



DAVID BRENTON'S TEAM

RE/MAX Select, REALTORS

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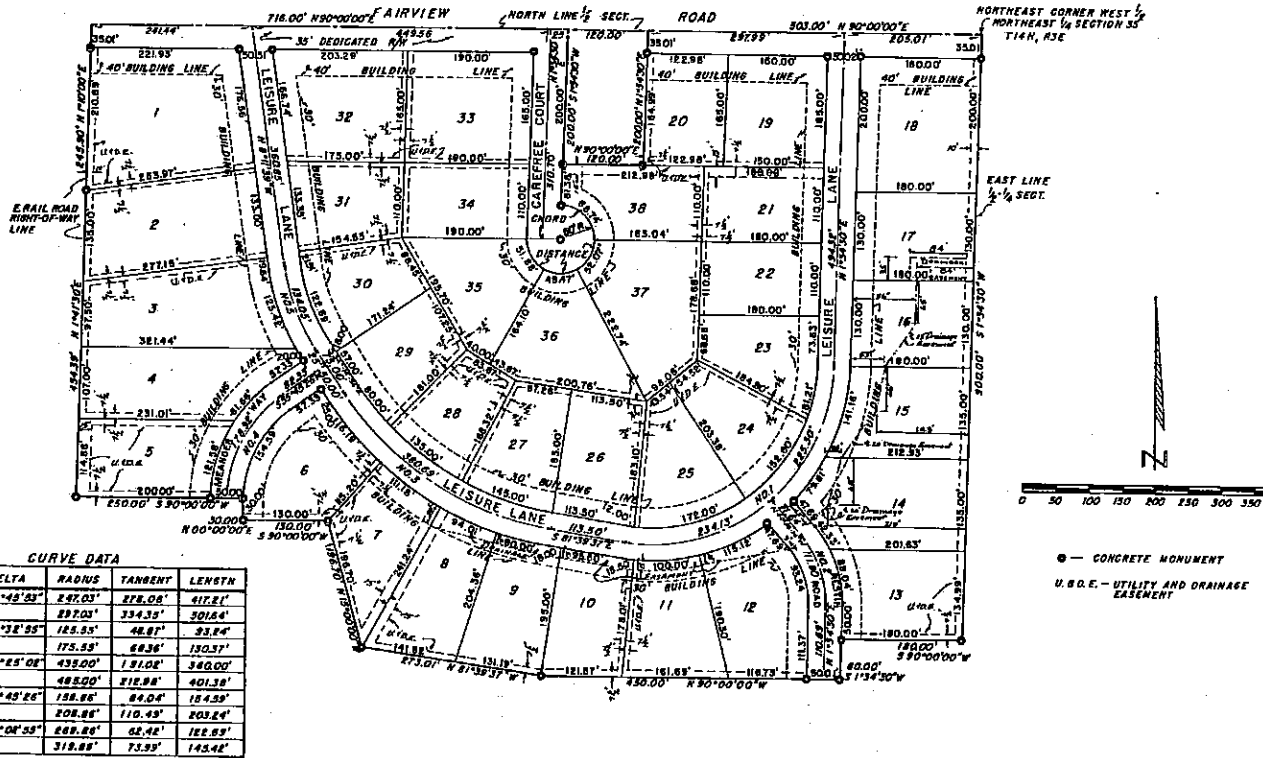
The covenants provided may or may not include any amendments made due to governing agencies (ie: national, state, city, local and neighborhood agencies). Please contact the Recorder's office for the county where the property is located to receive updated information.

The information is deemed reliable, but not guaranteed.

CAREFREE - FIRST SECTION

WHITE RIVER TOWNSHIP

JOHNSON COUNTY, INDIANA



NO.	LOCATION	DELTA	RADIUS	TANGENT	LENSTN
1	INSIDE	38°45'35"	247.03'	278.08'	417.81'
	OUTSIDE	89.703'	334.33'	301.64'	
2	INSIDE	42°38'55"	185.55'	48.81'	33.84'
	OUTSIDE	175.55'	68.36'	150.37'	
3	INSIDE	47°25'05"	438.00'	131.08'	340.00'
	OUTSIDE	48.800'	218.88'	401.38'	
4	INSIDE	58°45'26"	158.86'	84.04'	154.58'
	OUTSIDE	208.88'	110.43'	203.64'	
5	INSIDE	28°04'55"	288.88'	62.42'	172.88'
	OUTSIDE	318.88'	73.59'	145.44'	

KNOW ALL MEN BY THESE PRESENTS: That YEAGER CONTRACTING CO., INC., MARION COUNTY, INDIANA, being the owner in fee simple of the following described real estate in White River Township, Johnson County, Indiana, to-wit:

