



# **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)**

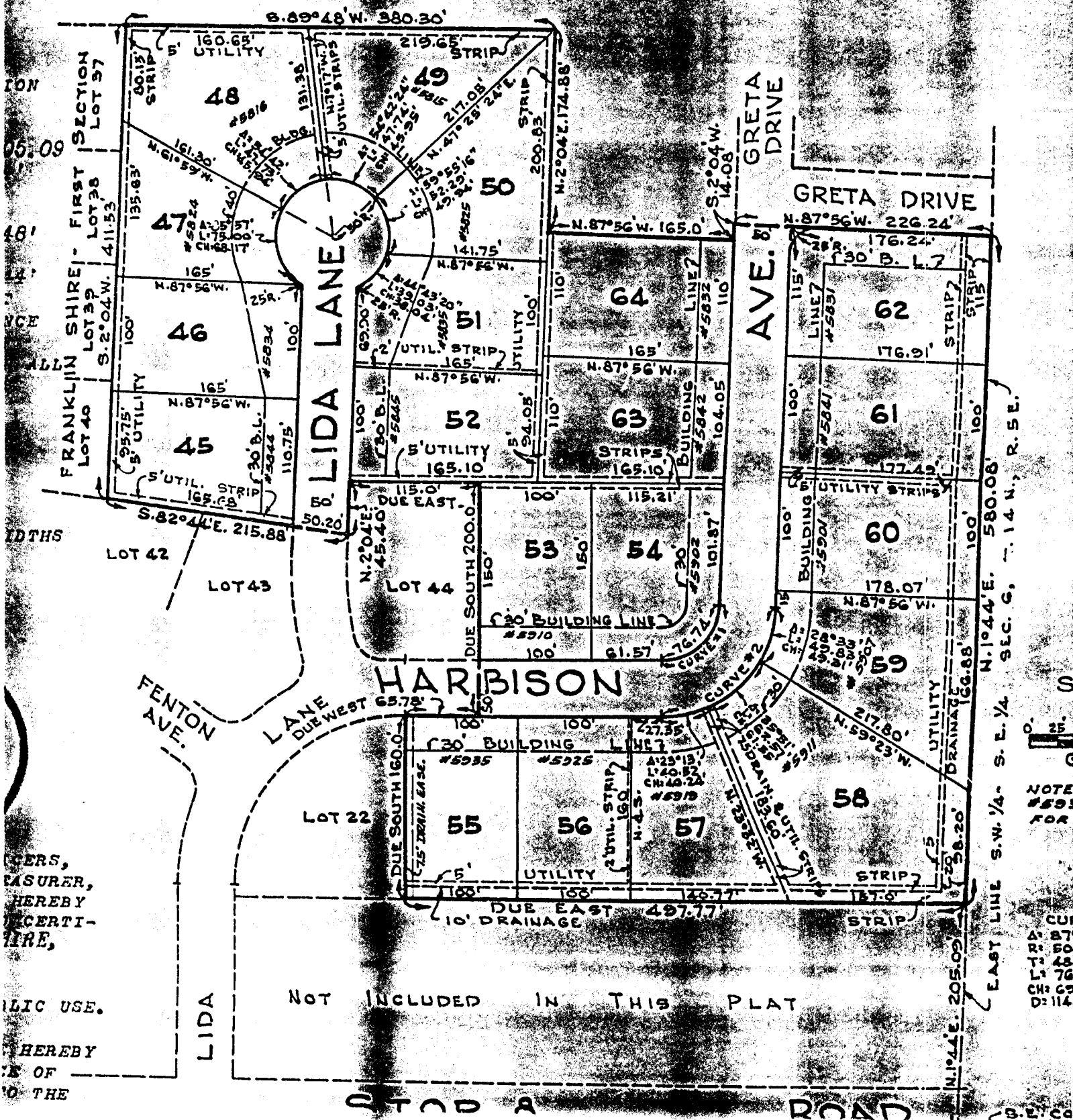
The covenants provided may or may not include any amendments made due to governing agencies (ie: national, state, city, local and neighborhood agencies). Please contact the Recorder's office for the county where the property is located to receive updated information.

