



# **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.**

# CREEK WOODS

## SECTION ONE

The undersigned, Thomas F. and Barbara J. Clouse, Fereydoon B. and Susan E. Boushehy, and K. Thomas Sponcil, owners of the real estate described in the plat of Buck Creek Woods, Section One, does hereby lay off, plat and subdivide the same in accordance with the plat and description. Buck Creek Woods, Section One consists of forty-two lots numbered one (1) to fourteen (14), inclusive; ninety-five (95) to one hundred one (101), inclusive and one hundred four (104) to one hundred twenty-four (124) inclusive. The following restrictions, limitations and covenants are hereby imposed upon and shall run with the land contained in such plat ~~except~~ lot number one hundred twenty-four (124).

1. The foregoing plat shall be known and designated as Buck Creek Woods, Section One.
2. Streets as designated on the plat if not heretofore dedicated are hereby dedicated to the public.
3. All numbered lots in this subdivision are reserved for residential purposes only.
4. There are front yard building lines as shown on the plat and no structure or part thereof shall be erected or maintained between such building lines and the property lines of the lot. The minimum side yards of any lot would be an aggregate of 16', provided, however, no side yard shall be less than 6'.
5. No lot shall hereafter be subdivided into parcels for additional residential purposes.
6. No trailer, tent, garage or other out building erected in the subdivision shall be used as a residence, temporarily or permanently, nor shall any building of a temporary character be erected.
7. No noxious or offensive trade shall be carried on upon any lot nor shall anything be done thereon which may become an annoyance or nuisance to the neighborhood.
8. No trailer, stack, shed, tent or temporary building shall be used for a temporary or permanent residence on any lot in this addition and any garage, tool shed or detached storage building erected or used accessory to a residence in this addition shall be of a permanent type construction and conform to the general architecture and appearance of such residence and approved by the Architectural Design and Environmental Control Committee.

18. The Metropolitan Development Commission, its successors and assigns, shall have no right, power or authority to enforce any covenants, commitments, restrictions or other limitations contained in this plat other than those covenants, commitments, restrictions or limitations that expressly run in favor of the Metropolitan Development Commission; provided further, that nothing herein shall be construed to prevent the Metropolitan Development Commission from enforcing any provisions of the subdivision control ordinance, 58-AO-3, as amended, or any conditions attached to approval of this plat by the Plat Committee.
19. The within covenants, limitations and restrictions shall run with the land and shall be binding on all parties and persons claiming under them. Such provisions shall be in full force and effect until January 1, 2010, at which time said covenants shall be automatically extended for successive periods of ten (10) years unless by vote of the majority of the then owners of the lots it is agreed to change the covenants in whole or in part. Invalidity of any of the covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.
20. Utility Building: A utility building may be constructed on each lot, if approved by the Architectural Design and Environmental Control Committee. This utility building is to be constructed in such manner as to meet the standards of construction as used in the construction of the house. The utility building shall be located behind the main dwelling and in no instance shall the utility building be located in front or at the side of the main dwelling.
21. Recreational Vehicles, Boats and non-used Vehicles: All boats, non-motorized recreational vehicles and non-used or non-operational vehicles shall be kept in either the dwelling, garage, basement or utility building.

IN WITNESS WHEREOF, Thomas F. and Barbara J. Clouse, Fereydoon B. and Susan E. Boushehy, and K. Thomas Sponcil, hereby dedicate this Plat and hereby execute these Plat Restrictions this 20th day of MAY, 1987.