A PART OF THE NORTH HALF OF SECTION 35, TOWNSHIP 14 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE SOUTH 1 DEGREE 34 MINUTES 30 SECONDS WEST ON AND ALONG SAID EAST LINE 300.00 FEET; THENCE WEST 180.00 FEET; THENCE SOUTH 1 DEGREE 34 MINUTES 30 SECONDS WEST 60.00 FEET; THENCE WEST 450.00 FEET; THENCE NORTH 81 DEGREES 35 MINUTES 37 SECONDS WEST 273.01 FEET; THENCE NORTH 15 DEGREES 00 MINUTES 00 SECONDS WEST 196.70 FEET; THENCE NORTH 30 DEGREES 00 FEET; THENCE WEST 250.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF THE ILLINOIS CENTRAL RAILROAD; THENCE NORTH 1 DEGREE 41 MINUTES 30 SECONDS WEST 454.39 FEET ON EAST SAID LINE; THENCE CONTINUING ON SAID RIGHT-OF-WAY LINE 245.30 FEET TO THE NORTH LINE OF RECORDS EAST 454.39 FEET ON EAST SAID LINE; THENCE SOUTH 1 DEGREE 34 MINUTES 30 SECONDS WEST 200.00 FEET; THENCE EAST 120.00 FEET; THENCE NORTH 1 DEGREE 34 MINUTES 30 SECONDS EAST 200.00 FEET TO LAST SAID NORTH LINE; THENCE EAST ON SAID NORTH LINE 503.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 26.20 ACRES, MORE OR LESS.

HEREBY SUBDIVIDE SAID REAL ESTATE INTO LOTS AND STREETS IN ACCORDANCE WITH THE PLAN HEREON, SAID SUBDIVISION TO BE KNOWN AS "CAREFREE" FIRST SECTION, IN WHITE RIVER TOWNSHIP, JOHNSON COUNTY, INDIANA. THIS SUBDIVISION CONSISTS OF 36 LOTS, HOMECOMED FROM 1 TO 36, BOTH INCLUDING THE WHOLE THEREOF. THE SIZE OF THE LOTS AND WIDTHS OF THE STREETS ARE SHOWN IN FIGURES SHOWING FEET AND DECIMAL PARTS THEREOF. ALL STREETS AND PARTS OF ROADS, AS SHOWN BY THIS PLAN AND IF HERETOFORE NOT DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

THERE ARE STRIPS OF GROUND MARKED "UTILITY AND DRAINAGE STRIPS" SHOWN ON THIS PLAN WHICH ARE HEREBY RESERVED FOR PUBLIC UTILITIES, NOT INCLUDING TRANSPORTATION COMPANIES, FOR THE INSTALLATION AND MAINTENANCE OF PIPES, MAINS, DIVERS, DRAINS, DUCTS, LINES AND WIRES. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE SUBJECT TO THE EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND, AND NO PART THEREOF, EXCEPT FENCES, SHALL BE BUILT, ERRECTED OR MAINTAINED ON SAID "UTILITY AND DRAINAGE STRIPS".

THERE ARE STRIPS OF GROUND MARKED "DRAINAGE EASEMENT" WHICH ARE HEREBY RESERVED FOR THE INSTALLATION AND MAINTENANCE OF DRAINAGE IMPROVEMENTS. PURCHASERS OF LOTS IN THIS SUBDIVISION SHALL TAKE THEIR TITLE SUBJECT TO THE EASEMENT HEREBY CREATED AND SUBJECT AT ALL TIMES TO THE RIGHTS OF PROPER AUTHORITIES TO REMOVE THE UTILITIES AND THE EASEMENTS HEREBY CREATED, AND NO PERMANENT STRUCTURE OF ANY KIND SHALL BE BUILT, ERRECTED OR MAINTAINED ON SAID DRAINAGE EASEMENTS.

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 LAND.