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

# KLIN SHIRE

## SECOND SECTION

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WE, THE UNDERSIGNED, FALCON REALTY, INC., BY ITS DULY AUTHORIZED OFFICERS, PAUL C. KOHRING, PRESIDENT, AND RICHARD T. HUNTER, SECRETARY AND TREASURER, OWNERS OF THE ABOVE DESCRIBED REAL ESTATE, HEREBY CERTIFY THAT WE DO HEREBY LAY OUT, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THIS PLAT AND CERTIFICATE. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS FRANKLINSHIRE, SECOND SECTION.

THE STREETS, IF NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.

THERE ARE STRIPS OF GROUND OF WIDTHS 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 OFFICERS AND TO THE AGREEMENTS HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURE SHALL BE ERECTED OR MAINTAINED UPON 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 ONE SINGLE FAMILY DWELLING, NOT TO EXCEED 2½ STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN 2 CARS AND RESIDENTIAL ACCESSORY BUILDINGS, EXCEPT THAT TWO WAY DOUBLES MAY BE PLACED ON CORNER LOTS.

NO HOTEL, BOARDING HOUSE, MERCANTILE BUILDING, FACTORY BUILDING OR BUILDINGS OF ANY KIND OR PART THEREOF FOR COMMERCIAL USE SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION.

NO BUILDING, STRUCTURE, OR APPURTENANCE THERETO EXCEPT FENCES SHALL BE LOCATED WITHIN 5 FEET OF ANY SIDE LOT 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. NO RESIDENCE BUILDINGS SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION NEARER TO ANY PROPERTY LINE THAN THE MINIMUM DISTANCE REQUIRED BY THE MARION COUNTY ZONING BOARD.

NO TRAILERS, SHACKS OR OUT HOUSES OF A PERMANENT NATURE SHALL BE ERECTED OR SITUATED ON ANY LOT EXCEPT DURING THE PERIOD OF CONSTRUCTION OF A PROPER STRUCTURE AND FOR USE BY THE BUILDER FOR HIS MATERIALS AND TOOLS.

NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 6 FEET ABOVE THE STREET, 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 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 WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

BUILDING LINES AS SHOWN ON THIS 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 RESIDENCE SHALL BE ERECTED OR MAINTAINED ON ANY LOT OR LOTS IN THIS SUBDIVISION HAVING A GROUND FLOOR AREA EXCLUSIVE OF OPEN PORCHES AND GARAGES, OF LESS THAN 1000 SQUARE FEET IN THE CASE OF A ONE STORY STRUCTURE, OR 660 SQUARE FEET FOR A HIGH STRUCTURE.

NO PERMANENT OR OTHER STRUCTURE SHALL BE ERECTED OR MAINTAINED UPON 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 THE 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 ONE SINGLE FAMILY DWELLING, NOT TO EXCEED 2½ STORIES IN HEIGHT AND A PRIVATE GARAGE FOR NOT MORE THAN CARS AND RESIDENTIAL ACCESSORY BUILDINGS, EXCEPT THAT TWO WAY DOUBLES MAY BE PLACED ON CORNER LOTS.

NO HOTEL, BOARDING HOUSE, MERCANTILE BUILDING, FACTORY BUILDING OR BUILDINGS OF ANY KIND OR PART THEREOF FOR COMMERCIAL USE SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION.

NO BUILDING, STRUCTURE, OR APPURTENANCE THERETO EXCEPT FENCES SHALL BE LOCATED WITHIN 5 FEET OF ANY SIDE LOT LINE, EXCEPT WHERE BUILDINGS ARE BUILT UPON MORE THAN ONE SINGLE LOT, WHEN THIS RESTRICTION SHALL APPLY TO THE SIDE LOT LINES OF THE EXTREME BOUNDARIES OF THE MULTIPLE LOTS. NO RESIDENCE BUILDINGS SHALL BE ERECTED OR MAINTAINED ON ANY LOT IN THIS SUBDIVISION NEARER TO ANY PROPERTY LINE THAN THE MINIMUM DISTANCE REQUIRED BY THE MARION COUNTY ZONING BOARD.

