



DAVID BRENTON'S TEAM

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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.

890083555

4, Sec. 30, T15N, R3E

Southwest Hills

Section VII

Decatur Twp., Marion Co. Indiana

CURVE DATA

<u>CURVE NO.</u>	<u>ARC</u>	<u>DELTA</u>	<u>RADIUS</u>	<u>TAN</u>	<u>CHORD</u>	<u>CHORD BEARING</u>
1	251.21'	75°45'16"	190.00'	147.79'	233.31'	N37°52'38"E
2	232.65'	90°00'00"	148.11'	148.11'	209.46'	N45°00'03"W
3	170.21'	84°48'10"	115.00'	105.01'	155.09'	S47°18'15"W
4	51.33'	13°40'45"	215.00'	25.79'	51.21'	S68°54'53"W
5	53.37'	61°09'11"	50.00'	29.54'	50.87'	N 5°04'01"W
6	40.89'	46°51'27"	50.00'	21.67'	39.76'	N59°04'20"W
7	40.89'	46°51'27"	50.00'	21.67'	39.76'	S74°04'13"W
8	40.89'	46°51'27"	50.00'	21.67'	39.76'	S27°12'47"W
9	40.89'	46°51'27"	50.00'	21.67'	39.76'	S19°38'40"E
10	45.00'	51°33'58"	50.00'	24.15'	43.50'	S68°51'22"E
11	94.60'	25°12'33"	215.00'	48.08'	93.84'	S36°08'46"W
12	57.88'	15°25'26"	215.00'	29.11'	57.70'	S15°49'46"W
13	30.46'	8°07'03"	215.00'	15.26'	30.44'	S 4°03'32"W
14	63.61'	21°03'08"	173.11'	32.17'	63.25'	S10°31'34"E
15	24.91'	8°14'43"	173.11'			

I, STEPHEN E. BOURQUIN, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF INDIANA, AND THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY COMPLETED BY ME ON MAY 23, 1989; OF

A PART OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 15 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN, IN DECATUR TOWNSHIP, MARION COUNTY, INDIANA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 30 SAID POINT BEING IN THE CENTER OF TROY AVENUE; THENCE SOUTH 86 DEGREES 16 MINUTES 50 SECONDS EAST 48 FEET TO THE NORTHWEST CORNER OF SOUTHWEST HILLS SECTION 4 PER PLAT THEREOF RECORDED AS INSTRUMENT NO. 890046903 IN THE RECORDS OF THE MARION COUNTY RECORDER (THE FOLLOWING 14 COURSES ON THE WEST AND SOUTH BOUNDARY LINE THEREOF); 1) THENCE SOUTH 03 DEGREES 43 MINUTES 10 SECONDS WEST 45.00 FEET; 2) THENCE SOUTH 01 DEGREE 15 MINUTES 55 SECONDS EAST 80.83 FEET; 3) THENCE SOUTH 23 DEGREES 56 MINUTES 30 SECONDS EAST 101.46 FEET; 4) THENCE SOUTH 48 DEGREES 15 MINUTES 01 SECONDS EAST 59.83 FEET; 5) THENCE SOUTH 18 DEGREES 12 MINUTES 55 SECONDS EAST 95.00 FEET; 6) THENCE SOUTH 62 DEGREES 47 MINUTES 10 SECONDS WEST 123.70 FEET; 7) THENCE SOUTH 62 DEGREES 47

71° E

18°12'55" E
95.00'

THE UNDERSIGNED, HASKELL W. PROCK, OWNERS OF THE REAL ESTATE DESCRIBED IN THE PLAT OF SOUTHWEST HILLS, SECTION IV, DO HEREBY LAYOFF, PLAT AND SUBDIVIDE THE SAME IN ACCORDANCE WITH THE PLAT AND DESCRIPTION. SOUTHWEST HILLS, SECTION VII CONSISTS OF FORTY (40) LOTS NUMBERED TWO HUNDRED TWENTY-THREE (223) THROUGH TWO HUNDRED FORTY-SIX (246) INCLUSIVE, THREE HUNDRED SIXTEEN (316) THROUGH THREE HUNDRED NINETEEN (319) INCLUSIVE, THREE HUNDRED TWENTY-ONE (321) THROUGH THREE HUNDRED THIRTY-TWO (332) INCLUSIVE TOGETHER WITH STREETS, RIGHTS-OF-WAYS AND EASEMENTS AS SHOWN ON THE PLAT HEREWITH. THE FOLLOWING RESTRICTIONS, LIMITATIONS AND COVENANTS ARE HEREBY ESTABLISHED TO GOVERN THE USE AND OCCUPANCY OF THE LOTS IN THIS SUBDIVISION AND SHALL RUN WITH THE LAND CONTAINED IN THIS PLAT.

