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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.

72-51717

Honey Manor ⁴⁵⁰

RECEIVED FOR RECORD
Aug 31 11 01 AM '72
FAYE I. MOWERY
RECORDER
OF MARION CO.

BEFORE THE
METROPOLITAN DEVELOPMENT COMMISSION,
OF
MARION COUNTY, INDIANA

IN THE MATTER OF THE PETITION

OF

Docket No. 72-2-198

PAUL R. COPPOCK and GLADYS B. COPPOCK
By WAYCO BUILDERS CORP.

DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS

COMES NOW the Petitioners, Paul R. Coppock and Gladys B. Coppock, by Wayco Builders Corp., upon submission of evidence in the above cause before the Honorable Scott Ging, Hearing Examiner for the Metropolitan Development Commission of Indianapolis, Marion County, Indiana, and prior to a determination on the merits of the issues raised in the above referenced petition for amendment of the Dwelling Districts Zoning Ordinance of Marion County, Indiana, to include within the D-3 classification thereof the real estate particularly described in said petition, and hereby covenant and warrant as follows:

1. That when the subject real estate is platted and developed in accordance with the D-3 Dwelling Districts Classification, the requirements of that classification shall be strictly adhered to with the following amendments and additional requirements:

- (a) That no single family residences of one-story shall be constructed within the boundaries of the real estate which shall have a ground floor area of less than Eleven Hundred (1100) square feet, exclusive of garages.
- (b) That all residences constructed within the boundaries of the real estate shall have a

August 31, 1972

By:

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minimum of sixty percent (60%) masonry or brick on all exterior walls.

2. That each of the covenants and restrictions set forth herein shall be included within the covenants and restrictions of any final plat submitted to the Plat Committee of the Metropolitan Development Commission of Indianapolis, Marion County, Indiana, affecting the real estate.

3. The right to enforce each and all of the covenants and restrictions set forth herein is hereby reserved to the Metropolitan Development Commission of Indianapolis, Marion County, Indiana, its successors and assigns, and these covenants shall be made a part of the record of the proceedings with respect to the above referenced petition and thereafter entered of record in the office of the Recorder of Marion County, Indiana, as covenants which shall run with the land described herein.

IN WITNESS WHEREOF, the Petitioners, Paul R. Coppock and Gladys B. Coppock, by Wayco Builders Corp., has set its hand and seal hereto this 27th day of July, 1972.

WAYCO BUILDERS CORP.

By: Wayne Copenhaver
Wayne Copenhaver,
President

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

August 31, 1972

Before me, a Notary Public in and for said County and State, personally appeared Wayne Copenhaver, President of Wayco Builders, Corp., and acknowledged the execution of the foregoing instrument and declared that all of the representations herein contained are true.

My Commission Expires: Feb. 13, 1973

William D. Baars
Notary Public

Instrument Prepared by:
William G. Baars
GOOD & BERTRAM
Attorneys at Law
4972 Madison Avenue
Indianapolis, Indiana 46227
763-1321

August 31, 1972

By: W.C.

72 51717

I, Wayne Copenhaver, the undersigned, do hereby certify that the attached two (2) page document entitled "Declaration of Covenants, Conditions and Restrictions", the original of which was signed by me July 27, 1972, is a true and correct copy of the original document.

The original of this document was turned over to the Metropolitan Development Commission of Marion County, Indiana, as an exhibit for zoning consideration, docket number 72-x-198. Witness my initials on the lower right hand side of each page.

WAYCO BUILDERS CORP.

By: Wayne Copenhaver
Wayne Copenhaver,
President

STATE OF INDIANA)
COUNTY OF MARION) SS

Before me, a Notary Public in and for said County and State, personally appeared Wayne Copenhaver, President of Wayco Builders, Corp., and acknowledged the execution of the foregoing instrument and declared that all of the representations therein contained are true.

Jill Anne Mason
Notary Public

My Commission Expires:

August 10, 1976



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HONEY

The undersigned, Weyer Builders Corp., owner of the above described real estate, hereby lay off, plat and subdivide the same into lots and streets in accordance with the within plat. The within plat shall be known and designated as "HONEY HANOR - SECTION TWO", an addition to the city of Indianapolis, Indiana.

- A. The streets shown and not heretofore dedicated are hereby dedicated to the public.
- B. All lots in this addition shall be designated as residential lots. Only one single family dwelling, with accessory building and not exceeding two stories in height 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, no structure shall be erected or maintained. 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 side line limitation 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 trees shall be permitted to remain within such distance of such intersection unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.
- D. No single family residences of one-story shall be constructed within the boundaries of the real estate which shall have a ground floor area of less than 1100 square feet, exclusive of garages; all residences constructed within the boundaries of the real estate shall have a minimum of 60% masonry or brick on all exterior walls.
- E. No trailer, tent, shack, basement, garage, barn or other out building or temporary structure shall be used for temporary, garage, barn or other out building or temporary structure in this addition, and no boats, trailers or campers, or other private property shall be allowed to obstruct any private drive, or any sidewalks, walkways, driveways, bicycle paths, or other such access ways within any common property area, or shall remain stored in the open alongside building walls or other localities of public view.
- F. No noxious or offensive trade shall be carried on upon any lot in this addition, nor shall anything be done thereon which shall be or become a nuisance to the neighborhood.
- G. No lot in this subdivision shall be subdivided into a building lot having an area of less than 10,000 square feet.
- H. 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.
- I. There are strips of ground on the within plat marked "D & U Easement" (Drainage and Utility Easement), which are hereby reserved for the use of the public utility companies and governmental agencies, not including street car or transportation companies, for the installation and maintenance of mains, ducts, poles, lines, sewers, drains, and wires, subject to the jurisdiction of the civil authorities, and to the easement herein reserved. The owners of all lots in this addition shall take title

subject to the other 1 egress in individual easements. All obstructions shall be removed.