NO TRAILERS, SHACKS OR OUT HOUSES OF A PERMANENT NATURE SHALL BE ERECTED OR SITUATED ON ANY LOT EXCEPT DURING THE PERIOD OF CONSTRUCTION OF A PROPER STRUCTURE AND FOR USE BY THE BUILDER FOR HIS MATERIALS AND TOOLS.

NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN 2 AND 6 FEET ABOVE THE STREET, 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 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 WITHIN SUCH DISTANCES OF SUCH INTERSECTIONS UNLESS THE FOLIAGE LINE IS MAINTAINED AT SUFFICIENT HEIGHT TO PREVENT OBSTRUCTION OF SUCH SIGHT LINES.

BUILDING LINES AS SHOWN ON THIS 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 RESIDENCE SHALL BE ERECTED OR MAINTAINED ON ANY LOT OR LOTS IN THIS SUBDIVISION HAVING A GROUND FLOOR AREA EXCLUSIVE OF OPEN PORCHES AND GARAGES, OF LESS THAN 1000 SQUARE FEET IN THE CASE OF A ONE STORY STRUCTURE, OR 660 SQUARE FEET FOR A HIGHER STRUCTURE.

NO BUILDING SHALL BE ERECTED, PLACED OR ALTERED ON ANY BUILDING PLOT IN THIS SUBDIVISION UNLESS THE BUILDING PLANS, SPECIFICATIONS AND PLOT PLAN SHOWING THE LOCATION OF SUCH BUILDINGS HAVE BEEN APPROVED IN WRITING AS TO THE CONFORMITY AND HARMONY OF EXTERNAL DESIGN WITH EXISTING STRUCTURES IN THIS SUBDIVISION, AND AS TO LOCATION OF THE BUILDING WITH RESPECT TO THE TOPOGRAPHY AND FINISHED GROUND ELEVATION BY PAUL C. KOEHLING, OR BY A REPRESENTATIVE DESIGNATED BY HIM.

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 THEREIN.

FOR EXAMINATION

905 16 MAY -7 69

THIS INSTRUMENT PREPARED

STOP

ROAD

S.E. CORNER  
S.W. 1/4 - S.E. 1/4  
SEC. 6-14-5

SOUTH LINE S.W. 1/4 - S.E. 1/4 SEC. 6-14-5

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 METROPOLITAN PLAN COMMISSION OF MARION COUNTY, INDIANA, SHALL ALSO HAVE THE RIGHT OF ENFORCEMENT OF ALL THE FOREGOING COVENANTS. THE FOREGOING RESTRICTIONS, COVENANTS AND PROVISIONS SHALL RUN WITH THE LAND AND SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL JANUARY 1, 1980, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS BY VOTE OF THE MAJORITY OF THE THEN 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 JUDGMENT 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 21<sup>st</sup> DAY OF April 1969

FALCON REALTY, INC.

By: Paul C. Koehring  
PAUL C. KOHRING  
(PRESIDENT)

ATTEST: Richard J. Hunter  
RICHARD J. HUNTER  
(SECRETARY AND TREASURER)

STATE OF INDIANA: 21 DAY OF May 1969  
COUNTY OF MARION: R. M. Oberlin CLERK

I, George A. Henry, Jr., a Notary Public, and for said County and State, Falcon Realty, Inc., by its duly authorized officers, Paul C. Koehring, President, and Richard J. Hunter, Secretary and Treasurer, who separately acknowledged the execution of the foregoing instrument as their voluntary act and deed for the use and benefit of their interest, and affixed their signatures thereto.

THIS MY HAND AND SEAL THIS 21<sup>st</sup> DAY OF April 1969

Notary Public, Marion County, Ind.  
George A. Henry, Jr.  
My Commission Expires June 21, 1970

FINAL APPROVAL

MAY 7 69

W. A. Brown  
Robert Walker