1. THE FOREGOING PLAT SHALL BE KNOWN AND DESIGNATED AS SOUTHWEST HILLS, SECTION VII.
2. STREETS AS DESIGNATED ON THE PLAT IF NOT HERETOFORE DEDICATED ARE HEREBY DEDICATED TO THE PUBLIC.
3. THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, SHALL NOT BE LESS THAN 850 SQUARE FEET FOR A ONE STORY DWELLING, NOR LESS THAN 720 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.
4. NO LOT IN THIS SUBDIVISION SHALL HEREAFTER BE SUBDIVIDED INTO PARCELS FOR ADDITIONAL RESIDENTIAL PURPOSES.
5. 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, IN ANY EVENT, NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER THAN TWENTY-FIVE (25) FEET TO THE FRONT LOT LINE OR SIDE STREET LINE.
6. NO FENCE, WALL, HEDGE OR SHRUB PLANTING WHICH OBSTRUCTS SIGHT LINES AT ELEVATIONS BETWEEN TWO (2) FEET AND SIX (6) FEET 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 TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF SAID STREET LINES. THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN TEN (10) FEET 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 OBSTRUCTIONS OF SIGHT LINES.
7. 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.
8. NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE PERMITTED UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE, OR BECOME, AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
9. NO ANIMALS, LIVESTOCK OR POULTRY SHALL BE RAISED, BRED OR KEPT ON ANY LOT EXCEPT DOGS, CATS AND OTHER USUAL HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT KEPT, BRED OR MAINTAINED FOR ANY COMMERCIAL PURPOSES.
10. 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.
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. IN THE EVENT STORM WATER DRAINAGE FROM ANY LOT OR LOTS FLOWS ACROSS ANOTHER LOT, PROVISIONS SHALL BE MADE TO PERMIT SUCH DRAINAGE TO CONTINUE, WITHOUT RESTRICTION OR REDUCTION, ACROSS THE DOWNSTREAM LOT AND INTO THE NATURAL DRAINAGE CHANNEL OR COURSE EVEN THOUGH NO SPECIFIC DRAINAGE EASEMENT FOR SUCH FLOW OF WATER IS PROVIDED ON SUCH PLAT.
13. IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF ANY LOT OR PARCEL WITHIN THE AREA OF THIS PLAT TO COMPLY AT ALL TIMES WITH THE PROVISIONS OF THE DRAINAGE PLANS AS APPROVED FOR THIS PLAT BY THE CITY OF INDIANAPOLIS, DEPARTMENT OF PUBLIC WORKS, DRAINAGE SECTION AND THE DRAINAGE REQUIREMENTS OF ALL PERMITS FOR THIS PLAT ISSUED BY SAID DEPARTMENT.
14. THERE ARE STRIPS OF GROUNDS AS SHOWN ON THE PLAT MARKED EASEMENT AND/OR SANITARY SEWER, AND/OR UTILITY EASEMENTS WHICH ARE RESERVED AS EASEMENTS FOR THE USE OF THE MUNICIPALITY IN WHICH THE LOCATION IS MADE, AND PUBLIC UTILITY COMPANIES FOR THE INSTALLATION, MAINTENANCE, USE, REPAIR AND REMOVAL SANITARY SEWERS, STORM SEWERS, WATER MAINS, GAS MAINS, UTILITY POLES, WIRES AND OTHER FACILITIES AND UTILITIES NECESSARY OR INCIDENT TO THE COMMON INTEREST AND THE USE AND OCCUPANCY OF RESIDENTIAL PURPOSES OF THE LOTS TO BE PROVIDED IN THIS ADDITION, NO BUILDINGS OR OTHER STRUCTURES WHICH SHALL OR MAY BE ERECTED OR MAINTAINED UPON, OVER, UNDER OR ACROSS ANY SUCH UTILITY STRIPS FOR ANY USE WHATSOEVER AND WHICH SHALL TAKE TITLE TO THE LAND CONTAINED IN SUCH UTILITY STRIPS, SUBJECT TO THE PERPETUAL EASEMENTS HEREBY RESERVED.
15. THE METROPOLITAN DEVELOPMENT COMMISSION, IN SUCCESSORS AND AGENCIES SHALL HAVE NO RIGHT, POWER OR AUTHORITY TO REVOKE ANY COVENANTS, RESTRICTIONS, LIMITATIONS OR OTHER PROVISIONS OF THIS PLAT OTHER THAN THOSE COVENANTS, RESTRICTIONS, LIMITATIONS OR OTHER PROVISIONS EXPRESSLY FOR THE SAVER OF THE COVENANTS, RESTRICTIONS, LIMITATIONS OR OTHER PROVISIONS, THAT NOTHING HEREIN SHALL BE CONSTRUED TO LIMIT THE METROPOLITAN DEVELOPMENT COMMISSION FROM ENFORCING AND MAINTAINING THE SUBDIVISION CONTROL ORDINANCE, 19-40-1, AS AMENDED, OR ANY ORDINANCE ATTACHED TO APPROVAL OF THIS PLAT BY THE PLAN COMMISSION.
16. IF ANY PARTY OWNING OR CLAIMING AN INTEREST IN ANY LOT OR PART THEREOF, IN THIS ADDITION, OR ANY PERSON OR PERSONS BELONGING TO THE OR OCCUPYING ANY LOT OR PART THEREOF, VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING OR CLAIMING AN INTEREST IN ANY LOT OR PART THEREOF, OR ANY PERSONS BELONGING TO THE OR OCCUPYING ANY LOT OR PART THEREOF, TO ENFORCE THE COVENANTS, RESTRICTIONS, LIMITATIONS AND OTHER PROVISIONS OF THIS PLAT AND TO RECOVER DAMAGES THEREFOR.
17. THE WITHIN COVENANTS, LIMITATIONS AND RESTRICTIONS SHALL RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND PERSONS CLAIMING TITLE

