BY THE BOARD OF TRUSTEES OF THE TOWN OF NEW WHITELAND, JOHNSON COUNTY, INDIANA, THIS PLAT WAS GIVEN APPROVAL BY THE TOWN OF NEW WHITELAND PLAN COMMISSION, AS FOLLOWS:

APPROVED BY TOWN PLAN COMMISSION AT A MEETING HELD May 10, 1971.

William H. Shewalter  
WILLIAM SHWALTER, PRESIDENT

Gilbert S. Kackley  
GILBERT S. KACKLEY, SECRETARY

APPROVED BY THE TOWN BOARD OF NEW WHITELAND, INDIANA AT A MEETING HELD ON THE 23<sup>rd</sup> DAY OF June, 1971.

Thomas H. Taylor  
THOMAS H. TAYLOR, PRESIDENT

William E. Paradise  
WILLIAM E. PARADISE, MEMBER

Jack H. Weber  
JACK H. WEBER, MEMBER

ENTERED FOR TAXATION THIS 21 DAY OF Sept., 1971.

June M. Wood  
JUNE M. WOOD, AUDITOR  
JOHNSON COUNTY, INDIANA

RECEIVED FOR RECORD THIS 21 DAY OF September, 1971, AT 1:35 P.M., AND RECORDED IN PLAT

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NO. 012171 FEE 10.00

Mary Etta Howland  
MARY ETTA HOWLAND, RECORDER  
JOHNSON COUNTY, INDIANA