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES AND NO BUILDING SHALL BE ERRECTED, ALTERED, OR PLACED 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 THREE (3) CARS.
2. NO DWELLING SHALL BE PERMITTED ON ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL BE NOT LESS THAN 1500 SQUARE FEET FOR A ONE STORY DWELLING, OR LESS THAN 1100 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.
3. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SET-BACK LINES SHOWN ON THE RECORDED PLAN. NO BUILDING SHALL BE LOCATED NEARER THAN 10 FEET TO A SIDE YARD LINE, AND THE TOTAL SIDE YARD SET-BACK (BOTH SIDES) MUST BE AT LEAST 25 FEET. A 5 FOOT SIDE YARD SET-BACK SHALL BE REQUIRED FOR AN ACCESSORY BUILDING NOT EXCEEDING 15 FEET IN HEIGHT AND IF DETACHED FROM THE PRINCIPAL BUILDING, IT SHALL BE LOCATED AT LEAST AS FAR BACK AS THE REAR OF THE PRINCIPAL BUILDING. NO BUILDING SHALL BE ERRECTED CLOSER THAN 25 FEET TO THE REAR LOT LINE.
4. NO NOISIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
5. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, ERECTION, TENT, SHACK, GARAGE, BARN OR OTHER OUT-BUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY. THE EXTERIOR SURFACE OF ALL BUILDINGS SHALL BE OF A MATERIAL DEMONSTRATED TO LAST AT LEAST 50 YEARS.
6. 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 SIGN USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.
7. 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 BARRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING FOR OIL OR NATURAL GAS SHALL BE ERRECTED, MAINTAINED OR PERMITTED ON ANY LOT. ALL GAS AND OIL TANKS MUST BE CONCEALED.
8. NO ANIMALS, LIVESTOCK OR POULTRY OF ANY KIND SHALL BE RAISED, BREED OR KEPT ON ANY LOT EXCEPT THOSE DOGS, CATS, OR OTHER HOUSEHOLD PETS MAY BE KEPT, PROVIDED THAT THEY ARE NOT KEPT, BREED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.
9. NO LOT SHALL BE USED OR MAINTAINED AS A DUMPING GROUND FOR RUBBISH, TRASH OR BARBAGE. WASTE MATTER OR MATERIALS SHALL BE KEPT ONLY IN SANITARY CONTAINERS, AND ALL INCINERATORS OR OTHER EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIAL SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.
10. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS THE RIGHT LINED AT ELEVATIONS BETWEEN TWO AND SIX FEET ABOVE HIGHEST ADJACENT GRADE SHALL BE 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 PROPERTY LINES EXTENDED, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET PROPERTY LINES EXTENDED. THE SAME RIGHT LINE LIMITATION SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE WITH THE EDGE OF A DRIVEWAY PAVEMENT.
11. EACH LOT SHALL BE KEPT IN A NEAT AND PLEASANT MANNER. SMALL BUSHES, SHRUBS OR GREEN PLANTINGS BETWEEN 4 FEET AND 10 FEET ABOVE THE GROUND SHALL NOT BE PERMITTED. IT IS THE INTENTION OF THIS RESTRICTION TO ASSURE THAT ALL THE LOTS AND SURROUNDINGS PRESENT A PLEASANT APPEARANCE.
12. NO INDIVIDUAL WATER SUPPLY SYSTEM OR SEWAGE DISPOSAL SYSTEM SHALL BE PERMITTED ON ANY LOT.
13. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCOUNTERED IN CONSTRUCTION OF ANY IMPROVEMENT WITHIN THIS SUBDIVISION SHALL BE PERPETUATED, AND ALL OWNERS OF LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1955, AND ALL AMENDMENTS THEREOF.
14. ANY MOTOR VEHICLE WHICH IS IMPROPERATIVE AND NOT BEING USED FOR NORMAL TRANSPORTATION SHALL NOT BE PERMITTED TO REMAIN ON ANY LOT.
15. THE FINISHED YARD ELEVATION AT THE HOUSE SITE ON LOTS IN THIS SUBDIVISION SHALL BE NOT LESS THAN ELEVATION 611.0, U.S.G.S. DATUM.
16. THESE RESTRICTIONS ARE HEREBY DECLARED TO BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED AFTER WHICH THE SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIONAL PERIODS OF TEN YEARS UNLESS, AT ANY TIME FOLLOWING RECORDED, 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.

17. EMPLOYMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANTS EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES. INVALIDATION OF 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.

WITNESS OUR HANDS AND SEALS THIS 15 DAY OF March, 1967.

Robert K. Yeager
President
STATE OF INDIANA } 89
COUNTY OF JOHNSON

BEFORE ME, THE UNDEPUTED, A Notary Public in and for said County and State, appeared YEAGER CONTRACTING CO., INC., by its duly authorized officers ROBERT K. YEAGER, PRESIDENT, and VIRGINIA M. YEAGER, ASSISTANT SECRETARY, who acknowledged the execution of the FOREGOING INSTRUMENT AS THEIR VOLUNTARY ACT AND DEED FOR THE USE AND PURPOSE THEREIN EXPRESSED AND AFFIRMED THEIR SIGNATURES THEREON.

WITNESS MY HAND AND NOTARIAL SEAL THIS 15 DAY OF March, 1967.

Charles A. ...
NOTARY PUBLIC

My Commission Expires: July 22, 1969

I, GILMORE C. APRILMAN, HEREBY CERTIFY THAT I AM A PROFESSIONAL ENGINEER AND LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT THIS PLAN CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME IN MARCH 1967, AND THE MONUMENTS SHOWN THEREON WERE BEING INSTALLED PRIOR TO RELEASE OF STREET BOND, AND THAT THE LOCATION, SIZE, TYPE AND MATERIAL ARE ACCURATELY SHOWN.