FOR THE USE OF THE MUNICIPALITY IN WHICH THE ADDITION IS LOCATED AND PUBLIC UTILITY COMPANIES FOR THE INSTALLATION, MAINTENANCE, USE, REPAIR AND REMOVAL SANITARY SEWERS, STORM SEWERS, DRAINAGE FACILITIES, WATER MAINS, GAS MAINS, UTILITY POLES, WIRES AND OTHER FACILITIES AND UTILITIES NECESSARY OR INCIDENT TO THE ORDONANCE AND THE USE AND OCCUPANCY OF RESIDENTIAL PURPOSES OF THE HOUSES TO BE ERRECTED IN THIS ADDITION. NO BUILDINGS OR OTHER STRUCTURE EXCEPT HOUSES OR BUNGALOWS SHALL BE ERRECTED OR MAINTAINED UPON, OVER, UNDER OR ACROSS ANY SUCH UTILITY STRIPS FOR ANY USE EXCEPT AS SET FORTH HEREIN AND CHANGES IN THIS ADDITION SHALL TAKE TITLE TO THE LAND CONTAINED IN SUCH UTILITY STRIPS SUBJECT TO THE PERPETUAL EASEMENTS HEREBY RESERVED.

13. THE METROPOLITAN DEVELOPMENT COMMISSION, ITS SUCCESSORS AND AGENTS SHALL HAVE NO RIGHT, POWER OR AUTHORITY TO ENFORCE ANY COVENANTS, COMMITMENTS, RESTRICTIONS OR OTHER LIMITATIONS CONTAINED IN THIS PLAN OTHER THAN THOSE COVENANTS, COMMITMENTS, RESTRICTIONS OR LIMITATIONS THE EXPRESS INTENT BEING 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, 29-40-3, AS AMENDED OR ANY PROVISIONS ATTACHED TO APPROVAL OF THIS PLAN BY THE PLAN COMMITTEE.
14. IF ANY PARTY OTHER THAN THE GRANTEE OR CLAIMING AN INTEREST IN ANY LOT OR PART THEREOF, IN THE ADDITION, OR ANY PERSON OR PERSONS WHOSE NAME IS ON OR OCCUPYING ANY LOT OR PART THEREOF, VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS OWNING ANY REAL ESTATE IN SAID ADDITION TO BRING AN ACTION TO ENFORCE ANY OF THE COVENANTS HEREIN AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANTS, WITHOUT NECESSITY TO PREVENT AIN, OR TO ENFORCE OR TO RECOVER DAMAGES THEREON.
17. THE WITHIN COVENANTS, RESTRICTIONS AND LIMITATIONS SHALL RUN WITH THE LAND AND SHALL BE BINDING ON THE GRANTEE AND PERSONS CLAIMING UNDER THEM. SUCH RESTRICTIONS SHALL BE IN FULL FORCE AND EFFECT UNTIL JANUARY 1, 2019. ON THAT DATE THE SAID COVENANTS SHALL BE AUTOMATICALLY TERMINATED 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. REVOCATION 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.

IN WITNESS WHEREOF, NASKELL W. FROCK, HEREBY ENDORSES THIS PLAN AND HEREBY EXCEPTS THEREIN PLAN RESTRICTIONS THIS 11th DAY OF August 1988.

Naskell W. Frock
NASKELL W. FROCK

STATE OF INDIANA)
COUNTY OF MARION) ss:

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED NASKELL W. FROCK, BY WHOM TO BE ONE OWNER, REPRESENTATIVE OF THE HEREIN DESCRIBED REAL ESTATE, AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING "PLAN RESTRICTIONS".

WITNESS MY HAND AND NOTARIAL SEAL THIS 11th DAY OF August 1988.

Richard W. Harkin
NOTARY PUBLIC
RICHARD W. HARKIN

MY COMMISSION EXPIRES:
MARCH 22, 1992
MY COUNTY OF RESIDENCE:
MARION

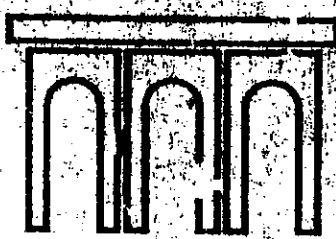


APPROVAL
COMMITTEE
DEVELOPMENT COMMISSION
COUNTY, INDIANA
AUG 24 1988
PUBLIC NOTICE OF THE
AS BEEN PUBLISHED
CHAIRMAN
[Signature]
MEMBER
[Signature]

UNLESS RECORDED
4-14-90



stamp



MAJ CIVIL / SURVEYING, INC.
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SHEET 1 of 1