Thomas F. Clouse  
Thomas F. Clouse

Barbara J. Clouse  
Barbara J. Clouse

9. Not more than one building shall be erected or used for residential purposes on any lot in this addition.
10. No fence, wall hedge or shrub planting which obstructs site lines at elevations between 2' and 6' above the street shall be placed or permitted to remain within the triangular area formed by the street, property lines and a line connecting points 25' from the intersection of said street lines. The same site line limitation shall apply to any lot within 10' from the intersection of the street line with the edge of a driveway. No trees shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of site lines.
11. No animals, livestock or poultry shall be raised, bred or kept on any lot except that dogs, cats and other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.
12. All driveways in the subdivision shall be paved with either asphalt or concrete.
13. All sidewalks in the subdivision will be installed by the purchaser within one year of purchase or as required by Marion County Ordinance.
14. There are strips of ground as shown on the plat marked drainage and/or utility easements which are reserved as easements for the use of the municipality in which they addition is located and public utility companies for the installation, maintenance, use, repair and removal of sewers, water mains, gas mains, utility poles, wires and other facilities and utilities necessary or incident to the common welfare and the use and occupancy of residential purposes of the houses to be erected in this addition. No buildings or other structure except walks or driveways shall be erected or maintained upon, over, under or across any such utility strips for any use except as set forth herein and owners in this addition shall take title to the land contained in such utility strips subject to the perpetual easements hereby reserved.
15. Architectural Design and Environmental Control: No building, fence, wall or other structure shall be erected, placed and altered on any building plot in this subdivision until the building plans, specifications and plat plan showing the location of such structures have been approved as to the conformity and harmony of external design with existing structure herein and as to the building with respect to topography and finished ground elevations by an Architectural Design and Environmental Control Committee. The destruction of trees and vegetation and any other such matter as may affect the environment and ecology of "Buck Creek Woods, Section One" shall be the proper concern of the Committee. This committee shall be composed of the Fereydoon B. Boushehry or Susan E. Boushehry or their duly authorized representatives. In the event of the death or resignation of any member of said Committee, the remaining member or members shall have full authority to approve or disapprove such design and locations or to designate a representative with like authority. The Committee's approval, or disapproval, as required in this covenant shall be in writing. In the event that said written approval is not received from the Committee within 14 days from the date of submission, it shall be deemed that the Committee has disapproved the presented plan. Neither the Committee members nor the designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.
16. Unless approved by the Architectural Control Committee:
  1. All dwelling exteriors shall have fifteen (15) percent masonry construction.
  2. There shall be no vinyl or aluminum siding on any dwelling.
  3. No satellite dishes shall be permitted on any lot in this subdivision.
17. All dwellings constructed upon any lot in this development shall conform to the following minimum living area requirements unless waived by the Architectural Design and Environmental Control Committee, to wit:
  - A. The ground floor living area of all single story dwellings shall

Barbara J. Clouse  
*F. B. Boushehry*  
 Fereydoon B. Boushehry  
*Susan E. Boushehry*  
 Susan E. Boushehry  
*K. Thomas Sponcil*  
 K. Thomas Sponcil

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF MARION )

Before me, a Notary Public in and for said County and State, personally appeared Thomas F. and Barbara J. Clouse, Fereydoon B. and Susan E. Boushehry, and K. Thomas Sponcil, by me known to be the Owners, respectively, of the herein described real estate, who acknowledge the execution of the foregoing "Plat Restrictions".

WITNESS my hand and Notarial Seal this 20th day of MAY, 1987.

ELIZABETH MELVIN  
 Notary Public  
 27 STATE ST. MARION, IN 47304  
 316-332-1111

*Elizabeth Melvin*  
 Notary Public  
 ELIZABETH MELVIN  
 (Printed Signature)

My Commission Expires:  
JUNE 24, 1989

My County of Residence:  
JOHNSON

Jun 18 01 8 13 6  
 DULY ENTERED  
 FOR TAXATION  
 1987

APPROVAL  
 ARCHITECTURAL CONTROL COMMITTEE  
 JUN 18 1987  
*Richard H. Stewart*