J. No lot shall other waste disposal or

K. No sign of professional square feet advertise to

L. All of the as instrument) recorded in Indiana, as to the right

M. The right to together with absorption dedicated to heirs or as their successors required to such violation effect for Conditions of the covenants provisions

N. The within c be binding c

IN WITNESS
THIS TWENTY DAY

NEW MAJOR SECTION

subject to the rights of the public utilities, governmental agencies, and the rights of the other lot owners in this addition; to said easement herein granted for lawns and egress in, along and through the strips of ground for the purposes herein stated. No individual sewage system shall be permitted on any lot. No trees shall be planted in easements. No structure, including fences, shall be built upon said easement which will obstruct flow from area being served.

- J. 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 equipment for the disposal or storage of such material shall be kept in a clean and sanitary condition.
- K. 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 the builder to advertise the property during the construction and sales period.
- L. All of the above-described realty is subject to the terms and conditions set forth in an instrument entitled "Declaration of Covenants, Conditions and Restrictions" as recorded in Instrument # [redacted] in the office of the Recorder of Marion County, Indiana, and the purchaser of any lot in this addition takes title thereto, subject to the rights, duties and other terms set forth in such instrument.
- M. The right to enforce the within provisions, restrictions, and covenants by injunction, together with the right to cause the removal by due process of law of any septic tank, absorption bed or structure erected or maintained in violation thereof, is hereby declared and reserved to the owners of the several lots in this subdivision, their heirs or assigns, or the Department of Metropolitan Development of Marion County, their successors or assigns, who shall be entitled to such relief without being required to show any damage of any kind to any such owner or owners by or through any such violation or attempted violation. Said provisions shall be in full force and effect for the term period of time as specified in the "Declaration of Covenants, Conditions and Restrictions", and may be amended as specified. Invalidation of any one of the covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.
- N. The within covenants, restrictions, and restrictions are to run with the land and shall be binding on all parties and persons claiming under them.

IN WITNESS WHEREOF, Major Builders Corp., and its agents caused its name to be subscribed and its name to be printed on this instrument, this 15th day of December, 1970.

Major Builders Corp.

W. Wayne Epps, Attorney for Major Builders Corp.

I HEREBY CE
parts of the East
East and the West
County, Decatur

BEING
Section 1, Town
said East Half
feet; thence 50
Greenland Corp
North 02° 05' 18"
02° 05' 18" East
00° West 344.95'
containing 18.70x
of record.

THIS SUBDIV
the streets are
diameter by 30' x

This survey
Witness my



76 3005

Not a valid survey

SECTION TWO

I HEREBY CERTIFY that the within plat is true and correct and represents a survey of parts of the East Half of the Northeast Quarter of Section 1, Township 14 North, Range 2 East and the Northwest Quarter of Section 6, Township 14 North, Range 3 East, in Marion County, Decatur Township, Indiana, being more particularly described as follows:

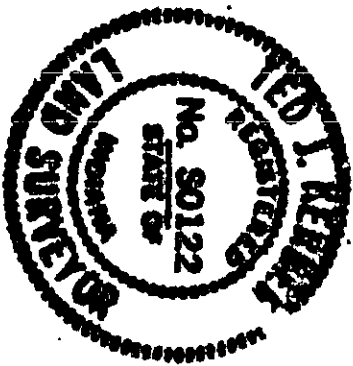
BEGINNING at a point on the West line of the East Half of the Northeast Quarter of Section 1, Township 14 North, Range 2 East; 877 feet Southerly from the Northwest corner of said East Half Quarter Section, thence along said west line North 00° 01' 45" East 838.00 feet; thence South 50° 18' 02" East 796.48 feet, along the center line of the Texas Eastern Transmission Corp. pipe line easement; thence North 88° 56' 30" East 512.48 feet; thence North 02° 05' 18" East 43.28 feet; thence North 87° 54' 42" East 279.00 feet; thence South 02° 05' 18" East 48.30 feet; thence North 85° 56' 30" East 549.39 feet; thence South 05° 16' 00" East 344.95 feet; thence South 88° 56' 30" East 1903.82 feet to the POINT OF BEGINNING, containing 18.706 acres, more or less, and subject to all legal rights-of-way and easements of record.

THIS SUBDIVISION consists of 56 lots. The size of the lots, blocks, and the widths of the streets are shown on this plat in figures denoting feet and decimal parts thereof. 5/8" diameter by 30" re-bars were set as indicated.

This survey was made by me during July and August 1972.
 Witness my signature this TWENTY day of AUGUST, 1972.

Ted J. Kefner

Ted J. Kefner
 Registered Land Surveyor #8 0122



SEAL OF INDIANA
 COUNTY OF MARION

Personally appeared before me the undersigned, a Notary Public in and for said County and State, and acknowledged the execution of the above and foregoing certificate as his and their voluntary act and deed for the uses and purposes therein expressed.

Bruce A. Fisher
 Notary Public

My commission expires:

OCT 12 1976

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