Gilmore C. Aprilman
GILMORE C. APRILMAN
REGISTERED ENGINEER No. 6726
REGISTERED LAND SURVEYOR No. 579
MARCH 13, 1967.

UNDER AUTHORITY PROVIDED BY CHAPTER 174, ACTS OF 1947, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS AMENDATORY THEREOF, AND AN ORDINANCE ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF JOHNSON, INDIANA, THIS PLAN WAS GIVEN APPROVAL BY THE COUNTY OF JOHNSON AS FOLLOWS:

APPROVED BY THE JOHNSON COUNTY PLAN COMMISSION AT A MEETING HELD March 15, 1967.

Walter ...
WALTER PRINCE, CHAIRMAN

UNDER AUTHORITY PROVIDED BY CHAPTER 41, ACTS OF 1951, OF THE GENERAL ASSEMBLY, STATE OF INDIANA, THIS PLAN WAS GIVEN APPROVAL BY THE BOARD OF COUNTY COMMISSIONERS OF JOHNSON COUNTY INDIANA, AT A MEETING HELD ON THE 22 DAY OF March, 1967.

John ...
JOHN DRIFTHAM, MEMBER

Victor ...
VICTOR WILLEN, MEMBER

George ...
GEORGE HERRING, MEMBER

ENTERED FOR TAXATION THIS 9 DAY OF June, 1967.

Harold ...
HAROLD R. MILLIKEN
AUDITOR, JOHNSON COUNTY

RECEIVED FOR RECORD THIS 9 DAY OF June, 1967, AT 2:10 P.M., AND RECORDED IN PLAT BOOK No. 6, PAGE No. 65.

Mary ...
MARY LYNN KASTING
RECORDER, JOHNSON COUNTY

PREPARED BY
FREEDER AND APRILMAN
CIVIL ENGINEERS
FRANKLIN, INDIANA

Restrictions of Carefree - First Section (Amended) Plat Book 6, page 65. Dated June 9, 1967 recorded June 9, 1967.

1. No lot shall be used except for residential purposes and no building shall be erected, altered, or placed 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 three (3) cars.
3. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building set-back lines shown on the recorded plat. No building shall be located nearer than 10 feet to a side yard line, and the total side yard set-back (both sides) must be at least 25 feet. A 5 foot side yard set-back shall be required for an accessory building not exceeding 18 feet in height and if detached from the principal building, it shall be located at least as far back as the rear of the principal building. No building shall be erected closer than 25 feet to the rear lot line.
2. No dwelling shall be permitted on any lot unless the ground floor area of the main structure, exclusive of one story open for a dwelling of more than one story.
4. No noxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
5. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out-building shall be used on any lot at any time as a residence, either temporarily or permanently. The exterior surface of all buildings shall be of a material demonstrated to last at least 50 years.
6. 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 a builder to advertise the property during the construction and sales period.
7. 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 derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted on any lot. All gas and oil tanks must be concealed.
8. 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.
9. No lot shall be used or maintained as a dumping ground for rubbish trash or garbage. Waste matter or materials shall be kept only in sanitary containers, and all incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

Continued on next page

10. No fence, wall, hedge or shrub planting which obstructs the sight lines at elevations between two and six feet above 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 property lines, or in the case of a rounded property corner, from the intersection to the street property lines extended. The same line limitation shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway pavement.

11. Each lot shall be kept in a neat and pleasing manner. Small bushes, shrubs or screen plantings between 4 feet and 10 feet above the ground shall not be permitted. It is the intention of this restriction to assure that all the lots and surroundings present a park-like appearance.

12. No individual water supply system or sewage disposal system shall be permitted on any lot.

13. Any field tile or underground drain which is encountered in construction of any improvement within this subdivision shall be perpetuated, and all owners of lots in this subdivision and their successors shall comply with the Indiana Drainage Code of 1965, and all amendments thereto.

14. Any motor vehicle which is inoperative and not being used for normal transportation shall not be permitted to remain on any lot.

15. The finished yard elevation at the house site on lots in this subdivision shall be not less than elevation 811.0, U.S.G.S. Datum.

16. These restrictions are hereby declared to be covenants running with this land and shall be binding on all parties and all persons claiming under them for a period of twenty-five (25) years from the date these covenants are recorded after which time said covenants shall be automatically extended for successive periods of ten years unless, at any time following reordination, an instrument signed by a majority of the ten owners of the lots has been recorded agreeing to change said covenants in whole or in part.