NOT RECORDED  
 JUN 18 1987

- lot except that dogs, cats and other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.
12. All driveways in the subdivision shall be paved with either asphalt or concrete.
  13. All sidewalks in the subdivision will be installed by the purchaser within one year of purchase or as required by Marion County Ordinance.
  14. There are strips of ground as shown on the plat marked drainage and/or utility easements which are reserved as easements for the use of the municipality in which they addition is located and public utility companies for the installation, maintenance, use, repair and removal of sewers, water mains, gas mains, utility poles, wires and other facilities and utilities necessary or incident to the common welfare and the use and occupancy of residential purposes of the houses to be erected in this addition. No buildings or other structure except walks or driveways shall be erected or maintained upon, over, under or across any such utility strips for any use except as set forth herein and owners in this addition shall take title to the land contained in such utility strips subject to the perpetual easements hereby reserved.
  15. Architectural Design and Environmental Control: No building, fence, wall or other structure shall be erected, placed and altered on any building plot in this subdivision until the building plans, specifications and plot plan showing the location of such structures have been approved as to the conformity and harmony of external design with existing structure herein and as to the building with respect to topography and finished ground elevations by an Architectural Design and Environmental Control Committee. The destruction of trees and vegetation and any other such matter as may affect the environment and ecology of "Buck Creek Woods, Section One" shall be the proper concern of the Committee. This committee shall be composed of the Fereydoon B. Boushehry or Susan E. Boushehry or their duly authorized representatives. In the event of the death or resignation of any member of said Committee, the remaining member or members shall have full authority to approve or disapprove such design and locations or to designate a representative with like authority. The Committee's approval, or disapproval, as required in this covenant shall be in writing. In the event that said written approval is not received from the Committee within 14 days from the date of submission, it shall be deemed that the Committee has disapproved the presented plan. Neither the Committee members nor the designated representatives shall be entitled to any compensation for services performed pursuant to this covenant.
  16. Unless approved by the Architectural Control Committee:
    1. All dwelling exteriors shall have Fifteen (15) percent masonry construction.
    2. There shall be no vinyl or aluminum siding on any dwelling.
    3. No satellite dishes shall be permitted on any lot in this subdivision.
  17. All dwellings constructed upon any lot in this development shall conform to the following minimum living area requirements unless waived by the Architectural Design and Environmental Control Committee, to wit:
    - A. The ground floor living area of all single story dwellings shall contain not less than 1500 square feet, and no two (2) story dwelling shall contain less than 900 feet of living area on the ground floor, provided the total living area shall not be less than 1500 square feet total (exclusive of open porches, garages and other areas not considered living areas).
    - B. All dwellings shall have a two (2) car attached garage.

STATE OF INDIANA )  
 ) SS:  
 COUNTY OF MARION )

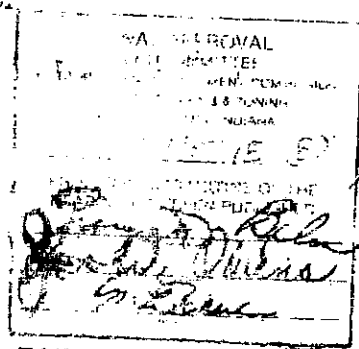
Before me, a Notary Public in and for said County and State, personally appeared Thomas F. and Barbara J. Clouse, Fereydoon B. and Susan E. Boushehry, and K. Thomas Sponcil, by me known to be the Owners, respectively, of the herein described real estate, who acknowledge the execution of the foregoing "Plat Restrictions".

WITNESS my hand and Notarial Seal this 20th day of MAY, 1987.

ELIZABETH MELVIN  
 Notary Public  
 ELIZABETH MELVIN  
 (Printed Signature)

My Commission Expires:  
JUNE 21, 1989

My County of Residence:  
JOHNSON



NOT RECORDED  
 JUNE 9 1987



**MAJ CIVIL / SURVEYING, INC.**  
 CIVIL ENGINEERS • LAND SURVEYORS • LAND PLANNERS  
 P.O. BOX 68 • 435 EAST MAIN STREET • SUITE F  
 GREENWOOD, INDIANA 46142 13171888-4495 46143

DULY ENTERED  
 FOR TAXATION  
 JUN 18 01 8 136  
 MARION COUNTY CLERK